HOUSE OF REPRESENTATIVES—*Friday, November 15, 1991*

The House met at 10 a.m.

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

O gracious God, remind us that while our lives are made up of the scurrying and flurry that afflict every person, help us to see the clear differences between the important and necessary and the passing and the transient. Teach us to do the tasks that need to be done, but also enable us to see what truly is lasting and those eternal values that make us human. Whatever our situations, O God, may we see the power of faith, the necessity of hope, and the perfection of love. In Your name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GONZALEZ 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.

REPORT ON CURRENT ACTIVITIES OF THE COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS

Mr. SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, I am here in continuation of a pledge I made at the beginning of the session, in January 1989, when I had been elected as chairman of the Banking Committee. I promised then to report to the full membership periodically as to the intents, purposes, and actions of that committee. I want to report on where we are after last night's vote on the Federal Deposit Insurance Corporation's refinancing and reform.

There are some who believe that what went on last night was something disorderly and unpleasant, and I want to say to my colleagues that I for one was very happy and am very happy this morning, because what it means to me is that the full, open, democratic processes, untrammeled by any authoritative mandate, saw its play in full force in this great assembly known as the U.S. House of Representatives.

I point to the closeness of the issue and the vote, for example. We had gone to the Rules Committee just 2 days before or the day before and had requested a rule on a bill that had been abbreviated somewhat from the one that had been defeated last week. The Rules Committee in its wisdom amended the actions of the Banking Committee, which had approved the shortened form. But it is not so short. There are inaccuracies in designating some of these efforts.

As a matter of fact, I will just say by explanation that what has been labeled rather loosely and inaccurately as a narrow bill is one that, had the Committee on Banking 10 years ago acted on it and passed it out of the committee—forget about going to the House—would have been at that time considered a major achievement on the part of the Banking Committee. But, of course, we are living in different times and under different circumstances.

I say that I am proud because everybody has had a full say. Members of the committee and nonmembers of the committee have all had open debate. We had only those circumspections that the Rules Committee in its wisdom in granting the particular kind of rule to govern the debate saw fit to give us.

Mr. Speaker, the forum we have is our committee, known as the Committee on Banking, Finance and Urban Affairs, and it is a committee that is numerous in membership. It is a 52-member committee. When I try to explain this to businessmen, to bankers, or to ordinary citizens, they seem to be puzzled, and they ask, "How can you ever get anything done?"

My explanation is this: I say, "You have to put it in perspective. You have to imagine that I am presiding over half of the U.S. Senate, plus two." Then everybody smiles and says, "I get you."

Well, I am proud of the committee. I am proud of every one of its members, majority and minority. They have been faced with problems that have accumulated unperceived, apparently unperceived, but some of us who have been on this committee for 30 years have foreseen problems, and we have forwarned. We are on record. But it is no satisfaction to say, "Well, I told you so." That has never been any satisfaction to me. But we also realize that unless one is considered infallible, it is difficult to say, "Hey, look, I'm the only one that is right. I am predicting that this is going to happen. Beware."

It takes time. There is not a citizen of the United States up until very recently who did not go along with the thesis that everything was fine, despite the massive accumulation of debt in the private sector; that is, among us, just the people, the most massive accumulation of debt ever in the corporate world, the greatest massive corporate debt in the history of any country or combination of countries, and then the governmental debt, the most massive, incredible debt that one would ever believe.

And yet, what power, what voice could have arisen to warn us, like the prophets of old coming out of the desert, like Nathan the Prophet warning King David and reminding him of his sins? Why, it is impossible. We live in a day and time in which it seems that unless we are immersed in the midst of a big crisis, there seems to be no reaction.

Those of us who have had this great privilege of representation in various capacities—in my case, from the lowest legislative level to the State legislature and then to the National Legislature in 30 years—realize that this process is a great one. It works. As long as there is no elbowing and shoving and pushing, it works.

What we saw last night was, for instance, a vote on a very substantial amendment. In fact, it was the only really substantial amendment that the Rules Committee allowed, the so-called Wylie amendment, named after Congressman CHALMERS WYLIE, the ranking member, the minority leader of the committee, and it ended up with a vote of 210 to 208. But why? Because there is so much at stake.

If you go out on the street and throw out a hundred dollars, you are going to have a mob.

□ 1010

Well, if you have billions of dollars, why, you know you are going to be probed. You are going to have a legislative mob action. It is to be expected.

But what we saw last night and what we saw last week was this process emerging in full bloom, showing that the saving sap of this tree of American democracy in our parliamentary representative form of government is healthy, it is acting, it will work, and it will come out.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

So immediately last night, and with the great help of this great public servant designated in our world as the legislative counsel, Mr. Jim Wert, who worked until long after the House had finished its legislative business in order to refashion the bill that I introduced last night, right shortly before adjournment, known as H.R. 3768. This one incorporates everything that has to be done in title I, the refinancing of the Bank Insurance Fund, which is a must, and which I will come back to in more specific terms in a few minutes.

It also contains all of the other amendments that have had no controversy, no dissidence. It has across the board, across party line consensus.

I have also scheduled and announced a meeting of the Banking Committee at 9 a.m., Tuesday next for the purpose of what we call marking up, that is, shaping and amending if the members are going to do it. By now I think there is a consensus on all sides that this will be the minimal, and that this should be able to get the near unanimous consent of the members of the committee.

We also will have at 10 a.m., provided that our markup on this bill proceeds as I think it will, we also have announced at 10 o'clock a session to mark up the so-called RTC refunding. This brings to mind why since April and May, after having gone through another very difficult refunding of the RTC in March, and realizing that the signs were clear that there was going to be nothing but dire weather forecasts in the future as we went into these funding and refunding mechanisms, and everybody, not realizing that the basic thing at issue is the safety and soundness of the unique and which I have said now is the distorted and corrupted deposit insurance system, deposit insurance fund system.

It was obvious, certainly since 1986, and even before that. In fact, in August of 1979 I took this forum, a special order. There was no TV. I have never addressed anybody but my colleagues in these special orders, because this is a privilege that historically has its incipiency from the very beginning, almost, in which members of a numerous body such as the House of Representatives will be given this privilege of enlarging on some subject matter or theme that the limitations of debate will not allow that member. So you have special orders.

In fact, earlier today I read one request, and it says upon the completion of all legislative business and any other special orders heretofore ordered, Member X requests to be heard for any time, from 5 minutes, 2 minutes, or 1 minute, up to 1 hour, but not to exceed 1 hour. Then that Member has that opportunity.

Now, I have made use of that privilege since the first week I came to Congress, after I was sworn in after the special election in November of 1961, 30 years ago. I have made use of that.

At that time, and for years, quite a number of years after that, let me explain to my later arriving colleagues, you could submit your statement or speech in writing without taking the forum in a special order and it would be printed in the RECORD as if you had delivered the speech.

I was advised by some of the more senior Members, why are you taking the floor to speak? Why don't you just submit it?

My reply was this privilege was given with the understanding that a Member would have a chance to enlarge on this subject matter or issue. Yes, you can submit it in writing, but I think that is an abuse. Because if any Member wishes to contradict or enlarge on that subject matter, he can have a chance by hearing the Member express himself when and where he wants to come in and interject himself and enlarge on the subject matter.

A Member may or may not want to read it the next day. There is really no purpose for it then, other than the satisfaction of seeing it in print, and maybe for some purpose of reproducing that to circulate it in the constituency as a speech delivered on the House floor, when as a matter of fact it was not.

Well, it was not but just some 15 years ago that you had abuses. Speeches were submitted and Members were saying "I didn't submit that speech. Somebody did that for me in a malicious way."

Then the rule was enacted that we would have to initial or sign anything submitted.

Then we did universal power to revise whatever we had spoken. We could delete, we could amend, we could enlarge. We could revise or extend, which is the famous phrase we use here in our procedures.

That is why when I speak here, the reporter of debates takes it down, and I do not bother to get a copy to correct anything. I am going to trust that reporter, who is very skillful. You have the most skillful reporters of debate anywhere in the world.

That is the way it goes. I do not try to go back and say I am going to strike this because I do not like it now. You had abuses of that. You had a great contention here in a partisan way, so the rules were further amended, and that is that if you submit something during the course of debate and you have not actually uttered it during debate, it will appear in a different type, a smaller type, than if you had actually spoken those words on the floor.

Well, that is fine. I think all of those things are improvements and refinements. They were made necessary only because of the abuse of the privilege.

I think that once we had the advent of television coverage of the House proceedings, it is great. The House was the first body up here to do that. It is great. It gave the people out there far removed from the scene some idea of the processes. That is good.

But I think we abuse it when we direct our speeches to that absent audience, rather than to where it is meant to be, to our colleagues, and that is what I have done.

I do not know that there is any other Member or combination of Members that has made use of the special order more than I have. But there is no record that one can point to and say that I have abused that by using this forum as a political stump, because I have said that is wrong, that is an abuse. I think people would resent that, and I think people do. I think a citizen would say, "Well, HENRY, if you want to make a political speech, why don't you wait until the election and come back here and make it on the stump?"

I agree with that. That is why I don't. I believe that the purpose of the special order, which then entails the entire mechanism and apparel of this body, you have to have the clerks, you have to have a presiding officer, you have the reporter of debate, but that entails costs. But it should be, in my opinion, and that is the way I tried to direct it, for the use of reporting to my colleagues, and either advising or explaining or enlarging on an action of a committee or subcommittee that one has responsibility for as the chairman.

Now I want to go back to what I said earlier. What the Members can see, as the citizens back home do, is that we now have a conjunction of events that I feared. In April and May I presented to the Committee on Banking the idea that even though the administration through the Secretary of the Treasury had submitted a very, very substantial bill, a very all-inclusive bill, most of which in those areas in which you would have innovative and far-reaching recommendations, such as commercial enterprises, purchasing, and going into the banking industry, I said those are going to be issues that will require comprehensive hearings.

□ 1020

Some Members said, "We have had hearings for years." Well, we have and we have not. We certainly had not had hearings on the particular recommendations the Secretary of the Treasury was asking for in this bill.

So I said, "Gentlemen, my suggestion is this, that we prepare, because we know that the bank insurance fund is headed for insolvency, if it is not there already."

If there is anything the people back home want to be feeling safe about, it is the safety and the soundness of the bank where they have their small or large deposit. The fact that the Government is telling them, "If you have up to $100,000, you are insured."

In that speech that I referred to earlier in August 1979, I brought out that actuarially, arithmetically, and with the insured amount at that point in the Senate jacked up from $40,000 to $100,000 and with the corruption of the system, the Congress has never passed the statute saying that the regulator, whether it is the Federal Reserve Board or the insurance fund, the FDIC or at that time the FSLIC, the Home Loan Bank Board insurance fund, savings and loan, so called, had the right to pay out more than that insured amount. Yet they have done it.

I tried to get my chairman at the time to have hearings and call the regulators and say, "Under what proviso of the law are you doing this?"

Then comes 1984, 1985, 1986. In 1986, the chairman of the Home Loan Bank Board at that time told me, I was not chairman then, I was ranking member, but who pays attention to ranking member?

He wanted to meet with me. And he said, "Listen, this is serious. You have spoken out and you have agreed with the recommendations I have been making, but even my administration is very critical. Let me tell you that the insurance fund is on the verge of insolvency and it has got to be refunded somehow."

Well, the rest is history. But again, what happened? Going back to 1984 and the then-chairman of the Federal Reserve Board announcing the too-big-to-fail doctrine in the case of the Continental Illinois Bank. What was the story there?

I said it then. I made a special order speech and said, "Since when?" In fact, I used the words from Shakespeare, "Of what meat doth this Caesar eat that he is so powerful?"

He told me, when he appeared before the Committee on Banking, Finance and Urban Affairs, and I had 5 minutes and I said, "How far are you going to go, in effect nationalizing, every time, one of these big banks?"

He said, "I will use every resource of this country." That is in the record. It was incredible. I have been referring to that since then.

And I kept urging that we have a hearing on why the Federal Reserve Board was utilizing more than $6 billion, in effect nationalizing the Continental Illinois Bank. I said this, I said, "If this had happened in another country, we would say that country had nationalized the bank."

Over the years the bank has cost over $12 billion. But why, why did it happen?

First, not much attention was paid to it. The press was not anywhere around. If it was, it probably was not aware of the issue, though it should have been. Some of the foreign press correspondents, particularly the British, were. They were writing the facts. Reuters, which was the one that sent the dispatch to Japan and Germany saying the Continental Illinois is in trouble, causing the Japanese, the Germans principally, and other Europeans in 3 days to take out $8.3 billion of that foreign money out of Continental Illinois. That was the immediate cause of its collapse.

I said, "Hey, the handwriting is on the wall. How far has this penetration come?" Nobody cared.

We were having prosperity. Remember? Remember the speeches here on the floor just 2, 3 years ago, the Reagan prosperity? But what was that prosperity? It was a fool's gold prosperity. It was illusory.

Some of us took the floor and said that. We were immediately accused of being partisan. But nobody bothered to read the record when I spoke out in 1979, and it was not Reagan who was President. It was a Democratic President, President Jimmy Carter. And I was pointing out by then that given the first bank to indicate we were going to go into very troublesome waters was the Franklin National Bank. That was one of the first Federal Reserve Board bailouts.

What was not known until just recently, when I had the staff, a great staff. We have had half of the staff resources that, say, my companion colleagues on the Committee on Energy and Commerce have. We have one-half. We have some young, intrepid, courageous, honest, and dedicated. And I have tried to channel their great talents, and we did.

Last year this very young man went in, brought out statistics that even some of those that had written books had not been able to elicit from the Federal Reserve Board.

First, from the regulators who were indulging in the same practices that the Home Loan Bank Board had been before 1989, in these long-term, so-called conservatorships that were draining about $20 million a day of that insurance fund. We brought out that they were paying out 99 percent of all deposits.

Well, who were they? The average American has no more than $8,750 in his bank account. But the commercial banks alone have $3 trillion in insured deposits. Where do they come from?

Well, they come from passthrough accounts. Who does that involve? The moment we start touching that, we get all of the banking interests coming in and saying, "Hey, wait a while. You cannot do this to us."

But that is what the S&L's did, after 1982. They were playing with that insurance fund instead of their own money, and this is where we are today. We cannot have $3 trillion of insured deposits in the commercial banking system alone and have a broke insurance fund and say that "you have insurance." That is obvious.

But that has not come through even now. The perception as to the depth, complexity, scope, scale of this immense problem is still not perceived, either by the industry or by the press or by the general membership in both bodies of this great Congress.

□ 1030

Yet we will get there. It has taken a little time to exert the leadership to infuse confidence in the Committee on Banking, Finance and Urban Affairs. I am proud of what the committee has done. It has turned around, and even though it is a many-membered body of 52 we have worked legislation. Two years ago we produced in one bill in 8 months what it took three Congresses and four different bills in the 1930's to do plus more, something that the country has not faced and in which we are wallowing in the midst of now known as the great real estate ownership overhang that the RTC was to be charged with managing and disposing of. These are great challenges.

Now, we have a lot of things that we can learn even from, say, other countries. Germany, for instance, in its merger, and I do not know that I would call it a reunification, with its problems of trying to privatize the otherwise socialized economy of East Germany has created what is known as Truehandsdhnstalt. This is the equivalent of our RTC. You think they do not have problems, too? Of course. But somehow or other, despite the complexity, they have come around and have created a very, very substantial and not only creative but a very interesting and up to now fairly successful experiment.

In our case, we are still in the throes. We have, as I said, this conjunction of events. My biggest fear, and that is the reason I solicited the understanding and I advanced the recommendation to the committee that we travel on a more immediate but narrower package, but not so narrow as to not contain the absolute reforms in accounting, for instance, that the GAO tells us is absolutely necessary. I put 100 percent of the recommendations of the GAO on accounting in this bill. It is in H.R. 3768 which I introduced last night.

If we do not have accounting reform I do not care what we do. The reason is that we have had a failure, a breakdown. What this country is undergoing, whether it is strong enough to shake the ground yet that perceptibly, is not only a financial but a moral earthquake. We have had a breakdown in standards of basic morality in the private world, the business world, the accounting world. We had hearings 28 days after I was elected chairman of this committee. We had hearings and we had two of the principal accounting firms, one of which had been the accounting firm or whatever they called it, independent examiner, of the so-called Vernon S&L down in Texas. Their chief accountant sat there and

looked at us straight in the eye and said, "Yes, we checked those books." I said, "Yes, but you gave them a clean bill of health. Didn't you see that they were having these big orgies in Las Vegas, orgies that outdid the Romans in the worst period of Roman orgies, all paid for by the S&L?" "Yes, but that was not our job." I said, "Didn't you see that they had 100 limousines, 50 airplanes, executive airplanes, all paid for actually by the insurance fund?"

That is what they were depending on, because after all, as it has ended up, when the hurricane hit, and let us call it a hurricane in that case, but we really have an earthquake also at the same time, why, Uncle Sam ended up with all the junk and we ended up with the worst world possible. We boast on having a free economy but we have ended up with the worst world.

I have said that since 1988, and the Home Loan Bank Board of Dallas developed their so-called Southwest Plan. I was bitterly attacked in June 1988 for criticizing that plan. Why did I criticize it? Because they were fantasizing that they could stitch together these dead institutions that were losing money every day, put them together, put them under a sort of a management conservatorship so they would be advertising not only in my hometown papers but these entities that were dead as doornails and should have been closed down, paid out.

The Home Loan Bank Board said, "We cannot do that because we do not have the insurance fund money to do it with," which is what they are saying now in the case of the banks. There are a lot of banks that should be closed down right now that are not because they do not have the money with which to do it and pay out the insurance fund.

Up to now if any of my colleagues want to know what is at stake, go ask the Members who have had big banks fail: Northeast, the Bank of New England. They will tell you that every one of their constituents had their money paid out in insurance. But if that were to happen today I would like to see that. I would like to see them pay 30 cents on the dollar. You do not have to be a space scientist or mathematician to figure that one out.

It all goes back to the fact that every one of us back home contributed to it. We were all riding that merry-go-round. Who cared whether the money markets, mutual money markets of the 1970's were insured or not. They now represent about 23½ percent of the total deposits out there that are uninsured. "Oh, but they are paying 8 percent, 8¼," when these other institutions were paying less than 7, or 7 at the most. So everybody was an instant financier and nobody was going to pay attention. Everybody was riding that merry-go-round.

But there is no such thing as perpetual motion, in merry-go-rounds or anything else. And when that merry-go-round stops either we drop that 50 cents or dollar, whatever it is today, so it will go again or it just cannot. The point of no return is here and now.

I have so much faith in the processes, but I know that given the talent that I respect, and I do not know any Member of this body that I know and have had a chance to know that I do not personally like and that I totally respect. We may not agree, we may be at great differences in ideas, but I respect the integrity of the beliefs and the arguments. Because I have seen that even where you have this sort of thing, after all, democracy is not neat and sweet. Democracy is disorderly. It is earthy. It is like Carl Sandberg said, that democracy is not a respecter of and it does not venerate and it is not a venerating process. Of course not. It is the hurly-burly of free life. It is the people proving that the faith of this country, upon which this country is predicated, is that we the people of this country know how and can govern ourselves; that we do not have to have some select individuals that, in the words of John Adams, referring to George Washington, meant.

You know, if you think that everything was real nice and polite, you have not read history. John Adams detested George Washington.

□ 1040

He said, "There is the tall Virginian who thinks that he, like the Ancient Hebrew judges, has been chosen to lead by their height," in other words, because George Washington was tall. He said, "And here he is coming down to us as if heaven-sent, booted, spurred, and ready to ride on the hapless back of mankind." That is what John Adams said of George Washington.

And, of course, last night we heard a lot of things by bankers as a class. We heard pros and cons about what could and could not be trusted, but that is good. Everybody had their say.

We did the same thing in the committee to begin with. Once the committee said, "Mr. Chairman, no, we think we ought to give the Treasury's package a run," I said, "Fine, I will recommend to the subcommittee that I am referring this to the Subcommittee on Financial Institutions," very ably chaired by the gentleman from Illinois [Mr. ANNUNZIO], that they use the Treasury's bill as what we call the markup vehicle, and when they came out, we had a full committee. We had the amendatory process. We had 150 amendments offered, and everybody had his chance, and we went through them all where sometimes some would say, "Well, you know what, I changed my mind. I am not going to offer it." But we had over 150.

So we went through that. In June, after this House had adjourned on Wednesday, June 27, I called the committee back, and some were sayings, "How dare you do this. We want to go home. Why can this not wait until we come back after July 4?" I said, "Because time does not allow it, and I am going to call a meeting," and at 8 p.m. on that Wednesday, I said, "Gentlemen, now, the House is not going to be in session tomorrow, and it is certainly not going to be in session on Friday, but we can finish this. We have gone through all of these amendments, and we just have about 1/15 of the total number," and to their everlasting credit and glory, the overwhelming majority, preponderant majority, of that committee stayed there, and we passed the bill out in the morning of June 29.

But I had warned, I said, "Gentlemen, we had better have this other bill that I recommend as a standby." So they had said, "What do you recommend?" I said, "I recommend you also pass this one," and they did so. We were prepared. I foresaw that if the issue of refinancing the bank insurance fund, even though at this time it cannot truly be called a taxpayer's bailout, what it is is a modernization and upgrading of the line of credit that the FDIC has always had with the Treasury except it has been limited to $5 billion, and in view of the fact that never before had you had this many banks in trouble, this bill would call for that line of credit to be increased from 5 to 30, but with the proviso that in the resolving of these institutions and the sale and the acquisition of the moneys resulting from the sale of the assets, they would be allowed an additional 40, but that is to come from asset sales, making it a total of 70.

So there has been a lot of misconception. Usually the arguments I have heard here that are based on misconception are those that are from Members not members of the committee, so I can understand that. But this option was given, and the committee, in its wisdom, and that is why I say I have nothing but admiration and respect for my colleagues on this committee, and it is a great committee. You have great members, new members and veteran members, and I would never say that I was anything but less smart than most of those there. I would never deceive myself into thinking that.

I have had the advantage, yes, of observing and experience and membership for 30 years. That is certainly to be credited, if one learns from experience, and I think I have, but it does not in any way diminish the great admiration I have for this membership.

We passed those two bills out on June 29. I foresaw that if we came back and were here involved in this multiple referral which the Treasury bill called for, where it had to go to four other committees, I knew that it would be a matter of time, and we did not have time, because we were also told that by

the end of the fiscal year, that is, September 30, the RTC would be requesting 70, maybe more, billion dollars in order that it could complete its work of resolving the S&L's that have gone under. So we did not stop there.

I immediately instructed, and the chairman of the Subcommittee on Financial Institutions, the gentleman from Illinois [Mr. ANNUNZIO], got together, called a meeting. they came out with an RTC funding.

I have called for a meeting to mark up this bill that I just introduced last night which has all of those amendments and what not and titles that nobody has ever dissented from or has an argument about on both sides in or out of the committee, but also at 10 o'clock I have called for a markup of the RTC funding bill that has been approved by the subcommittee.

It is very difficult to tell people whose perceptions are pretty well congealed, and you cannot blame, and how do people, and how does a citizen en masse in a collective body formulate what anybody would call a collective ethos or opinion? Well, they have to depend on their sources.

Our system is predicated on the fact that those of us that are charged with representation on a very localized level should be as accessible, and I say this, as the telephone to that constituency in that district. The citizen has his Congressman. The U.S. Senator, that is the whole State. The President and Vice President, that is the whole country.

But when you look at the records of the Constitutional Convention in Philadelphia, you will see that when this was conceived that it was intended, in fact, you had a big debate about whether the Members of the House should have 2 or 3-year terms. The 3-year-term motion died by one vote.

I have seen all kinds of movements since then. I remember President Johnson being enamored with the idea that we should have a constitutional amendment so that the Members of the House should have 4-year terms rather than 2. So one day they convoked a meeting at the White House; I was there, and he threw this out. I got up and I asked one question. I said, "How are these 4-year terms to be considered? Are they to be coincidental and contemporary with the quadrennial, or the 4-year, Presidential election year?" He said, "Oh, yes."I said, "It will not fly. You will have destroyed the basic constitutional concept as to the nature of this House and its representation." They wanted the Members to come back every 2 years to stand review.

You have heard about term limitation. Well, I have heard that before. The best term limitation is what the people have now, and that is that every 2 years that Representative has to come to the people and pass review. Now, if the people do not care or they do not bother, well, that is something else. In that case, we are not talking about a system that is predicated on the people caring. My experience is that people care, and the people need leadership. They need it. That is why they elected you.

□ 1050

Franklin Roosevelt used to say that the biggest job of a 20th-century President was not only to lead this great army of American people and together confront the common problems facing the American people, but also to educate.

He put it this way. He said, "Educate, educate, educate," and that is our job. Our job is to try to discern and explain to the people these very complicated issues that sometimes defy our own understanding, but which after debate and consideration we should have some grasp of what we are voting on, and the people expect that, but if they are not given a choice, then truly how can we demand anything? We cannot.

My experience has been, I would not be here today if the people had not had—just plain ordinary folks from all walks of life, not just from one particular section of the country, and I am one of those from the beginning when I could have beat those ethnic and racial tom-toms to death, refused. I never have made a pitch on that basis. I would be insulting the people I know in the group from which I emerged, so I never have and I never will. I would rather not have office.

And what happened? Despite great odds in my first congressional race, President Eisenhower went down there 5 days in a row against my candidacy.

I did not have funds. I never have had much funds. Today if I were to have to go out and raise the average that it takes to lose with today in my State of Texas, I would not know how to do it; but the people are there, and if you are in touch and if you communicate and the people do not answer, there is nothing you can do, except to accept their verdict.

My experience and my witness is that the people are there when given a choice, that they can tell the difference between talking a fight and fighting a fight.

With that faith, I will tell my colleagues, and I urge my colleagues that when we meet Tuesday morning and I first intend to meet with the majority Members of my side to make sure that we have their consensus, then we will have that markup at 9 a.m., God willing, on next Tuesday, and when we come out of there, I would like to see approval of this, go to the Rules Committee and have the Rules Committee give us a rule that will allow us to come here and register what up to now has been the consensus.

Now, it is going to take again, I would not want to see it done, if necessary, OK, but I would like to see it done on a bipartisan basis. This is where we are working and I want to report to my colleagues today. That is what we are doing.

We have probably the most perilous moments to confront our Republic under this form of government. It is more than just a coincidence that as we celebrate the 200-plus years of this Constitution, and therefore this form of government, we should be in our time and in our generation, though I represent a generation of greater age than the average today, and therefore consecrated as I am to keeping faith with the people who made it possible for me to serve, despite some of these odds, that I act in such a way as to never diminish one iota the heritage that I benefited from and transmitted undiminished to those who follow, because we do not know whether we are going to succeed in our time now in maintaining the hope and the promise of the greatest democratic experience in the history of mankind. That is on our shoulders right now.

God is no respecter of nations or individuals.

There have been many times I have taken the floor, going back to 26 years ago, and saying why should we think that we are more intelligent, that we are more graced and blessed than the great German people at the time Hitler rose.

I recall in my salad days, I studied engineering before I studied law. I went through engineering, and the great schools at that time were the German schools of engineering and technology, culture, German musical conservatorships were the outstanding in the world.

How could that have happened in Germany? I would ask that question and pose it.

I say, you know, we are doing the same thing we did after World War I and I pointed out economically, financially, statistically, how again the markets were going like they did after World War I.

I remember those student days, even the presalad days, as if they were today.

I remember such things as the Dawes plan for reparations, the Hoover moratorium on the payment of debts in 1930, the Locarno disarmament conventions or meetings, and the treaty, the 5-5-3 naval agreement, the ratio of 5-5-3, the United States, Great Britain, and Japan, Germany prohibited from having this, that and the other; but it was soon apparent, and in 1932 when the pocket battleship, *Deutschland* came to Corpus Christi, TX, I happened to be one of those who visited it, because I worked. Since I was 10 years of age, I have worked at something or other every one of those years since then. I started working with a German druggist, Ernst Von Helms, who had the old

reliable pharmacy at the corner of North Forest Street and Cadwalter, half a block from the home where I was born.

I started working with him when I was 10. Today they call him a refugee. At that time they called him an emmigre.

A great intellectual from Mexico had come to San Antonio, visited the home. My father was in charge of the only Spanish language daily newspaper published in the United States for 40 years, and so that became the attraction for these intellectuals.

This one soon left for the University of Brussels, Belgium, to be a teacher. One of his sons was near my age, and he left a 20-inch bicycle. With that, I delivered for Mr. Von Helms after school, I was in grammar school, from about 3:30 to about 6:30.

I was the only one that lasted with Mr. Von Helms more than a month. He was a very unusual character. He was an ex-German ship captain on the *North German Lloyd Liner* off the coast of Japan for 30 years. When the war broke out, he was trying to bring his ship back to Hamburg and a British and a French cruiser spotted him, chased him, and he came up to Baltimore to avoid capture and was interned. It was while he was in internship that he studied pharmacy and then ended up in San Antonio after the war.

He said he liked me because I never touched anything that was not mine. He would always say, "Honesty is the best policy."

I learned how to work, and I will forever be grateful, but I also learned about the pride of nationality and race and that old cry that rose in Germany and it will again, you cannot avoid it, "blut und boden," blood and soil.

□ 1100

So at this time while we are here gathering around, fumbling around, muddling through on a domestic situation, we now have forces external to our shores like we did after World War I and beginning with the aftermath of the Wall Street break in 1929.

I remember that happened, and it was not until 2 years later that you felt the effect. This is what I said in 1987, when we had the Wall Street stock market crash, I said it will take 2 or 3 years before you know, and that is what is happening now.

So we are confronted with a myriad of promises, piled on top of massive debt, and the biggest danger of all, as I see it and tried to speak out on this in 1979 when the summit economic meeting at Bonn proclaimed for the first time the emergence of the European Currency Union [ECU], the EMS [European Monetary System] now to be the EMU [European Monetary Union] with a common currency.

Now, the ECU is now worth about $1.30.

Now, we have massive debts. There is nothing to keep the consortium of nations, whether it is the Group of 7 or the Group of 10, to pool their international reserves, nationalize their currency, as they are on the verge of doing, and the dollar then is substituted as the international reserve unit.

What does that mean? That sounds like a lot of talk. It is not.

What it means is that for the first time in our history, and we are the only nation blessed with that, we will have to pay that massive debt in somebody else's currency. That is the real threat.

I have taken it up with the Chairman of the Federal Reserve Board; "No." I have spoken with international bankers, and they all say, "Well, maybe some day in the far-distant future, if the United States is in an unstable situation."

I say, "Why can't that happen next year?" They cannot really tell you.

Well, I will tell you; I have got the answer. It can happen, and we are not prepared. We are the only country that has paid its debt in its own currency, but as of 1985 we became a debtor nation for the first time since 1914. Now, you cannot escape that. We have to go back to our basics, we have to go back to Ralph Waldo Emerson. He says,

> Always pay, for first or last you must pay your entire debt. Persons and events may stand for a time between you and justice, but it is only a postponement. You must pay, at last, your own debt. If you are wise, you will dread a prosperity which only loads you with more.

And that is exactly what has been happening in the eighties and up to now. We have deceived and deluded ourselves into thinking that we can go into prosperity with heavy burdens of debt, and that is wrong.

Now, we first have to reform ourselves here. Now, I think it starts with us.

You know, my mother always said, in Spanish because when I went to school I did not know a word of English, but she would always say: "If you want others to respect you, you first have to respect yourself." And that is what I will tell my colleagues; we respect ourselves, we respect the institution, we have mutual respect, and we will have the respect of the people.

THE LOUISIANA GUBERNATORIAL ELECTION

The SPEAKER pro tempore (Mr. BLACKWELL). Under a previous order of the House, the gentleman from Louisiana [Mr. TAUZIN] is recognized for 60 minutes.

Mr. TAUZIN. Mr. Speaker, the Nation will be focused, as they have probably not for a long time, upon the State of Louisiana and the voters of our State who will cast probably the most important political decision of their lives.

Tomorrow in Louisiana our citizens go to the polls and choose between two candidates seeking election as Governor of our State; one, David Duke, a Republican, representing a past filled with associations with the Nazis and the Ku Klux Klan; the other a former three-time Governor of our State, who has been much maligned, even once indicted on Federal racketeering charges.

There are many around this country who have watched with fascination the politics of our State and wondered, and have asked us here on the floor, "What is going on in Louisiana? What on Earth is happening there? How have you come to this?" Also, what does it mean for our Nation, not just Louisiana?

This morning a Fox Television Network call-in poll is beginning to produce its results nationwide. They are interesting numbers.

The Fox Network has asked voters to call in from around the country and answer a simple question: Would you vote for David Duke if he were running in your hometown?

Mr. Speaker, 36 percent of the callers are saying "yes;" 64 percent are saying "no."

Now, 36 percent of Americans are saying they would vote for David Duke if he were running in their hometown.

Thirty-six percent of the American public, bothering to call in, are saying that they believe in, support, would endorse with their votes, a message in the person of David Duke.

Let me try first of all to explain to you as best I can the circumstances in the State of Louisiana which have given rise to this peculiar and extraordinary, fascinating election that is occurring tomorrow.

There is a debate here in America as to whether or not we have a recession going on. I happen to think it is pretty clear we are in a recession. But when it was first described this Nation might be in a recession, there was general applause in Louisiana. People in Louisiana felt recession would be an improvement over what we have been through in the last 8 or 9 years. In Louisiana we have been in a depression. In Louisiana, 8 or 9 years ago, in 90 days the oil and gas economy of our State fell apart. When Sheik Ahmani began to execute policies in OPEC that dropped the price of oil from a high of $35 all the way down to $8 a barrel, it devastated the oil and gas patch of America's Louisiana, Texas, Oklahoma, Arkansas, New Mexico in particular.

Some of the States of that oil patch have recovered fairly well; Louisiana never did. We have watched as our people have suffered economically for 8 or 9 years now.

We appealed to this Congress for help. Yesterday this Congress, this

House, adopted an unemployment compensation bill. The Senate debates it today.

Most of the members of the Louisiana delegation voted for it; I did. There were some who felt a little hard about voting for it because of the treatment Louisiana workers have gotten for 8 or 9 years, when they begged for help and relief and did not get it from this Congress; when there were trade bills going through this Congress and we asked for the simple courtesy of including Louisiana workers for trade adjustment assistance, the simple courtesy of recognizing that the workers of Louisiana who are unemployed, were unemployed because this Nation had embarked upon a policy of depending upon cheap foreign oil instead of utilizing the labor of the men and women of Louisiana who had traditionally supplied energy for this country. We had asked for the simple courtesy of extending to us foreign trade adjustment assistance, allowing our workers a chance to get retrained so that they might undertake other jobs when the oil and gas industry fell apart. This Congress did not include foreign trade adjustment assistance for Louisiana's workers in the trade bill. To the credit of this House, we included it; unfortunately, when the bill went to the conference committee, the Reagan administration insisted that it come out or it threatened to veto the bill.

So it came out in conference. And the workers of Louisiana never received the courtesy or the help of this Federal Government in getting retraining when it was Federal Government policy that put them out of work in the first place. So there are angry workers in Louisiana still unemployed.

□ 1110

We have watched for 8 or 9 years as our children have had to leave the State of their birth to go and find work somewhere else. I have watched in my office over the last 8 or 9 years as so many young people came through looking for work, looking for opportunities because opportunity had deserted them in Louisiana.

In large measure the oil and gas depression in Louisiana is still a result of Federal policy. It is still a result of tax policy that tells oil and gas companies, "If you really want to make money, go and drill and produce oil and gas somewhere else, not in America." The foreign income earned tax credit that is awarded major oil companies for producing oil in Saudi Arabia or Iraq or Iran, wherever they can, is typical of that tax policy. The removal of all the incentives we had in our tax policy to encourage a home-grown energy production in the tax bills of 1981 and 1986 is typical of the tax policy that has devastated the economy of Louisiana.

So our workers are unemployed and frustrated, and their children have left home. We have watched as families have separated, and two-income homeowners have become no-income homeowners. We have watched indeed as the State has wallowed in a depression for, oh, too long without any help.

We have watched as this Nation has debated an energy policy this year and just recently rejected a national energy strategy in the other body that would have opened up oil and gas development again in America. It would have opened up an ANWR that would have produced jobs in Louisiana. That has been rejected again. We have watched as this country has spent $65 billion to fight a war in somebody else's oil field when we would not invest in our own in America. We have watched as Louisiana men and women in greater numbers per capita than any other State in the Nation defended an oil field in the Persian Gulf because they were out of work in the oil fields of America. And we wonder why there is anger and frustration in Louisiana.

We have watched as environmental policy, shaped here in this Congress and in America, has continued the devastation of energy-producing States, an environmental policy that continues to make it much more difficult for us to produce energy at home for our people.

We have watched, for example, as the Endangered Species Act protects a turtle more than it does a Louisiana shrimping family. I have watched in the last several months as shrimper families have been devastated by this Federal policy that insists that they carry TED's in their shrimp nets that look like a baby carriage, and that has an opening that lets the shrimp out of their nets, thus devastating their income and their capacity to earn for their families.

I have watched as those families have gravitated to David Duke and his message: If you are out of work and unemployed and you are hurting, then somebody else is at fault.

To the extent that there is someone else at fault here, he is right. This Government has let down the shrimping families of Louisiana. It has let down the employees of the oil and gas industry of Louisiana. It has let down our State economically terribly, and our citizens are angry and frustrated and mad.

I tell the Members this because in Louisiana David Duke's message is a powerful one. Forget for a second where he comes from. Forget for a second what he is personally. Forget for a second, if you can, his roots in the Klan and his roots in neo-Nazism in America, and listen to his message alone, and you may understand why 36 percent of Americans today say they would vote for David Duke if they were given a chance.

Ray Strother, who does a lot of public and political campaign consulting in our States—he handled my first campaign for Congress in 1981, and he is a mentor, by the way, to Jim Carville, the genius who produced the victory in Pennsylvania for Senator WOFFORD—did some focus groups during this first primary for Governor in Louisiana. He examined in these focus groups what the fascination was with David Duke and his message. He found some interesting results. What he found in the focus groups was a thing called white victimization. What he found in the focus groups was a feeling among the white population in our State, in Louisiana—and probably this is true around the country when you look at this 36-percent figure coming through on the Fox poll—that there was this thing called white victimization. He found where unemployed, frustrated, angry citizens who did not have anything left in their retirement accounts, who could not afford health insurance, who watched as their children could not get jobs and who could not afford to give them education any more and they could get no help from the Federal Government except a big tax bill annually, were looking for somebody to blame. Then David Duke came along and said, "It's not your fault you are unemployed, it's not your fault you can't save money, and it's not your fault your children can't get an education. It is somebody else's fault." And he points to blacks and he points to Jews, he pointed originally to Catholics, and he points to anybody else he can, and he says, "Somebody else is at fault, not you." David Duke says, "I sympathize with you. You are a victim in America, and you need somebody to sympathize with you."

And so people sympathize with that group of disaffected voters in our State and around America, and they get their support.

David Duke warns this crowd of unhappy, frustrated, angry voters, and he gives them the notion that "Somebody cares about you, and it is not your fault you are suffering. It is somebody else's fault."

The seeds of disaffection, of anger, and of frustration in Louisiana are beginning to be planted around this country as the recession builds. Let us not kid ourselves. Look at the Fox numbers. Thirty-six percent of Americans say they would vote for David Duke if they had the chance to do so. The seeds are planted. There is anger, and there is frustration as the recession builds around America and as it reaches the same kind of proportions—and hopefully it never will—that we have felt in Louisiana, and David Duke's message becomes even more powerful.

Parts of his message make a lot of sense to many people. Parts of his message make a lot of sense to me. What he is telling us, for all the wrong reasons, is that we have not paid enough attention to the fact that this Government here in Washington takes too

much of the money of hard-working Americans and misspends it so badly. That is a good conservative message, one that I share, one that most folks in Louisiana and many people in America believe.

What he says is that when we spend it on social programs, we do not get our dollars' worth, and he is right. This Congress a couple of years ago called for welfare reform and passed a bill saying that when we spend money and when we reallocate tax dollars from one class of citizens to another, we ought to get our dollars' worth, that we ought to help people out of poverty rather than condemning them to cycles of poverty, and he is right to that extent. He is right that we have not dealt with it.

On the one hand, the hard right in our country wants to abandon the poor in our country and repeal all those social programs. On the other hand, the liberal left which created the programs say, "We built them. They are our programs, and we are going to defend them even if they don't work." His message is that somebody needs to come in and fix them. He is saying it for the wrong reasons but his message is valid.

He is saying to us in America in his message that voters deserve something better than what we are getting out of government, and he is right. If you are unemployed and you are hurting, the message rings awfully true and awfully strong.

In Louisiana there are really four classes of voters out there. There are voters, let us face it, who would vote for David Duke because of what he is. There are racists and bigots in Louisiana just as there are all across America.

□ 1120

Some will vote for David Duke because they like the notion of his past. There are many who will vote for David Duke tomorrow who will vote for David Duke in spite of his past, not because of it, but because they like his message enough to vote for him and believe in his message enough to vote for him.

Then there is a third class of voters in Louisiana who will vote against David Duke because of who he is, but who still like his message. There are a large group of those, and I suspect there are a large group in America who feel the same way.

Then there are a large group who will vote against David Duke tomorrow and for his opponent because they are against him and his message. There are four classes of voters.

I have been asked to predict the outcome. I think from all the indications we have seen, that voters in Louisiana are going to do the responsible thing tomorrow, they are going to do the right thing. They are going to reject David Duke, the individual, whether they like his message or not, and they are going to elect Edwin Edwards our Governor.

To those who are concerned about that, who wonder as USA Today says that we may elect a charlatan as our Governor, let me assure you that Edwin Edwards possesses extraordinary gifts and talents.

I was a member of the State house in 1972 and served in the State house for the first 8 years of his first two administrations. In most of those years, when he paid attention and worked hard at it and believed in it, he was a good Governor.

In the first several years of his administration he gave our State a new constitution. We had not had one since 1921. He reorganized executive branch into a more streamlined and efficient organization.

He extended to our legislature in Louisiana something no Governor had ever done, certainly not since Huey Long. He gave us a thing called independence. He allowed our legislature to elect its own leaders, instead of anointing them. Our legislature took the ball. We reformed the processes. We opened our hearing rooms. We began to even give notice before we handled the bills, believe it or not. We threw the lobbyists off the floor of the house. They used to walk around freely before that.

We built a legislature with some integrity and independence when that was thought to be impossible in 1972, all under Edwin Edwards' guidance and help.

The point I am making is that he came in in 1972 as a reform Governor and served us well and performed well as Governor. He has the talent, the capability, and he has the experience to do it.

There are those of us tomorrow who will say to him we are taking a chance on you, because we have to. If we are to do the responsible thing, we are going to ask you to be responsible now and lead our State out of this mess we are in. He has the talent and the capability to do it, if he wants to. He says he wants to. We are going to take him at his word tomorrow.

I think Louisiana tomorrow will do the right thing and responsible thing. I think we will reject David Duke.

But I do not want you to think that is the end of the story. Make no mistake about it, there is a David Duke under the sheets in every hometown in America waiting tomorrow to rise, waiting to take that message he runs on, which is a powerful message, and built upon it a political platform.

Make no mistake about it. As this recession builds, the seeds are planted for more and more David Dukes in America. Some will come with the wrong background and for the wrong reasons and will make political hay out of the work he has already done.

Make no mistake about it. If this country does not begin addressing soon the roots of unemployment, the roots of poverty, the problems with our welfare system, the problems with the basic questions of equality in our land and fairness, David Dukes are going to rise in your community too.

Thirty-six percent of Americans say they are ready to vote for him now. Make no mistake about it, Louisiana is not special. What is happening in our State is not unique and strange and odd. It can happen in every community in America today. If we do not deal with this recession soon, it will happen in every community in America today.

It is time for this Congress to stop bickering about whether there is a recession now and how to deal with it, and stop bickering about whether we are going to have a Republican solution or a Democrat solution.

I will never forget the line in the President's last inaugural speech that got the most applause here in the west wing of the Capitol. President Bush in his inaugural said "It is time to stop the bickering and to get to work for America."

People applauded. People stood up and cheered. And we have been doing little else but bickering ever since.

There ought to be a growth policy for America, bipartisan in nature, that we gather around; a policy that reduces taxes for the middle class and encourages them again.

There ought to be a bipartisan policy in this Congress to reform welfare and to make it work again, to take people out of that awful system and give them a chance.

There ought to be a policy in America that does not have us bickering over how much unemployment we ought to be paying people, but how in fact to fashion a policy that creates employment for our citizens.

There ought to be a policy in America that says to our trading partners we will not let you trade in America until you are fair with America. We ought to come together in a bipartisan way and say that, in a real way that could make a difference.

If those shrimping families I talked to you about in Louisiana believed we would do something about the fact that Mexico slaughters endangered turtles and imports shrimp into our marketplace and destroys the economics of our shrimping families, and we do nothing about that unfair kind of trade practice, if we did something about it, maybe those shrimping families would believe again and have faith again in government, rather than running to David Duke for help.

If we did something in America that said to our Oil Patch we are going to encourage you again to go to work to produce energy for America, instead of relying upon cheap foreign oil from persons and countries we cannot de-

pend upon, if we understood in America that there are ways and means for us to develop an energy policy compatible with our environmental concerns, that we do not have to vote to send our kids to battle in foreign lands, rather we could put them to work in the oil fields of our country, maybe then the unemployed in our State would find employment and would not be running to David Duke for help.

Maybe in America if we built a progrowth tax policy that encouraged people to save money, encouraged people to invest in our Nation, encouraged people to earn money, maybe then people across America would not be saying that 38 percent of them would run to David Duke for help.

Maybe if we got down and really talked about the basic questions of how do we establish real true equality and fairness in our land, we would not have the David Dukes trying to divide us on the basis of race and religion and ethnic origin. Maybe we could come together as a family, productive again in this country. Maybe we could take on the world as we once did.

I suppose what I am telling you in a nutshell is do not be surprised at what has happened in Louisiana. Do not be shocked by it. Do not be fascinated by it. Be warned by it. It can happen in your community, too.

We ought to stop it in Louisiana by putting people back to work and by treating citizens fairly and by lowering taxes in America, by giving citizens a dollar's worth for the dollars we take from them, and creating a fair trade situation where our workers in America would have a real chance to employ their families and educate their children.

Maybe if we did that we could prevent what is happening in Louisiana, and what is going to happen in your communities, too.

Maybe if we quit bickering in this Congress and start working together in a more bipartisan way, maybe the respect for this institution will build, too. Maybe Americans will start appreciating Congress, instead of constantly denigrating it. Maybe Americans would end up with a greater respect for this body than it has for its individual Members. I would love to see that today, because I believe in this body more than I do its individual Members.

Maybe Americans would avoid what is slowly happening in our country, as characters like David Duke gain ground, gain ground at the expense of harmony and peace and productivity in our country.

The warning flag is up in Louisiana. Take heed, please. We are going to do our best tomorrow to do the right and responsible thing. We are going to try to come back strong in our State. We will need the help of this Congress. We will need the help of this Nation.

But as we come through it, know that it can happen to you. Know that it can happen to America, as it happened to Germany. Know that it can happen, and then let us work to make sure that it does not.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. GONZALEZ) to revise and extend his remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

(The following Member (at the request of Mr. TAUZIN) to revise and extend his remarks and include extraneous material:)

Mr. TAUZIN, for 60 minutes, today.

ADJOURNMENT

Mr. TAUZIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 31 minutes a.m.), under its previous order, the House adjourned until Monday, November 18, 1991, at 12 noon.

OATH OF OFFICE, MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose or evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 102d Congress, pursuant to the provisions of 2 U.S.C. 25:

Hon. GEORGE ALLEN, Seventh District, Virginia.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2366. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(b); to the Committee on Foreign Affairs.

2367. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled, "Balancing Work Responsibilities and Family Needs: The Federal Civil Service Response," pursuant to 5 U.S.C. 1205(a)(3); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1304. A bill to amend the Communications Act of 1934 to regulate the use of telephones in making commercial solicitations (Rept. 102-317). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3635. A bill to amend the Public Health Service Act to revise and extend the program of block grants for preventive health and health services, and for other purposes; with an amendment (Rept. 102-318). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. Report on S. 1475. To amend the Protection and Advocacy for Mentally Ill Individuals Act of 1986 to reauthorize programs under such act, and for other purposes (Rept. 102-319). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, the following action was taken by the Speaker:

H. Res. 258. Referral to the Committee on House Administration extended for a period ending not later than November 19, 1991.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII,

Mrs. SCHROEDER introduced a bill (H.R. 3793) to allow certain individuals seeking part-time employment to be eligible to receive unemployment compensation, to require that certain questions relating to employee benefits and total number of hours worked at different jobs be included in the current population survey, and to protect part-time and temporary workers relating to pension and group health plans; which was referred jointly, to the Committees on Ways and Means, Post Office and Civil Service, and Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 516: Mr. BOUCHER.
H.R. 710: Mr. WILLIAMS and Mr. DARDEN.
H.R. 951: Mr. MRAZEK.
H.R. 1356: Mr. FALEOMAVAEGA.

H.R. 1389: Mr. UPTON.
H.R. 1414: Mr. MFUME.
H.R. 1427: Mr. SHAYS.
H.R. 2410: Mr. BILBRAY.
H.R. 3063: Ms. NORTON, Mr. HORTON, Mr. JONTZ, Mr. JEFFERSON, Mr. KOLTER, Mr. KOPETSKI, Mr. LAFALCE, Mr. RANGEL, Mr. WALSH, and Mr. TOWNS.
H.R. 3393: Mr. KOLTER, Mr. LEHMAN of Florida, and Mr. ECKART.
H.R. 3528: Mr. JONTZ and Ms. NORTON.
H.R. 3753: Mr. STEARNS.
H.R. 3783: Mrs. BYRON, Mrs. PATTERSON, Mr. DOWNEY, Mr. WOLF, Mrs. BOXER, Mr. PICKLE, Mr. BACCHUS, Mrs. MORELLA, Mrs. SCHROEDER, and Mr. LEVINE of California.

SENATE—*Friday, November 15, 1991*

(Legislative day of Wednesday, November 13, 1991)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable BROCK ADAMS, a Senator from the State of Washington.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Happy is he that hath the God of Jacob for his help, whose hope is in the Lord his God: Which made heaven, and earth, the sea, and all that therein is: Which keepeth truth forever * * *.—Psalm 146:5–6.

God of our Fathers, "from whom, to whom, through whom are all things, to whom be glory forever and ever," in these explosive, unpredictable days we thank You that when all else fails, we may hope in You. When we have done all we can in response to human need and national confusion, we recall the truism that "Man's extremity is God's opportunity." Tragic the one whose hope is limited to the visible, the tangible, the temporal, whose only optimism comes from hope-so wishful thinking. Happy the one whose hope is in a transcendent God, Author, Sustainer, Consummator of history. We accept the fact, gracious Father, that we are responsible to exercise our gifts and abilities to their maximum. But when we have reached our limitations, we see beyond and hope in Him for whom "nothing is impossible."

As adjournment beckons midst the pressure of unfinished business and the inexorable ticking of the clock, grant to the Senators and their staffs vision and hope beyond their best to the sovereign Lord of history.

In the name of Jesus, the wisdom of God, and the righteousness of God. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 15, 1991.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BROCK ADAMS, a Senator from the State of Washington, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. ADAMS thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. MITCHELL. Mr. President and Members of the Senate, under the agreement reached last evening, the Senate will now return to consideration of the unemployment insurance bill. The Senator from New Hampshire will be recognized to offer his amendment under a 30-minute time limitation.

Therefore, Senators should expect a vote on or in relation to the amendment of the Senator from New Hampshire in approximately 30 minutes. And thereafter, under the agreement, three other amendments are possible, and we hope to be able to proceed with those as soon as possible this morning.

I thank my colleagues and I yield the floor.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3575, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3575) to provide a program of emergency unemployment compensation, and for other purposes.

The Senate resumed consideration of the bill.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from New Hampshire [Mr. SMITH] is recognized to offer his amendment, on which there shall be 30 minutes of debate divided in the usual manner.

The Senator from New Hampshire [Mr. SMITH] is recognized.

AMENDMENT NO. 1348

(Purpose: To provide a "hold harmless" provision for severely impacted states which would be hurt by this bill)

Mr. SMITH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH], for himself and Mr. RUDMAN, proposes an amendment numbered 1348.

Mr. SMITH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 9, line 20, strike the period and insert in lieu thereof a comma and the following:

"or

"(C) if the average rate of total unemployment in such State for the period consisting of the most recent 6-calendar month period (for which data are published before the close of such week) is at least 7 percent. Notwithstanding any other provision of law, the discretionary spending limits under section 601(a)(2) of the Congressional Budget Act of 1974 (as adjusted under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985) are decreased by decreasing the discretionary spending limit with respect to fiscal years 1992, 1993, 1994, and 1995 for the international category (under section 601(a)(2)(C)(ii) of such Act) in such amounts in new budget authority and outlays as the Director of the Congressional Budget Office determines to be necessary to offset the provisions of this amendment: *Provided*, That none of the reductions required under this section shall be achieved through reduction of—

"(1) domestic discretionary spending; or

"(2) assistance to the Camp David Accord countries, in recognition of the fragile, ongoing efforts to achieve peace in the Middle East.".

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. SMITH. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SMITH. Mr. President, I submit this amendment on behalf of Senator RUDMAN and myself.

I yield myself such time as I may consume.

Mr. President, this amendment is quite simple. There is nothing complicated. Do Senators want to support American workers or do Senators want

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

to support foreign aid? Do Senators want to support extended benefits for the American unemployed or do they want to support assistance for foreign nationals? That is the issue. That is the only issue before us with this amendment.

In the absence of this amendment, five States which would have received 13 weeks of benefits under the earlier proposal would have their extended benefits slashed to 6 weeks. Let me take a moment to list those five States and their current average total unemployment over the past 6 months: Alabama, 7.4 percent unemployed; Arkansas, 7.7; Kentucky, 7.3; Louisiana, 7 percent; and New Hampshire, 7.1 percent.

As you can see, Mr. President, we are talking about substantial numbers of people out of work. Those five States are all among the 20 States with the highest levels of unemployment in the country, the highest levels. Yet they are getting the least number of weeks' benefits.

The bill before us tells the people of Alabama, or the people of Kentucky, or the people of New Hampshire, "Tough luck. Other States with lower unemployment rates get 13 weeks; you only get 6 weeks." That is what we are saying.

You do not have to be an expert to realize that this is blatantly unfair, this proposal. My amendment would take those five States I have listed and place them on the 13-week tier of benefits. That is all it does. There is nothing complicated about it. It does not hurt any other State. It does not hurt any person in any other State. Those five States, all with unemployment levels of over 7 percent, would get the assistance they need and deserve, as would the individuals in the other 45 States.

We do not take away a dime. We do not take away a week from any individual in any other State. Therefore, I cannot understand why Senators from other States, the other 45 States, could not see fit to support this proposal.

My amendment has an offset to pay for the provision. The amendment cuts foreign aid. We are not talking about breathtaking, huge amounts of money in the terms of the U.S. Government talking about big money. It is probably in the neighborhood of $100 to $200 million. That is a lot of money, but not in terms of what the Government budget is. This $200 million comes from foreign aid. We are asking you to take that money and give it to American workers in these five States, just like you gave to the American workers in the other 45 States.

This amendment would require CBO to determine the necessary offset and to make the appropriate reductions in the international budget category. This is exactly the Mitchell language on foreign assistance. Let me repeat that: This is the Mitchell language on foreign assistance, word for word. It prohibits reductions in domestic discretionary and to the Camp David accord countries, including Israel and Egypt. My amendment does not reduce benefits for any other State.

I do not understand why the majority leader, who has indicated an opposition to this amendment, would be opposed to it now when, in fact, the other 45 States, including Maine, have these benefits. We are not taking away a nickel or a week of benefits from any of those States. He supported 13 weeks for New Hampshire and Kentucky, et cetera, before. Why would he not do it now, since it does not cost his State or any other State anything? And it also takes the money from foreign aid, which he also supported.

Mr. President, over the past several weeks, I have heard scores of political speeches from Members of the Senate on foreign aid. The theme is always the same: The President has a jobs program for every country but America. Here is the chance to vote to provide jobs for America at the expense of foreign aid.

I suggest to my colleagues the amendment gives them the opportunity to put their money where their collective mouths are. If you vote for this amendment, you vote to cut foreign aid and provide needed additional benefits to Americans out of work.

If you oppose the amendment, you tell those people in Nashua, NH; Lexington, KY; or Little Rock, AR, that, despite all the rhetoric, you do not put Americans first. You cannot put Americans first in rhetoric and not back it up with your vote. I am asking you to back up the rhetoric with a vote today. It is important. A person in New Hampshire or Kentucky or Arkansas who is unemployed, who needs that benefit and the offsets in here, is just as important as the people in Maine or California, just as important.

Do you want to give the money to the Far East or the Northeast? That is the question. We are devastated by this recession. We need help, and we deserve it under the terms of this bill. Should we give the money to Turkey for Thanksgiving or provide a turkey for our folks on Thanksgiving and Christmas? Or should we consider just eliminating the holiday season because the benefits for New Hampshire and Arkansas and the other States listed here run out at Christmas? So you are going to give them a Merry Christmas, a real Merry Christmas. I think the choice is clear, and I ask my colleagues to support my amendment. At this point, Mr. President, I reserve the remainder of my time and yield to my colleague from New Hampshire, Senator RUDMAN.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire [Mr. RUDMAN] is recognized.

Mr. RUDMAN. Might I inquire how much time my colleague has left?

The ACTING PRESIDENT pro tempore. Eight minutes, twenty-five seconds.

Mr. RUDMAN. Mr. President, I am not going to take very much of that time, and I want to address this more fully later in the morning when we have more time to talk about it.

Mr. President, I have had an opportunity overnight to look at this legislation and do a little bit of comparison with where the power is in the Congress and where the benefits are in this bill. I want to say to my friend from Texas, the distinguished chairman of the Senate Finance Committee, I am well aware of the fact he is not an architect of this proposal. I am also aware that the majority leader is not an architect of this proposal. What I am about to say does not apply to them.

Mr. President, if the Securities and Exchange Commission had jurisdiction over these negotiations, the entire room would be indicated for insider trading. I have never in my life seen such a remarkable coincidence of benefits and clout, and it is quite obvious—and I say this more in sadness than in anger—that this administration bought some votes with the people who controlled the outcome of what happened in the other body.

I can fully understand the Speaker and the other leadership there being very concerned about this coming back to the House. If this comes back to the House of Representatives, they are going to be excoriated by their own Members. I talked to several Congressmen who voted for this turkey who had no idea of what's in it and, in fact, it was misrepresented to them.

I do not expect that the Smith-Rudman amendment is probably going to attract a lot of votes this morning, but I daresay before this day is out that some other initiatives just well may. But, Mr. President, it is a long road without a bend. I want to serve notice on the distinguished chairman of the Finance Committee and the distinguished Republican leader, who is now on the floor, that there are a series of "must pass" appropriations bill coming down the pike this next week, and, if we fail here today, we are going to keep trying, and I daresay when enough Senators and Congressmen recognize what has been done here, it is going to be changed.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time? The Senator from New Hampshire has 5 minutes, 56 seconds. The Senator from Texas has 15 minutes.

The Senator from Texas.

Mr. BENTSEN. Mr. President, I understand the frustration of my colleague. He is quite right, I did not help bake this cake, and I do support the TUR approach to it. I think that is much more representative, and that is

what we brought out of the Finance Committee. But I say to my friends, it is late in the day and, if you have ever bargained with the Ways and Means Committee, you know how much time it takes. The reason I have come to the point of supporting this compromise is that we have bargained for 4 months over this thing. We have sent legislation to the President twice. Once he would not fund it, and the second time he vetoed it, and in that veto, in the bill we brought out of the Finance Committee, we had 13 weeks of benefits for New Hampshire—13 weeks for New Hampshire. My two distinguished friends from New Hampshire voted against it—against it. My two friends from New Hampshire voted for the administration measure that gave them 6 weeks, and when it came time to override the veto—and we only missed by 2 votes; 65 votes we had—my 2 friends from New Hampshire voted against overriding the veto. If they had voted to override that veto, they would have their 13 weeks. But they chose not to do that. A little late coming to the party.

What we are talking here is providing supplemental benefits to unemployed workers who have exhausted their 26 weeks of basic unemployment benefits. The administration prefers the IUR approach for the supplemental benefit formula. Mr. Darman strongly prefers that. That is what has dictated the compromise that came over from the House. That means it is set, really, by the variance among States as to how conservative they might be in allowing people to qualify for such benefits, insured benefits. That is true of your State because you are conservative in that approach. That is true of Louisiana, Arkansas, Texas, and other States. One of the ways to correct that is changing the eligibility within your own State. You have that kind of control. But as you have had tough times, you have narrowed the eligibility, and my State has done the same thing.

That is, I believe, the major reason why OMB prefers that approach. It means less expenditures. The President has said in the New York Times, according to what I read yesterday, "I feel that the deal you've been able to hammer out is a good one, and I think it is something I can enthusiastically support." So the President is for that compromise. He has spoken out for it. But twice—twice—when we sent legislation to get these benefits out to these unemployed folks who are hanging on the ropes, trying to retain some dignity, trying to meet the payments on the house and on the car, and trying to keep food on the table, the President has felt it was not an emergency. Now he apparently does. And this bill is funded and funded in a way he approves.

Let me state something about formulas. I have never seen one that is just as I would have drafted it. But the one that we brought out of the Finance Committee, I felt, gave us equity. When the House takes up a bill we have, it is a rare day indeed when they endorse it totally without change.

But remember what they have done this time. We were talking about $5.4 billion in benefits and the administration was talking about something half of that and then raised it some. In this instance they have agreed to $5.2 billion in benefits, very close to what we brought out of the Finance Committee, very close. They took the TUR on the 20 weeks in a blend with the IUR, and that is the first time the administration has moved in that direction. So much of what they have done is very close to what we brought out of the Finance Committee. But then they cut the lowest tier of benefits from 7 weeks to 6 weeks, and they made some other variant in the formula using the exhaustion of unemployment benefits. But overall, much of what we have done in the Finance Committee has been preserved. Now, if we try to unravel that, if we start adding amendments and we approach the Thanksgiving season, we go back to Ways and Means and try to work these out, I do not know where it stops.

I look at all of these States, some of them big delegations, who have been cut from 13 to 6 weeks of benefits. The House Members voted for it. Now if we take care of some of these others, we then have to watch what House Members come back for and what they want, and the process, I am afraid, becomes unravelled.

After 4 months of not being able to get agreement, now we have something the administration would agree to. Frankly, even though I prefer our approach in the Finance Committee, I think this is the best we can get, and I think we ought to take it to be sure that money gets out to the unemployed, who have been having a tough time hanging on.

I retain the remainder of my time, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator reserves his time. Who yields time?

Mr. PACKWOOD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire has control of the time. Does he yield to the Senator from Oregon?

Mr. PACKWOOD. Mr. President, I am on the other side.

Mr. BENTSEN. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 8 minutes 3 seconds.

Mr. BENTSEN. I yield 4 minutes to the distinguished ranking member of the Finance Committee.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized.

Mr. PACKWOOD. I thank the Chair and I thank my distinguished leader of the Finance Committee.

Mr. President, I was one of the few Republicans that joined with the chairman of the Finance Committee on the first bill we had. I thought it was a fair approach. The argument from the administration was we did not pay for it. The argument from our side was we have paid for it. We had an $8 billion surplus in the unemployment compensation fund, taxes we had collected for an emergency, and the emergency was here. People could not make house payments, their car payments. Those are emergencies to everyday people.

They may not seem like emergencies when we are talking about a multi-, multi-, multi-trillion-dollar economy and a trillion-dollar budget, but to the average Jane and Joe it was an emergency. We lost that fight. The President vetoed it. The veto was sustained. We lost the second go-round.

The Chairman and I finally said all right, the President has the votes to sustain a veto. If we are going to do anything for these poor people, we are going to have to reach a compromise. We have reached a compromise with the administration. They will accept this bill. And now the argument is raised—it was not raised on the first bill, it was not raised on the second bill—there are disparities between the States and within the States, and clearly there was in the past. I have disparities within my own State.

I would be delighted if one day we did devise a formula which says that within a State if you have a county with 15 or 20 percent unemployment and where it is going to be much tougher to find a job in that county, you might get greater benefits than somebody who comes from an area in the State with 5 percent unemployment. We have not done that yet.

But always in the past we have had differences in lengths of benefits between States with high unemployment and low unemployment, realizing that on average it will work out to be fair. But on average some people are not quite treated the same, just as the Senator from Delaware mentioned his problem with people living in Pennsylvania and living in Delaware and being treated differently.

I have people who work in Portland, OR, but live in Vancouver, WA, or I have people who work for a large new prison that California built in northern California very close to the Oregon border but live in Oregon and work in California, and differences occur.

Those issues were never raised when we went through the first bill and it was vetoed, went through the second bill and it was vetoed. They are being raised now. I think the chairman is right; if this bill is held up because of those issues, there is not going to be any unemployment compensation bill

this Christmas, and those people who cannot make their house payments now, cannot make their car payments now, are going to be out of luck. They are going to be out of luck because we could not agree in the Senate—not the House; they have agreed—over relatively minor differences. And because we could not agree, we are going to say "A plague on all of you. Happy Thanksgiving and Merry Christmas."

I hope that would not be the attitude of this body at this time. The chairman has indicated he is willing to look at reforms in the way benefits are determined next year. We are not going to do that this year and the choice is now do we want to make sure that decent people who are out of work have something to tide them over the next few weeks or do they have nothing. That is the only issue before this Senate today.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator yields the floor. The Senator from New Hampshire [Mr. SMITH].

Mr. SMITH. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes 53 seconds.

Mr. SMITH. I yield myself such time as I may consume.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. SMITH. I can understand the comments of the Senator from Oregon; his State has the reachback provision and his State also has gone from 7 to 13 weeks unemployment. So let the RECORD show that the Senator has every reason to be quite supportive of the bill and not supportive of my amendment.

I am also somewhat surprised my friend from Texas would decide in opposition to this amendment that he must punish the people of New Hampshire because we voted with fiscal restraint in support of the President's veto. He mentioned Senator RUDMAN and myself as being two Senators who were responsible for sustaining of the veto, and that is true.

So the logic is, I say to my friend from Texas, that you are going to punish New Hampshire and Arkansas and Kentucky. Let the RECORD show you are not punishing New Hampshire or Arkansas, et cetera. You are punishing the people on the unemployment line. That is who you are punishing.

It is time to drop the politics. We voted for a fiscally responsible bill, the Dole alternative. We now have a fiscally responsible bill and everybody should be treated fairly under it. That is the issue.

Let us say something else. Over the past several weeks I have been hearing in this Chamber a lot about putting America first. Well, let me show you how you are putting America first when you vote against this amendment. Ethiopia votes with the United States 7 percent of the time in the United Nations, 7 percent of the time. It has one of the most dismal records of human rights violations in the world.

The Somalian Democratic Republic ended 17 years of one-party rule under guerrilla forces. It voted with the United States 11 percent of the time in the United Nations.

Sudan, with one of the most ruthless policies in the world, votes with the United States 9 percent of the time. Kenya, Uganda, I can go on down the list. Those nations I just mentioned collectively last year received $325 million in U.S. foreign aid, and you are saying that that $325 million in foreign aid in more important than the people in New Hampshire and the people in Arkansas and the people in Kentucky. You are saying it is more important.

Rhetoric is one thing, but putting your vote down is another. I am tired of listening to the kind of talk that has been going on in this body. It is unfair, and the people here know it is unfair, and the people in New Hampshire know it is unfair and we are not going to forget it. It is unfair.

We have a fiscally responsible bill. It is the Mitchell language, the exact Mitchell language on foreign aid. We have not changed it. We have not changed a thing in this amendment. We are not taking a dime from Texas or a dime from anybody in any of the 45 States. It is not 5 States versus 45. That is not the issue. It is not the issue, 5 States versus 45. It is fairness, that the people on the unemployment lines in New Hampshire and these other four States are just as important as the people in the other States. That is the issue.

You are either going to vote for foreign aid for Somalia and Kenya or you are going to vote for American workers. That is the issue. Now, let us see if you have the courage to do that. I do not want to hear any more rhetoric in this body about putting America first if you cannot support this amendment.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator has yielded the floor. Who yields time?

Mr. BENTSEN. How much time do we have?

The ACTING PRESIDENT pro tempore. The Senator has 4 minutes 14 seconds.

Mr. BENTSEN. I yield as much time as the minority leader desires.

The ACTING PRESIDENT pro tempore. The minority leader, the Senator from Kansas, is recognized.

Mr. DOLE. Mr. President, I thank my colleagues. I certainly do not disagree with the argument just made by my colleague from New Hampshire. In fact, I have suggested in the past we take a look at foreign aid—not just freeze it, cut it.

It was not a very popular move by some who were recipients. I suggest that if in fact we pursued the Mitchell approach of foreign aid paying for unemployment benefits that I had a lot of other ideas on how we could save additional foreign aid by not fencing off any particular countries, treating every country alike, so you did not have first-class and second-class countries. We are not doing that.

Let me say we are sort of where we were last night when we went home about midnight. We have some people who are not satisfied with the compromise. Under the compromise there are two criteria to qualify for 13 weeks: 4 percent AIUR, or 2½ percent AIUR and a 29-percent exhaustion rate. Everybody did not fall in that category.

I did not make that determination. The Senator from Texas did not make that determination. It was made arbitrarily; 29 percent. So four or five additional States at the last moment were picked up.

The additional criteria of the Senator from New Hampshire based on the total unemployment rate—States with a total unemployment rate of 7 percent also would qualify for a 13-week tier.

We said several times last night this is not a perfect bill; this is a compromise on a short-term program.

There are 23 States in the category of 6 weeks: 5 get reachback, 18 do not. Senator SMITH's amendment would take 5 States and move them up to 13 weeks; 18 States still get left behind. So it may be then fair for 5 more States but unfair for the 18 States who were left behind.

I think what we are discovering is every time we have a bill with a formula on this floor somebody is not treated fairly. Sometimes it is actual, sometimes it is factual, sometimes it is perception, and sometimes it may not be real.

So it would seem to me that there is a more fundamental problem with the amendment. We never used the total unemployment rate as a measure for unemployment benefits. It is an untargeted measure—a broad measure that includes those who have little work experience and those who voluntarily quit their jobs.

The TUR comes from a Census Bureau sample of households. The question these households are asked is quite simple, "Who is not working in your household right now?" Needless to say this approach gives data on all aspects of the unemployed.

For example, a student could be included in this count if he or she decided to take a semester off. I do not think we intend students would enter into our decision to extend unemployment benefits.

The IUR, on the other hand is a reliable measure taken from the State records. The rate reflects those who are actually receiving benefits. It is a ratio of the number of workers receiving benefits to the number of workers that

a State insures. It is the only measure we have ever used. It is the only measure we have found reliable to date for this purpose.

It does not mean we should not look at other measures. I think there ought to be a study. We had it in our bill for a study. I think the Labor Department can probably make that study if it is requested by the distinguished chairman of the Finance Committee and Senator PACKWOOD on whether we ought to use IUR or TUR. That would be very helpful the next time we address this matter which I assume will be in effect in a few months.

Finally, let me say this: There was an agreement reached. To some it is not a fair agreement. The agreement was that we made an agreement that there would be no amendments. That was signed off on by the President of the United States. The President of the United States still sticks by that agreement.

I have been asked to oppose all amendments, even those coming from my side, and the other side, because we think we have an agreement that will help millions of unemployed workers. And if we can still finish this bill by noon today or shortly thereafter, there is some chance that some workers will be getting checks before Thanksgiving.

So notwithstanding the equities pointed out by my friend and colleague from New Hampshire, Senator SMITH, and my friend Senator RUDMAN from New Hampshire, on behalf of myself and Senator MITCHELL I am going to be constrained to move to table this amendment. This is where leaders sometimes take the heat. It is unfortunate.

But we need to get this bill passed. We need to keep our agreement with the House. We need to keep our agreement with the President of the United States. He is going to sign this bill. If we start loading it up with amendments, there will be a number if we go to conference, I am certain the House will find a number of things they should have taken care of and they will want to raise in the conference. Who knows when and if we will have an unemployment bill.

Mr. President, I thank my colleague from New Hampshire. I certainly do not blame him for making the case. He has done an excellent job. Both of my colleagues from New Hampshire have done an excellent job. But at the appropriate time I will move to table the amendment.

The PRESIDING OFFICER (Mr. AKAKA). The Republican leader's time has expired.

Mr. SMITH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute 30 seconds.

Mr. SMITH. I yield 30 seconds to Senator RUDMAN.

Mr. RUDMAN. Mr. President, I want to say while the Senate Republican leader is on the floor that to me it is unbelievable, I am addressing this to their side of the aisle, that this party and this President would be party to an agreement that places a disincentive on frugality.

This proposal rewards States that have liberalized their unemployment compensation, and it penalizes States like New Hampshire which have been frugal and careful in making sure that Federal dollars are dealt with carefully. I thought that was what we stood for, and how we support this I do not know.

The PRESIDING OFFICER. The junior Senator from new Hampshire is recognized for 1 minute.

Mr. SMITH. Mr. President, in responding to the Republican leader who has been very fair to me, I am not quite getting his need to oppose the amendment. I think though it is important to point out with due respect to the leader that the last time I looked we were not constitutionally designed to be a rubber stamp for the House of Representatives or the President of the United States.

The President of the United States is going to sign this bill with this language in it, and the House of Representatives is going to to approve this bill with this language in it for the very simple reason is it does not take a nickel away from anybody else. Let us make no mistake about it when you come down here to vote. You are either going to vote for Kenya, Somalia, Uganda, who vote with the United States about 7 to 10 percent of the time in the United Nations, or you are going to vote for American workers wherever they are. That is the issue pure and simple. And there is nothing else that can cloud this. That is the issue.

Thank you, Mr. President.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. Mr. President, on behalf of myself and the distinguished majority leader, I move to table the amendment.

The PRESIDING OFFICER. The question is on the motion to table.

Mr. DOLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas to lay on the table the amendment of the Senator from New Hampshire. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mr. CRANSTON], the Senator from Iowa [Mr. HARKIN], and the Senator from Nebraska [Mr. KERREY] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. HATCH] and the Senator from North Carolina [Mr. HELMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. HATCH] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 74, nays 21, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—74

Adams	Fowler	Mitchell
Akaka	Garn	Moynihan
Baucus	Glenn	Murkowski
Bentsen	Gore	Nunn
Bingaman	Gorton	Packwood
Bond	Graham	Pell
Boren	Gramm	Pressler
Bradley	Hatfield	Reid
Bryan	Inouye	Riegle
Burdick	Jeffords	Robb
Burns	Kassebaum	Rockefeller
Byrd	Kasten	Sanford
Chafee	Kennedy	Sarbanes
Coats	Kerry	Sasser
Cochran	Kohl	Seymour
Cohen	Lautenberg	Simon
D'Amato	Leahy	Simpson
Danforth	Levin	Specter
Daschle	Lieberman	Stevens
Dixon	Lott	Thurmond
Dodd	Lugar	Warner
Dole	Mack	Wellstone
Domenici	McCain	Wirth
Durenberger	Metzenbaum	Wofford
Exon	Mikulski	

NAYS—21

Biden	Ford	Pryor
Breaux	Grassley	Roth
Brown	Heflin	Rudman
Bumpers	Hollings	Shelby
Conrad	Johnston	Smith
Craig	McConnell	Symms
DeConcini	Nickles	Wallop

NOT VOTING—5

Cranston	Hatch	Kerrey
Harkin	Helms	

So the motion to lay on the table, the amendment (No. 1348) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. DIXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MITCHELL. Mr. President, we have three more amendments to deal with on this bill under the order agreed to last evening. I hope that those Senators who expressed a desire to offer amendments and who are accommodated in the order will come forward now and offer their amendments so that we can proceed, debate and vote

on those amendments, and act finally on this bill.

We are going to stay here until we do that, and obviously the sooner the better for all concerned, most especially the millions of unemployed who are awaiting our action. So I encourage prompt presentation of amendments by those Senators who have expressed a desire to do so.

I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. GLENN. Mr. President, I rise to express my very, very strong reservation to this bill. I, along with colleagues here in the Senate, have voted twice this year to help people who have lost their jobs through no fault of their own. They may be unable to make mortgage payments or even to feed their own family. The President has turned down two opportunities to provide this much, much needed help.

I feel that this bill is unfair to the people of my State. Mr. President, there are over 350,000 workers in the State of Ohio alone who are unemployed. Over 53,000 of those workers have exhausted their unemployment benefits—53,000 people. Earlier legislation provided a reachback, a retroactive provision, to allow those whose benefits have already expired to receive assistance.

I even have concern over the fact that some workers will have longer benefits than others. Some States will receive up to 20 weeks of extended unemployment, while others will receive only 6 weeks. Now, that seems hard to swallow from one State to another. I would argue, if you are unemployed, it makes little difference how many others in your State are unemployed; you are just as unemployed, have just as many bills, and have just as many difficulties.

For the people involved, this is not a recession, it is a depression. The administration likes to say the recession is over, so that takes care of the problem. If you are unemployed and your benefits have run out, you do not know where to turn. You do not know what to do. You do not have somebody who can help take care of your family. To you, it is the Great Depression, and you are in just as dire straits as people were back in those days.

So when we talk about recession, it is a depression to those who are unemployed and have lost their benefits. It is, indeed, the deepest of depressions.

I also recognize that States have different criteria for the allocation of benefits which must be considered in any Federal allocation. However, I believe that we must provide fairness for unemployed Americans—fairness. And to be treated differently just because of some arbitrary State line just does not make any sense.

Let me give a graphic example of the inequity of this bill, and that is the Jeep plant, located in Toledo, OH. Toledo, OH, has a very high unemployment rate. They run up around 11, 11½ percent. I do not know what the current figure is in the last few days, but they are much higher than our national average.

That plant employs workers from Ohio, of course. But Toledo, as most people are already aware, sits almost on the border between Ohio and Michigan. And so there are many workers from Michigan who drive across the border, just a few miles. Many of them live closer to the plant than do the Ohio workers.

But how can I go back and explain to those people, to unemployed Ohioans from that plant, that they do not get additional help, and that their coworkers, the people who work side by side, shoulder to shoulder, on that production line, the people who happen to reside maybe 3 or 4 or just a few miles away over in Michigan get the benefits, but the people that live in Ohio do not? That is very hard to justify. I cannot accept that. And I think that is just flat not right in this bill.

How do you go back and tell somebody we have a compromise? Well, it is all according to the formula here. We have to remember, this is according to the formula. You qualify for 6, 13, or 20 weeks, and you qualify for something that is 7 percent here and something there. It is a very complex formula.

To the guy who is trying to pay his bills at home, that does not help much, I will tell you that he cannot get the same help that a coworker gets standing right beside him because of a State line that happens to lie in between their homes, where the kids and the family are. We cannot justify that, as I see it.

These people have exhausted their benefits. They will not be eligible for benefits. Yet, those who live over in Michigan, just across the State line, will. The same thing can be said in other areas of the country. I am not trying to make it all an Ohio issue. Any State like that, where there is employment back and forth across the State line, is going to face this problem.

And how do you face those people and their families, and say one person gets it and one person does not, and they work side by side at the workplace? The bill does not define where the workplace is, and it does not make any allowance for this, and I do not know that it could. It is administered through the States. But somehow this has to be corrected. That just is flat not fair.

And I do not expect the people of Ohio to understand it, because I cannot understand it. How do we engender confidence in Government, and come away from this distrust in Government, when we see ourselves dealing so unfairly back and forth with individuals who work in the same plant, the same factory? That just does not make any sense.

I know that a great deal of effort has been made to bring this compromise to the floor. But I cannot let this go without calling attention to the inequity of this bill.

I also realize 85,000 Ohioans, on the other hand, will receive much-needed benefits from this bill. Senator METZENBAUM spoke so eloquently here on the floor last night, and I appreciated his remarks. He indicated that he did not want to cut off our noses to spite our face, and I concur with that.

Are we to say that no one in the future will get unemployment benefits and vote against this whole thing, throw it out and go back to where we were before? In spite of the recession, are we not going to help the people of this country? The President vetoed it, but is that the best we could do for the people of this country? Is the only way we could help was to include these inequities? Are people to live with that because of some artificial formula put together here in the Congress that even we have trouble understanding?

Imagine what the person on the line in Toledo is trying to explain back and forth to each other, or discuss with a coworker who is going to get it and he is not, and they say: "Well, it is a formula."

That is nice. It is a formula. That does not pay the bills. Formulas do not pay the bills. Formulas do not put food on the table. And that is the inequity of this bill.

So we could tell the President, if this passes—and I presume it will—that this Thanksgiving, there are 53,000 Ohioans who are going to be left out. It is going to be a skinny Thanksgiving for them, I will tell you that. They will have little to be thankful for this Thanksgiving. They get left out, while people next door get this, because we have some formula that we worked out—that I did not, I can guarantee you that—but somebody worked out over in the House of Representatives.

We have the formula that sets up the different tiers and qualifications. And yet, people working in the same plant get treated differently, even though their hardship is the same or even worse, maybe, in the places where they do not get it.

So I regret very much that we had a veto on the first two proposals we sent over to the President, which I think would have been much more fair than this. But now we are supposed to either take it or leave it.

Our Hobson's choice is, do we take the benefit for 85,000 Ohioans who can, as of the date of enactment, get their unemployment benefits extended and just leave those 53,000 without, or do we lose the benefits for everyone?

I just have to register my strong opposition to this. I think if there is any-

thing that deals with fairness to our people, this is it. So we are faced with a very disgusting choice here, as far as I am concerned. Do we in effect deal unfairly with 53,000 Ohioans and those in other States who will have this unfairness visited upon them, or do we go ahead and vote to extend the unemployment benefits which will help a great many people across the country, I do not know who was involved or what rationale was used when they were trying to effect this compromise with the White House, and I find it very, very unfair, and I want to register my opposition to this. I am sorry we had to go this route.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. PRESSLER. Mr. President, I ask unanimous consent to speak on another subject as in morning business.

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

AGRICULTURAL TRADE

Mr. PRESSLER. Mr. President, I had the privilege of attending, in Rome, a meeting of the U.N. Food and Agricultural Organization this past weekend and also attended some of the meetings in relationship to President Bush's meeting with NATO Ministers. Many topics were discussed, but one of them was agricultural trade. There was a report in the International Herald Tribune that our trade negotiators had offered a major concession by proposing that the European Community cut its subsidies by 35 percent over the next 5 years. That is opposed to the previous position of the U.S. trade negotiators to reduce export subsidies 90 percent over a 10-year period.

I am very concerned that this may hurt our ranchers and farmers and our negotiating position. Let me say, first of all, I believe the GATT treaty is very important. It is important to agriculture because two out of every three bushels of U.S. wheat are exported to other nations under GATT. It is very important to the world trading economy. In the 1990's we can have a booming world economy, a prosperous world economy, if we have free trade. But free trade does not mean unfair trade. Usually, to some countries free trade means access to the markets of others but not access to their own markets.

Presently, we do not have access to a lot of European markets. For example, soybeans have sold for $18 a bushel in the Common Market. If our soybean producers could have had more access to that market, they would be getting about three times as much per bushel for their soybeans. But we are barred from competing.

Also, the European countries have found a number of nontariff barriers to keep our beef out, saying our beef has hormones in it. We can raise it with or without hormones, however that was not part of the agreement. That was an excuse that was brought in later.

There are European complaints about the cleanliness of our meatpacking plants. In fact, a lot of independent surveys indicate that our plants are cleaner. But we can meet those standards.

The point is, these are nontariff barriers. They are created after on agreement is signed, and they are keeping American products out of Europe. United States Trade Representative Carla Hills and the administration have, quite correctly, held up the GATT agreement, the Uruguay round, over the past few years because the Europeans have been unwilling to lower their subsidies for agricultural products. They have been unwilling to lower their export subsidies. And this has resulted in unfair competition.

The United States has lowered its agricultural subsidies for 10 years. Each year in the farm bill there has been a reduction in subsidy levels. We have lost a lot of family farmers because of that. We have lost a lot of small towns. I do not support that at all. But the facts are there. The United States has been doing what it is supposed to do under the GATT Trade Agreement. However Europe has not. I might also say that Australia and new Zealand have also reduced their subsidies.

Now we are faced with this report that was headlined in the International Herald Tribune, "U.S. Softening on Farm Aid Spurs GATT Hopes."

Indeed, we should be willing to negotiate, but I hope we are not softening on this key point just to get an agreement. Because if we have a bad agreement, it will be very harmful to our balance of payments. This does not affect just farmers and ranchers; it also affects our balance of payments because farm products are one of our chief export group.

Mr. President, I ask unanimous consent to have this article, "U.S. Softening on Farm Aid Spurs GATT Hopes", printed in the RECORD at this point.

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

[From the International Tribune, Nov. 11, 1991]

U.S. SOFTENING ON FARM AID SPURS GATT HOPES

(By Tom Redburn)

PARIS.—The United States and the European Community have significantly narrowed their long-standing differences over farm subsidies, officials said Sunday, improving the chances of completing the current round of international trade negotiations by early next year.

In a meeting between President George Bush and EC leaders in The Hague on Saturday. American officials for the first time sharply scaled back their demand that Europe virtually eliminate support for its agricultural producers within a decade.

"The Hague summit unblocked negotiations on the critical issue of agriculture," a top EC trade official said. "There is much still to be done in Geneva, but we are at least finally within the same ballpark."

Both sides agreed, however, that major differences remained that could still torpedo the deal they have repeatedly pledged to complete.

Moreover, while the climate for a trade agreement has improved in Europe and in Japan, where leaders are talking about finally breaking the taboo against rice imports, political support for the White House's freetrade stance is deteriorating in Congress as Democrats sense that Mr. Bush is vulnerable on domestic economic issues.

The multilateral Uruguay round of trade talks, which began five years ago under the aegis of the Geneva—based. General Agreement on Tariffs and Trade, bogged down largely because of the inability of the European Community to reach an accommodation with the United States and other major grain exporters over the reduction of its costly system of farm supports.

The talks, which aim at extending the rules for global trade to services, protection of intellectual property and other areas, broke up in disarray last December in Brussels because of Europe's unwillingness to go beyond token cut in farm subsidies.

In recent days, however, Germany has signaled a willingness to press for major changes in the Community's Common Agricultural Policy, opening the way for Europe to reach a compromise with its trading partners.

"I think our talks did mark the narrowing of differences and the commitment to work to get that round concluded this year." President Bush said at a news conference Saturday. "The United States and the European Community have made progress in just the last few days."

Jacques Delors, the EC president, also expressed confidence the trade talks are near a breakthrough "For the first time, I am reasonable optimistic about the possibility of reaching an agreement," he said. "This is a very important signal to the world economy."

The talks, which also included Secretary of State James A. Baker 3d and the U.S. trade representative, Carla A. Hills; the Dutch prime minister, Rudd Lubbers, and the Community's chief trade negotiator, Frans Andriessen, lasted nearly four hours, well beyond the time originally scheduled.

And in contrast to most previous-high-level EC-U.S. meetings, where trade issues were often relegated to a few minutes of empty rhetoric after extensive debate on political matters, the GATT dispute dominated the discussion. Indeed, despite concern over the civil war in Yugoslavia, officials said about 85 percent of the meeting was devoted to trade issues.

"We are willing to show flexibility to bring this round to a successful conclusion," the two sides said in a joint declaration. "The remaining gaps will not be easy to close, but we are both committed to do so."

On Friday in Geneva, GATT's director-general, Arthur Dunkel, vowed to begin an intensive round of trade negotiators Monday aimed at settling most outstanding issues by the end of November.

The Bush administration offered a major concession in the talks on Saturday by proposing that export subsidies be cut by 35 percent over the next five years, followed by a review aimed at further reductions in the following five years. That is a far cry from it original demand that Europe commit itself to eliminate 75 percent of its farm supports

and slash export subsidies by 90 percent within a decade.

The European position on agricultural subsidies was previously based on an overall reduction of no more than 15 percent to 20 percent from current levels. But that position is also undergoing revision as EC officials finally acknowledge that they must overhaul their farm program to achieve a broad trade liberalization agreement, which would allow greater access by other countries to Western Europe's sheltered market.

"We're no longer pretending that agricultural reform and the GATT negotiations are completely separate," a senior EC negotiator said, "The two are clearly two faces of one reality."

Mr. Delors spelled out the connection. "We intend to produce less, to import more, and to export less," he said, referring to farm products. "If we produce less, we put less pressure on the world market and this is a contribution to the GATT round."

An American official said the Bush administration, wanted to complete the trade talks as quickly as possible in hopes of ramming an agreement through Congress well in advance of the presidential election next fall.

"We're prepared to defend a trade agreement on the grounds it will help the economy," the official said. "If the Democrats want to fight it, we think we'll have the high ground in the debate."

Mr. Bush vowed in a speech to the Dutch parliament to resist narrow nationalism at home and abroad. "Shrill voices on both sides" of the Atlantic "peddle protectionism," he said. "We must guard against the danger that old Cold War allies become new economic adversaries—cold warriors turned trade warriors."

Mr. PRESSLER. Mr. President, at the meeting I attended in Rome, nearly every European diplomat in attendance predicted the United States is about to drop its demand that Europe cease its agricultural protectionism to the levels we have been demanding. That has been a fear of all the farm State Senators and, indeed, every Senator from a State that produces agricultural commodities.

We are in a situation in which we must be very careful as we proceed in these negotiations. I know that Carla Hills overall has done a good job. But I hope that the White House does not compromise on farm subsidies with Europe. I sent a strongly worded telegram to the President of the United States and Carla Hills with my observations. In part I said:

> Allowing the EC to continue its protectionist agricultural subsidy programs means that South Dakota farmers and ranchers will continue to face unfair competition. Every farmer and rancher in South Dakota knows that higher grain, dairy, and meat prices depend on better access to foreign markets. Unfair competition limits U.S. farm exports. EC export subsidies deprive our producers of billions of dollars in foreign sales.

Mr. President, I ask unanimous consent to have the telegram I sent the President printed in the RECORD.

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

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

DEAR MR. PRESIDENT: Nearly every European diplomat in attendance at the food and agricultural organization meeting of the United Nations predicts the United States is about to drop its demand that Europe cease its agricultural protectionism. If this is true, I am very disappointed and will fight any GATT changes that hurts our farmers and ranchers.

The excessive European Community (EC) subsidies have led to the dumping of EC agricultural surpluses on world markets. This has meant lost markets and lower prices for South Dakota farmers and ranchers. All along the administration has promised it will insist on fair treatment for our farmers. The administration should not back down now in the eleventh hour of negotiations.

Allowing the EC to continue its protectionist agricultural subsidy programs means that South Dakota farmers and ranchers will continue to face unfair foreign competition. Every farmer and rancher in South Dakota knows that higher grain, dairy, and meat prices depend on better access to foreign markets. Unfair foreign competition limits U.S. farm exports. EC export subsidies deprive our producers of billions of dollars in foreign sales.

The United States has reduced its agricultural subsidies over the past five years, while the European Community has increased its subsidies. We must keep pressure on the EC to make major reductions in their export subsidies in order to expand agricultural markets worldwide.

Sincerely,

LARRY PRESSLER.

Mr. PRESSLER. Mr. President, if you drive north of Rome or into Friuli Province in northern Italy, you see huge cornfields and soybean fields. That was not true a few years ago. In fact, when I was a student at Oxford in the 1960's, I took a trip to see some parts of Italy. In those days it was all vineyards. As a result of the Economic Community's subsidies, you now drive up to Umbria Province, or Tuscany, and you feel like you are driving in eastern South Dakota or Iowa because of the number of cornfields and soybean fields. They can grow soybeans in Italy and get $18 a bushel under their subsidy program. Our farmers get $6 or $7 or $8 a bushel for growing soybeans. Our farmers would like access to the European market. We would like the opportunity to compete. The subsidy system of the Common Market is severely hurting agriculture in the United States, and that is contrary to what our trade agreements intended.

There is another article from the Washington Post, "U.S., EC End Major Impasse Over Agricultural Subsidies." But that has not been cleared through our major farm organizations. This is a move that came as a surprise to this Senator.

Mr. President, I ask unanimous consent to have the article from the Washington Post printed in the CONGRESSIONAL RECORD.

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

[From the Washington Post, Nov. 13, 1991]

U.S., EC END MAJOR IMPASSE OVER AGRICULTURAL SUBSIDIES

(By Stuart Auerbach)

The United States and the European Community have forged a crucial compromise over the issue of agricultural subsidies that opens the way to a major overhaul of worldwide rules governing trade, U.S. and EC officials said yesterday.

Under the compromise, reached Saturday at a summit meeting between President Bush and EC leaders at The Hague in the Netherlands, the EC dropped its outright refusal to reduce subsidies to farmers, while the United States scaled down the level of subsidies it would consider acceptable, the officials said.

The officials stressed that the summit compromise set the framework for an accord but that hard bargaining is still expected over key details.

The farm trade issue has dominated the Uruguay Round of free-trade talks that are designed to modernize the General Agreement on Tariffs and Trade (GATT), the main accord regulating world trade. Major farm-product exporting nations have refused to conclude agreements in other key sectors until Europe agrees to end its farm subsidies.

This has stalled negotiations over such critical trade issues as reductions in tariffs, protections for patented products from piracy and rules to open service industries such as banking, insurance and engineering to international competition.

GATT officials said negotiations intensified this week as a result of the positive signs from the weekend's U.S.-EC meeting. "There is a definite feeling now on our side that there has been quite a bit of movement," although "there still are major differences to be ironed out," said a senior EC official in Washington.

The official also said the agreement Saturday was "balanced" in their areas, including a U.S. pledge to include telecommunications in an agreement on trade in services. U.S. telecommunications companies have complained that such a move would give European rivals access to the American market, while barriers remain in Europe.

At Saturday's summit, officials said EC Commission President Jacques Delors linked a more cooperative European stance on agriculture to U.S. willingness to end barriers against European service industries, such as restrictions on foreign ownership of U.S. airlines and radio and television stations.

U.S. Trade Representative Carla A. Hills said Saturday's high-level session at The Hague was one of the few days of real negotiations on agricultural trade since the Uruguay Round began in 1986.

The U.S.-Europe talks continued in Rome last night at a meeting between Agriculture Secretary Edward R. Madigan and the EC's farm commissioner, Ray MacSharry. "I see signs now of some movement on all sides which makes me cautiously optimistic," Madigan said, according to news agency reports.

Hills declined yesterday to outline the shape of a possible farm agreement, but European and U.S. sources said cuts in subsidies are likely to be smaller than the Bush administration originally demanded and would be spread over five years instead of 10. They said the agreement is likely to include a clause to review the agreement after five years, which could lead to further cuts in the subsidies.

European sources said that it appears to be the kind of package that would be accepted

by the farm ministers of the 12 EC nations—included France and Ireland, the major holdouts among the Europeans—when the ministers meet next week.

While the United States and Europe are moving closer on the farm issue, Secretary of State James A. Baker III intensified U.S. pressure on Japan and South Korea to end their bans on imports of rice and other farm products.

In Tokyo Monday, Baker urged Japan to take a leadership role in the GATT talks instead of waiting for other countries to make concessions first. While Japan has not moved officially, its new prime minister, Kiichi Miyazawa, has dropped hints that the Japanese may propose some opening of their rice markets in the GATT talks—especially if Europe appears willing to negotiate away its subsidies.

So, Mr. President, in conclusion, the era we are in is one of international trade. My State has companies who have exhibited their industrial products at the Canton Trade Fair in China. We export the majority of the wheat grown in our State. We are very interested in the GATT trade system. I define myself as a free trader. But free trade means that we have access to Japan's or Europe's markets and they have access to ours.

We need access to Europe's markets and they to ours. In the 1950's our country started the practice of being very generous to these countries. We are trying to help them rebuild with the Marshall plan, and other programs. We gave trade concessions to a lot of countries around the world. They have never gotten over it. They all think free trade is sell anything, do anything in the United States, have banks here, own property here. But when our businessmen want to own property in a foreign country or open a bank there, or sell wheat, some excuse is found. They will sign trade agreements, but later add nontariff barriers.

Here we are talking about the GATT Agreement. We have been promised in this body by the Carter administration, by the Reagan administration, and the Bush administration that our negotiators will insist that Europe lower its agricultural subsidies and its export subsidies and that our people will have access to those markets before we go forward with changes in the GATT system.

Some have said we need the GATT Treaty so much that we should just make a compromise and let it go. That would break faith with farm State Senators. It would break faith with not only farm State Senators but also urban Senators because jobs and prosperity in the United States are very important.

So, Mr. President, I am alarmed if Carla Hills and her group are going to compromise on insisting that European subsidies be lowered. I am alarmed if this is being done without consultation with the Congress and without consultation with our leading industry and farm groups.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, might I inquire what procedure we are operating under. Are we in morning business?

The PRESIDING OFFICER. We are on the bill, H.R. 3575.

Mr. LOTT. Which is the unemployment benefits bill?

The PRESIDING OFFICER. That is correct.

Mr. LOTT. I seek to be recognized to speak on this bill.

The PRESIDING OFFICER. The Senator is so recognized.

Mr. LOTT. Mr. President, I fully understand the concern and frustration of the Members of this body whose States do not do as well as they might have earlier under other formulas to provide these benefits. I certainly sympathize with States like Alabama, Arkansas, Kentucky, Louisiana, and New Hampshire. I would feel the same way if my State was in a position where they were not getting sufficient benefits or as many benefits as they might have earlier.

I was very much attracted this morning to the amendment offered by the junior Senator from New Hampshire [Mr. SMITH] that would have taken some funds out of the foreign affairs account and use that to make up the difference of what these States are losing as compared to the earlier proposals. When I see a sister State like Louisiana that now would only get 13 weeks of benefits as opposed to 20 that they might have gotten earlier, or have it reduced from 13 to 6 in some category, that bothers me.

Having said that, we have messed with this issue now for weeks. My own State of Mississippi has the second highest unemployment rate in the Nation. We have people who are unemployed, who have been unemployed for a long time, whose benefits have run out. And these are not people who are just sitting around waiting for their benefits to come in. I know of personal instances where men and women had good jobs, they have been trying to get another job and they cannot get another job. They need help just to live, just to get by until they can find another position.

So I want to commend the leadership for trying to find a way to accommodate the concerns of our colleagues who do not feel they are being treated as fairly as they should be under this proposal. But I do not think at this juncture we can do it. If we do not pass this package as we are considering it in the form that it now exists, if we do not get it done today, I think we should stay here and do it tomorrow because this has been delayed long enough. We need action and if we do not get it done, it will not get to the President in time for his signature. We do have a bill he will sign, and if it does not get to him in time for his signature in short order, then people will not get these benefits next week or the next week and it will be sometime after that.

So I hope, even though I sympathize very strongly with those who are concerned about the provisions now in this bill as it affects their States, like Kentucky and Louisiana, I urge my colleagues, let us get this passed because there are people who are hurting. And while some of those States that do not do as well under this formula—I recall they do get some benefits—and depending on circumstances, maybe we could further address their problem depending on what happens with the economy.

Let us pass this bill now and then let us do something that will not just address the problem of unemployment benefits, let us do something that would maybe help get the economy moving so these people can have jobs. On behalf of people in my State, I urge that we pass this legislation and we do it today. I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, let me respond to my friend from Mississippi. Let me just show my colleagues the headline in my State this morning. "Claims by Unemployed at 6-Month High. Sixth Highest in the Nation." Ten percent of all the first-time claims filed last week came from my State and my State was cut under the bill from 13 weeks to 6 weeks, but we want to see it done before Thanksgiving. My people would much rather have 13 weeks and get it a couple weeks after Thanksgiving than have 6 weeks and get it the week before Thanksgiving. You try to figure that out.

This is unfair. They went in there and took a schedule and a percentage and it went from 33 percent down to 29 percent to get the bulk of States.

You know something, it is awful smart politically to cut the first primary State in the Nation, New Hampshire. And now we have competition. Mr. Buchanan is in. It is going to be interesting, him going up there saying this State was cut. It went from 13 weeks down to 6 weeks. We better think about this a little bit because this fellow is going to fight for his State.

I intend to stay here and do the best job I can to see that Kentuckians win here and do not lose. Pass this bill, get it out: That is the pressure they are trying to put on. I do not intend to let the pressure move me one iota. If we can work out a compromise, that is well and good. If we cannot work out a compromise, then I am going to use what means I have to be sure that we

stay here Saturday, that we stay here Sunday, and discuss the unfairness, the unfairness of this particular compromise that we are trying to jam through here now. Do it.

I do not blame my leadership. They were not there. They were not called in. They did make a phone call down the hall and they agreed to it. That was the end of it. So I think that we better take a step back and try to be fair to all Americans.

Sixty-five thousand Kentuckians will be affected by what we do here. The difference is between 65,000 getting 6 weeks or 13 weeks. The misery is not going to ease up if we just give them 6 weeks and I am not sure about 13 weeks. When you consider unemployment in Kentucky is at a 6-month high, we had 10 percent of the unemployed new files last week, 65,000 people, which I feel are the finest people on Earth, but you may not agree with that, are affected.

I just say it is time we take another shot at this one. We will have an amendment that my colleagues can vote for that pays for itself. If that is the problem you have, we will take care of that. We will do that before the day is over. We will see how good we are, how strong we are, how much we want to help, how fair we want to be.

I think it is time we start looking not at politics but reality. If you want to talk politics, I will talk politics with you. I understand politics. I understand it well. If I was at the White House, I sure would not want to cut New Hampshire. I yield the floor.

Mr. LOTT. Mr. President, I rise to respond to some of the comments just made by the distinguished senior Senator from Kentucky. In my remarks—maybe he did not hear them—I said I understand how the Senators from Kentucky, Arkansas and Louisiana feel. I empathize with them.

We have this problem in my own State. But I did not at all raise the question of partisan politics when I was making my statement. I was saying I have a State that is desperate, I have people who for weeks have not been getting any benefits. Let us find a way to get this job done. Let us not let it go over to next week. I am perfectly prepared to stay Friday and Saturday.

I know how the Senator feels. He is doing just what he should do; he is fighting for his people. He says I am not mad at our leadership; they were not there. I am beginning to wonder who was there, who developed this package, where did it come from?

It was not written in New Hampshire. To infer that it is a mistake by the President to sign this bill because it affects New Hampshire, the first State in the primary, look, the President is not going to sign anything that we do not pass in this body first. So this is not an opportunity that we should use to talk about the Presidential campaign next year.

Let us find a way to try to get this job done because we have been messing around with it for weeks, and weeks, and weeks. They have on the other side of the Capitol, the administration. Nobody can be absolved of blame.

Meanwhile, there are people in my State, and in the State of the Senator from Kentucky, who are hurting. I really do not like this solution because I do not like what it did to Kentucky and Louisiana. But in the meantime, I have people in my State, the second highest unemployment level in the Nation, the poorest State in the Nation, men and women who I have talked to who are not getting any benefits and have not been for weeks.

They are saying to me, do not tell me about Republican, Democrat, House, or Senate, who did what, who shot John. Tell me what you are going to do to help me get some food. That is all I am asking.

I understand how the Senator feels. Frankly, I would like to try to find a way to help him. To get up and start talking about New Hampshire primaries next year when we are talking about people unemployed now, I do not understand that.

Mr. FORD. Mr. President, since the comments were directed to me, I would like to reply to my friend from Mississippi because he does not give any quarter, and I hope I do not either. But, No. 1, we will have an amendment this afternoon that pays for itself, and I want to see how strong the Senator is to help us. That is No. 1. We will give the Senator a chance. It will pass here if he will help us. That is all I want, just a little help.

Second, the political aroma is pretty thick out here. The Senator knows it is. We get into who did it and who did not do it, and whether it was the House side. The Senator wants to put all that aside. It is the first time I have heard that in a long time around here—put it all aside.

Let us do what is right. OK, let us do what is right. Let us help these five States. We will put politics aside. We will just be Americans for a change. I would like to have that one time. But if you look at the five, you are writing off Kentucky, writing off Louisiana, writing off Arkansas, writing off Alabama, and writing off New Hampshire.

I yield the floor.

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. BREAUX. Mr. President, I will take a moment because I know there are a number of negotiations that are ongoing among a number of Members who have amendments to this bill.

I have an amendment which I will alert the Members of the Senate to that I think is a very reasonable. It is very rational. I think the administration should support it because it pays for itself.

When the bill left the Senate, Mr. President, under the leadership of the chairman of the Senate Finance Committee, we had a bill costing $5.4 billion.

The bill that is now before the Senate that the House wrote—and no one wants to take credit for writing this piece of legislation. I do not know who the actual author is from the Senate, but something happened after that bill left the Senate. It came back $100 million less expensive.

I do not know how they did it, but they managed to take States that have very high unemployment, all averaging over 7 percent, and they reduced their benefits from 13 weeks down to 6 weeks. And even more importantly, what they did was to say to those States that have people who have been unemployed over 26 weeks, who are not getting any check whatsoever, we are not going to count you anymore. Not only are you not going to get an additional week, you are not going to get an additional 6 to 13 weeks. You are not even going to get an additional 1 day of compensation. The House bill says we are not going to count the people who have expended the unemployment compensation.

Mr. President, that is inequitable. That is wrong.

We have an amendment that I will be presenting, I understand, after the Senator from Delaware [Mr. ROTH] offers his amendment that addresses these problems in a way that I think is fair and one that the administration should accept.

There have been some concerns that, well, by offering the amendment we open a floodgate. That is no longer valid because we have a restriction on the number of amendments that can be offered. There are only two or three, and that is one of the package. It does not open a floodgate for other financial amendments to be offered. It is very restrictive.

Second, some say it will cost too much and the President will veto and we do not pay for it. That is ridiculous. My amendment has a method of payment which I think is very fair, equitable, and in fact produces more than it costs.

Mr. President and Members, when the amendment is offered, I would hope Members who have some concerns about amendments being offered would say it is no longer a legitimate concern.

I do not want to get into the politics of it. I think the better argument is one of fairness and one of equity. We are trying to help unemployed people. How can we ignore literally thousands and thousands who will receive not 1 day additional unemployment even though they have been unemployed for 6 or 7 months in many of these States? So our amendment addresses those States that are dropped from 13

to 6 weeks and lost their reachback provisions in a way that pays for it and it pays for it in the same manner that the House of Representatives in fact arranged to pay for the rest of the program.

It is interesting to point out—I just mention it at this moment—one of the ways that this bill pays for itself is by the changes that were made in the people who file their estimated tax. Estimated tax allows a wealthy taxpayer to make a choice. He can either pay 100 percent of what he paid last year or he can pay 90 percent of what he will make in the current year he is filing. That is a very generous provision for some very wealthy people.

Under the leadership of Senator BENTSEN, they decided to raise some money by restricting that by saying if your gross income goes up by $30,000 or more, the House changed that figure to $40,000 or more, you are restricted in using that safe harbor tax provision. My amendment simply changes that $40,000 back down to $30,000. And Joint Tax tells us that that raises $300 million. Our program to include these new States is a cost of $155 million.

So, Mr. President, we bring equity to this legislation and we pay for it in the same manner that the rest of the bill is being paid for. I do not know how anyone in the administration can argue that we are going to leave hundreds of thousands of individuals without any unemployment compensation so we can take care of those people whose incomes increase over last year by $40,000 or more. Is that fairness? Is that equity? I do not think anyone can sell that in an election year, or in any other year anywhere, nor should we attempt to do so.

So, Mr. President, at the appropriate time, I think following the Senator from Delaware, I will offer the amendment which is as I have just now described it.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. JOHNSTON. Mr. President, at the appropriate time I am joining my colleague, Senator BREAUX, from Louisiana, in proposing this amendment.

Mr. President, I strongly urge our colleagues to look at this amendment fairly and dispassionately and give us a chance.

As the bill came from the House, Mr. President, it went in exactly the opposite direction from fairness. It sounds like a complicated formula when you talk about insured unemployment rate as opposed to total unemployment rate.

What this bill did is what the bill as it came from the House did—base your benefits on the insured unemployment rate. What that means is the poorest States like Louisiana, which has been in a deep depression—not a recession, a depression—and which has had to restrict the number of people on the insured unemployment rolls, had to restrict that because we did not have the money to pay for it.

So our total unemployment rate is high, 7 percent. But our insured unemployment rate is low because we did not have the money to pay for it. So this bill comes along and makes a bad thing worst by saying, in effect, the poorest States are those who get less benefits. It is going in exactly the opposite direction.

There is another provision here, Mr. President, that talks about exhaustion rates. In other words, if you have exhausted your unemployment benefits at some far distant time in the past, months ago, then you are not eligible to go back and reach back and get those benefits.

Again, the employees who need it worse, who have been unemployed for the longest period of time, under this formula are not eligible to get those benefits. So the poorest States are penalized; the poorest employees—that is, those who have been unemployed for the longest period of time—are totally penalized.

Mr. President, it is a catch-22 if I have ever seen it. When you go down this list, you look at my State of Louisiana with 7-percent unemployment, our number of weeks went from 13 to 6 weeks. Whereas, pick another State, say for example the State of Kansas: Kansas went from 7 to 13 weeks. We went down and they went up. Yet we have almost twice the unemployment rate that Kansas has.

Kansas only has 4.7 percent and we have 7 percent. How did it happen? Because of the manipulation of the insured unemployment rate and the exhaustion rate. Again, those employees who need it the worst are those who do not get it. The States that are the poorest are those that are penalized.

So what our amendment does, Mr. President, is go back with those and correct it for these States that have the high unemployed rate. If you have a 7-percent unemployment rate under our amendment, Mr. President, then you are going to be able to get the 13 weeks. It recognizes that those States with—I believe, it is six or seven States—7 percent unemployment rates would be eligible then to receive the 13 weeks.

We understand it only costs $150 million to do this. We raised $300 million, not by penalizing people but by having them pay a portion of the tax which they ought to pay anyway, in effect by closing a loophole against the most wealthy taxpayers.

Mr. President, I urge our colleagues to do this. I cannot imagine that the House would turn this down. I mean why would they turn it down. Because it is complicated? No. It is a very simple amendment. It does not take a lot of negotiation. It pays for itself.

Is the White House going to turn this down?

Mr. President, I cannot believe that the White House would say it is right for the poorest employees and the poorest States to be penalized under this formula. I just simply cannot believe that the White House would do that.

I believe—and I have been beseeched by my colleagues, Mr. President, to realize—that if we pass this amendment, it will quickly be approved by both the White House and the House of Representatives because there is no reason in logic for delay or politics not to approve it. It is one of these amendments which is a targeted amendment to help a tremendous injustice done by this bill as received from the House.

I urge at the appropriate time for my colleagues to be for the amendment to be introduced by my colleague from Louisiana, Mr. BREAUX.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER (Mr. ROBB). The Senator from North Dakota [Mr. CONRAD].

Mr. CONRAD. Mr. President, there is only one problem with the fix that they are talking about. It is right, in terms of principle, that those States that were dealt with unfairly, most unfairly, be included. But it does not deal with 12 other States whose workers are denied the reachback provisions.

I defy anyone to stand on the floor and explain why a worker in a State that has exhausted his benefits should be denied reachback in one State but allowed it in another, because that is exactly where we are headed here today.

We are going to have a situation in which a deal is going to be made. The problem with it, if it is not altered, is that it is going to be an unfair deal. It is going to be unfair to the workers in States that are not allowed to reach bank, to workers who are in precisely the same set of circumstances in two different States. Let me give an example.

If you are in the State of Texas and you have exhausted your unemployment benefits, and you did that in prior months, once this legislation is passed, it will reach back and give that worker benefits, additional benefits, that he would have had had the legislation been in place last March.

But if you are a worker in North Dakota and 17 other States who exhausted their benefits, you are not going to have the privilege of reaching back and recapturing what you would have had had this legislation been in force.

Mr. President, I know of no way to justify that to the worker who is in North Dakota, and tell him, "Sorry, you lose," the worker in Texas, "You win."

We are going to have situations if this is not changed where the worker on one side of the State border is al-

lowed to reach back, recapture benefits, and the worker on the other side of the border is not.

Mr. President, we had an intense debate last night. One reason that I found myself reacting strongly to what we were handed is because it is so clearly unfair. How can anybody justify a formula that says to the State of Louisiana that has 50 percent more unemployment than the State of Kansas, your workers get 6 weeks of additional benefits, but Kansas gets 13 weeks of additional benefits, and to add insult to injury, the worker in Louisiana cannot reach back, and the worker in Kansas can reach back. How can anybody say that is a fair formula?

We heard a lot of explanations of this formula last night, Mr. President.

We were told, well, it is all based on State law, and if your States were not in such tough economic straits, such difficult budget situations and, therefore, so tight with unemployment, you would get better benefits. What kind of explanation is that, Mr. President? What kind of explanation is that?

Let us be truthful here. This result comes from mirroring a formula that was devised here and applying it to State law. It is not just based on State law. Oh, no; it is based on a formula that was concocted here.

The last time I felt this upset about walking in on a deal was when I caught a fellow in an organization I used to belong to back in my State trying to cook the books. He was trying to embezzle money. When I walked in and saw the results of the formula that was conducted here in Washington, and saw the clear unfairness of it, I had the same feeling, because really what has happened here is a small group of people went off in a room, they baked the cake, they cut the cake, and they put it on their plate. That is what happened here.

If you look down the list of the difference between what happened in the Senate proposal and what came back, five States lost 6 weeks of benefits: Alabama, Arkansas, Kentucky, Louisiana, New Hampshire. And the proposal that is now coming from the Senator from Louisiana is to take care of those five States.

Eighteen additional States lost 1 week. My State is included. And a number of States—I think 12 in number, perhaps 14—got added benefits. They got 6 or 7 weeks of added benefits.

We heard the argument here on the floor last night that the reason this bill was done in the way it was, was that it had to fit into the budget. It had to be shoehorned into the budget. I made the point last night that some were shoehorned in, and some were shoehorned out. Because this was not just a matter of fitting the budget. Some people were given added benefits, and some people had benefits taken away. And based on a formula that, frankly, is a very simple formula, it is pure political power. That was the formula that was used: pure political power.

If you wonder how one might make that assertion, just look down the list of the States that got added benefits: Georgia; there is a Republican leader from Georgia. Illinois; another Republican leader from Illinois, and the chairman of the tax writing committee in the House; Maryland, which has a joint tax committee chairman; New Jersey, which has a member of the Finance Committee; Oregon, which has a ranking member of the Finance Committee; Texas, the home State of the President; Washington, the home State of the Speaker of the House.

If anybody wonders where this formula came from, it came from a room in which people decided they were going to cut a deal, and it was a deal that was good for those who were in the room, and everybody else got cut in order to take care of the ones that were in the room.

That is what happened here. Now we are going to have a proposal before us to take care of a handful of those States. We are going to take care of five or six of them—we will see in a minute what happens—and leave the others hanging out there, and cut their benefits in order to increase the others.

Well, Mr. President, if there was some rationale or some justification for that, I guess I could understand it. But I must say that I have a very difficult time understanding how it is fair for an unemployed worker who has exhausted his benefits in some State to be able to get a restoration of those benefits, while in other States they are denied.

We will hear the argument that unemployment insurance was designed not just to take care of the unemployed worker, but to buffer the economic downturn that occurs in an area that has a high rate of unemployment. That is an indication that they need to be buffered more than a State with a low level of unemployment.

Let me just say that the problem with the theory, Mr. President, is twofold. No. 1, the unemployed worker who is in a State that is taken care of is hurt just as much as the unemployed worker who is in a State that has a higher level of unemployment. The worker in North Dakota is having just as much trouble paying his rent, taking care of the doctor bills of his family, putting food on the table, as the worker in Texas who has run out of his unemployment benefits. That is problem No. 1 with that theory.

Problem No. 2 is the assumption that the pure unemployment number is an indication of how hard hit an area is economically. Mr. President, I do not know of a State that has been harder hit economically in the last 10 years than my State. The evidence is clear. My State, the State of North Dakota, led the Nation in personal income decline in the last 10 years. We led the Nation in personal income decline—not exactly the category in which you would like to lead the Nation. No. 2, my State is the only State in the Nation that has less people now than we had in 1930. The only State.

Mr. President, we want to talk about economic hurt and hard economic times. We have had 4 years of drought. We have the lowest farm prices in 50 years. And half of my State's economy is dependent on agriculture.

Now we get to an issue like this one, and because our State has been hard hit, because we are operating on the same budget that we had 10 years ago—that is hard to believe, is it not? That is the case in my State. We are operating on the same budget we had 10 years ago. So certainly they have tough standards for unemployment. They have tough standards in every category of spending. And because we have been hard hit, we are penalized and told, well, your workers who have exhausted their benefits—by the way, there are only 11 States that have a higher level of exhaustion than mine—run out of luck if they run out of their benefits. They are not going to get reachback. But workers in other States are going to get reachback. Why? Well, they say because of this formula.

Well, Mr. President, this formula gives a result that says to Louisiana, which has 50 percent more unemployment than Kansas: You get 6 weeks and no reachback. Kansas, with far less unemployment, gets 13 weeks and reachback.

There is no way of defending that formula on the floor of the Senate. We could go through State after State and talk about what kind of a result this formula has come up with.

Mr. President, there are 18 States that are told their workers are second class; they do not get reachback. My State is 1 of the 18. And the reason that those 18 States' workers are disadvantaged is to give additional benefits to those States that are already better off under this formula.

As I say, we have a situation where the people went into a room, baked a cake, cut the cake, and put it on their plate. And that is why this Senator was so exorcised last night when I started studying this table of the deal that we will hear a lot about the rest of the day.

We will hear: A deal is a deal; a deal is a deal. We will also hear that none of the leadership in the Senate were involved in this deal. Last night, the majority leader said he was not involved in the deal. The chairman of the Finance Committee said he was not involved in the deal. The Republican leader said he was not in on the deal.

If none of the leadership is in on the deal, how can it be a deal? Why is it a deal?

But we will be told over and over today: Vote against any of these amendments, because a deal is a deal.

Maybe it is, if you are included in the deal. But how this can be fair eludes this Senator.

Mr. BREAUX. Mr. President, will the Senator yield for a question?

Mr. CONRAD. I am happy to yield.

Mr. BREAUX. Mr. President, I think the Senator is making some very valuable points. If we are trying to take care of unemployed people, but somehow we are telling those people back in our States that those of you who have been unemployed the longest, who have run out of any compensation benefits, we are not going to help you at all. I do not know what our message is to those people, by not reaching back and picking up those people who are so desperate that they have exhausted their 26 weeks of unemployment, and they have not been given unemployment maybe for a week or a month or maybe 6 months. Because they are not getting any unemployment anymore, that now that Congress passes a bill that provides 6 or 13 weeks extra, that they are not going to get any part of that, not going to get 1 day extra or 1 week extra? Is that what we would tell the people?

I say, do you have any kind of explanation for the logic that went into whatever came back from the other body that brought us this package?

Mr. CONRAD. The Senator from Louisiana is correct.

The only thing I could say to the people of my State is: Yes, there was a formula working here. The formula would be something like this. If your State begins with the letter G, and you have a Republican leader, you are in on the deal; your workers are taken care of.

If your State begins with the letter I, and you have the chairman of the tax writing committee in the House and a Republican leader in the House, you are in on the deal. If your State begins with the letter K, and you have the Republican leader in the Senate, you are in on the deal.

If you are from a State that begins with the letter O, and your Representative here is the ranking member of the Finance Committee, you are in on the deal. If your State begins with the letter T, and the President calls your State home, you are in on the deal. If your State begins with the letter W, and you have the Speaker of the House, you are in on the deal.

This is the formula that was at work here.

Mr. BREAUX. Mr. President, will the Senator yield?

Mr. CONRAD. Mr. President, it is not right. It is not right. The worker who has lost, who has gone beyond his extended benefits, his basic benefits in a State like mine has got just the same problem as the worker in these States. This cannot be defended.

Mr. BREAUX. Mr. President, will the Senator yield?

Mr. CONRAD. I yield.

Mr. BREAUX. Mr. President, to respond, apparently the Senator said the formula was an alphabetical formula that was used in arriving at these charts we now have.

Mr. CONRAD. It is certainly not a mathematical formula, Mr. President. I direct the Senator to his own State. One of the things that exercised me as I came on the floor last night and I started looking down this chart was, first of all, of course, my own State. We do not have high levels of unemployment in my State. Mr. President, when you are unemployed in my State, because the State has been through such very difficult times, you leave. You do not stay. And yet we are denied reachback and other States are given it. That is not fair.

But, in addition to the treatment of my own State, as I looked over this chart, it became more and more clear to me that this formula is a fraud, because what we are supposed to be doing here is helping unemployed workers. If that is what we are doing, how can it be that a State like Louisiana, that has 50 percent more unemployment than the State of Kansas, the State of Louisiana gets 6 weeks of additional benefits and not reachback, and Kansas gets 13 weeks and reachback? How can that be justified? It cannot be.

As I looked down, I saw Oklahoma. In Oklahoma, they have about the same level of unemployment as Louisiana: 6.7 percent. Kansas has only 4.7 percent. And yet Oklahoma gets 6 weeks and no reachback; Kansas gets 13 weeks plus reachback. How can that be justified? It cannot be.

This formula, as I have said before, was concocted in a room in which the people who benefited baked the cake, cut the cake, and put it on their plate. And if what we are doing here is trying to represent the interests of all Americans—I am not just working on behalf of my State, although obviously, that is my first responsibility—but as I look down this chart, this thing cannot be defended. It is not fair.

I say to my colleagues, and certainly the Senator from Louisiana, I know there is a move to take care of your problem. I hope that your problem is taken care of. But I must say, I also plead for the people in my State who have run out of their benefits. They deserve a reachback, just like every other State's workers.

Mr. President, I know what is happening now. There is a meeting off the floor here somewhere. They are going to take care of another five or six States. I can tell you right now what I suspect is going to happen.

Momentarily, they will come back and there will be a love hug on the floor here, and we will find out that despite what we were told last night—that no amendments could be accepted or the whole deal will go down—in just moments, they will come out and they will say: Well, you know, actually there will be one amendment. We will take care of Alabama; we will take care of Arkansas; we will take care of Kentucky; we will take care of Louisiana; we will take care of New Hampshire.

Yes, that is the first primary State. Of course, their workers will be taken care of. But the other 12 States that do not have reachback, or the other 13—I would guess, by the way, they will probably add the State of Delaware. That will take care of Mr. ROTH. They will take care of those six States. They will tell the other 12 States' workers: You lose; you lose.

There will be no moral justification for what is being done. There will be no sense of fairness for what is being done. It will be a formula; it will be the three P's: pure political power. That is the formula that is at work here. And it is wrong. If we are going to deal with this problem, we ought to deal with the unemployed workers in every State. We ought to deal with them in the same way.

I do not disagree that those States that are most severely impacted ought to have more weeks, ought to have more weeks of additional coverage. But this reachback provision, Mr. President, the way it discriminates, there is absolutely no way to defend it. And if need be, we will have to talk for a while today, and at least plead with our colleagues to take notice of those who have been very badly hurt.

I am hopeful that colleagues will listen. We heard last night a very academic discussion of why it is that some States should be given additional benefits. We were told that unemployment benefits are not designed just to take care of the unemployed worker; they are designed to buffer those areas that have been especially hurt by an economic downturn.

I can accept that rationale, Mr. President. That makes some sense. The only problem with it is it does not deal with States that have been especially hard hit.

I see the Senator from Oklahoma going through. I tell you, the State of Oklahoma is being hard hit. They have been very hard hit. Let us just go down the list of other States that have the minimum level and no reachback for their level, minimum number of weeks and no reachback.

The State of Colorado. I tell you the State of Colorado has been hard hit. I was out there and saw what happened to the S&L industry in the State of Colorado. They were selling condominiums that were built and offered for $100,000 apiece. Now they are selling them for $20,000.

The State of Delaware. The State of Delaware has no reachback. They are

surrounded by States that have reachback but they did not quite make the cutoff, the artificial formula that was designed to take care of those that were in on making the deal.

The State of Hawaii. The State of Hawaii has a low level of unemployment. They are a State that perhaps has not been as hard hit.

The State of Indiana. The State of Indiana, another rural State. A lot of rural States show up on this list, like Iowa. I can tell you, the State of Iowa has been hard hit, just like my State. We are suffering from the lowest commodity prices in 50 years—adjusted for inflation, the lowest commodity prices in 50 years.

My State led the Nation in personal income decline. I guess that Iowa would be in the top 10 of income decline as well. But their workers are told, "No reachback for you." Of course, they do not have anybody in the leadership in Congress.

Louisiana. We talked about Louisiana before, very unfairly treated.

The State of Minnesota, another agrarian-based State. Their workers are told, "You don't get the reachback."

Nebraska. Nebraska, another State out in the heartland of the country. Somehow these heartland States that have been hurt very badly in terms of an agricultural economy, an agricultural base, they are all told, "Sorry, your workers don't get reachback."

New Hampshire. Now they are probably going to take care of New Hampshire. New Hampshire is the first primary State, and we have already heard the argument that they are making to the White House right now. "Gee, you guys really want to stick it to the people in New Hampshire and not give them reachback when that is the first primary State?" Oh, it is OK to stick it to North Dakota; we do not have an early primary. It is OK to stick it to Colorado; it is OK to stick it to some of these other States. But they are going to take care of New Hampshire, I suppose.

North Carolina is another rural State. They do not get reachback.

North Dakota.

Ohio. This one really baffles me. The State of Ohio, 6.5 percent level of unemployment. Kansas has 4.7; 6.7 level of unemployment in Ohio; 4.7 in Kansas. And the State of Ohio gets 6 weeks and no reachback and Kansas gets 13 weeks and reachback. That is another example of the unfairness of this formula, a formula that was concoted in some back room somewhere and brought out here by the people who baked the cake and cut the cake and put it on their plate. There is another perfect example in Ohio.

Oklahoma, 6.7 percent level of unemployment—6.7 percent. And yet they get 6 weeks and no reachback. Kansas, with a much lower level of unemployment, does much better.

South Dakota. Surprise, surprise, only one Member in the House of Representatives, just like North Dakota. Surprise, surprise, South Dakota, their workers are told, just like what the workers in North Dakota are told, "You lose. If only you were across the border, if only you were down in Texas, then we would give you reachback. If you exhausted your benefits back there in March, why then we would be here to restore your benefits."

Utah. I do not know how many Members of Congress Utah has over in the House. Utah, maybe they only have one Representative. Maybe that is the way the formula works.

Virginia. The State of Virginia; they are not one, no reachback applies in Virginia. Your workers do not get any reachback. The distinguished occupant of the chair, I imagine, has some feelings on the fairness of that. They have 5.9 percent unemployment in that State.

It is interesting because Maryland, which is right next door, has the same rate of unemployment as the State of Virginia, 5.9 percent, and yet in Maryland they are going to get 13 weeks of extended benefits and a reachback. But right next door in Virginia, the same level of unemployment, you get 6 weeks and no reachback. It is going to be real interesting to see how that is explained to the workers in Virginia.

How is that fair? Right across the border, the person who has exhausted their benefits, a job labor market that has the same rate of unemployment, and the person in Maryland gets 13 weeks and reachback and the worker in Virginia gets 6 weeks and no reachback. This formula is not fair. There is example after example.

The State of Wisconsin; there is another one. No reachback for the Wisconsin worker. Right next door, in Michigan, they get reachback, but not over in Wisconsin. Somehow that Wisconsin worker is less worthy of getting help from the Federal Government. Somehow that worker in Wisconsin is supposed to make do. I do not know how they are supposed to feed their families. I do not know how they are supposed to take care of the rent. I do not know how they are supposed to take care of their obligations. The Federal Government decides that the one in Wisconsin, he is on his own; the one in Michigan, he gets help.

And the State of Wyoming. Wyoming is a State like mine, a rural State, been very hard hit. In fact, I think Wyoming is one of the least populous States in the country. They only have one Congressman. So I guess the idea was, well, we will just go down this list, and we will take benefits from some of these folks and give it to others.

And maybe we ought to look down the list of who are the winners and who are the losers in this deal. The States that lost 6 weeks of benefits from the previous package were Alabama—boy, that is a wealthy State.

Arkansas. There is another State that is certainly doing well.

Kentucky. We just heard the distinguished Senator from Kentucky talk about what is happening in that State with unemployment claims and benefits.

Louisiana. I think everybody in the country understands the hard times that Louisiana has been through. That is a State that is based on an energy economy. Energy prices have collapsed. Louisiana has had high rates of unemployment, real economic hurt. One of the results is we see a rise of someone like the current candidate for Governor down there. But benefits are taken away from them.

New Hampshire.

Those States all lost 6 weeks of benefits.

Eighteen States lost 1 week: Colorado, Delaware, Hawaii, Indiana, Iowa, Minnesota, Nebraska, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, Wisconsin, and Wyoming.

And who are the winners? Well, the winners, States that gained 6 or 7 weeks are: Alaska; Arizona; Georgia—now Georgia, that is a surprise, a Republican leader from Georgia; Idaho; Illinois, there is another surprise—you have a Congressman who is head of the tax writing committee on the House side, another Republican leader in that State; Maryland; Missouri; Nevada; New Jersey—New Jersey got 13 weeks added; Oregon; Texas—the President hails from Texas; Washington, the State of Washington—the Speaker is from Washington. Those people got added benefits while the 18 States that I listed lost benefits, lost a week. Five States lost 6 weeks of benefits.

And they tell us this is a formula and this formula was designed to interact with State law and so it is sort of an immaculate conception. We heard last night nobody really had anything to do with this ultimate result. It just miraculously somehow appeared out here.

Nobody wants to be associated with it because it is indefensible. But, Mr. President, there is a way of fixing this. There is a way of fixing it.

There is a way of fixing it that says to every worker in every State, you get reachback, and it does not cost a dime more than the package that is in front of us now. The way to fix it is to have an amendment that takes from those who have gotten the biggest additional benefit package, those States that have 20 weeks or more, and take some of that money and give it to those States whose workers do not get reachback. That would be fair.

Mr. President, Senator ROTH has prepared such an amendment, which is one of the two amendments that he and I have reserved to offer here today. I

very much fear what is about to happen is that Mr. ROTH's State will be taken care of, along with the five other States I have listed here. Because if you look at this chart, if you go to 6.9 percent on the total unemployment rate you will take care of the five States that lost 6 weeks of benefits. And lo and behold, you will take care of the State of Delaware. That will be a neat package. That will take care of the problem for six States. And that will leave just 12 of us, 12 States whose workers are told you do not get any reachback.

Those 12 States—two Senators per State, 12 States, that is 24 votes. I think they have that one figured out. We will get 24 votes, there will be 76 votes to take care of the rest of it. And we will go back home and explain the formula, the three P's—pure political power—and how it is when we are supposed to be writing a bill to take care of the unemployed people, people who have been hurt, that we have been fairly treated.

I do not really know any way to make that argument. I know if I give up this floor perhaps the Senator from Louisiana will offer the amendment. It will take care of six States.

I just hope that some of my colleagues who are in States that are on the list of the 18 are listening. I hope they realize what the result of this formula is. I hope they would like to see a more fair result, because we are going to have an opportunity to vote on amendments today that will make this a more fair result.

Mr. President, I hope with that description people are alerted to what the issue is here today and that others will join this fight.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana [Mr. BREAUX].

Mr. BREAUX. Mr. President, I certainly identify with and agree with the concerns that have been raised by the Senator from North Dakota. There is no justification that I can understand that says that people who have exhausted their unemployment benefits somehow are not to be considered in the unemployment compensation bill, and that is what this bill actually does.

We talked a lot last night about how important it was to rush through and get this bill passed because of the Thanksgiving holidays and we can just not imagine families who are not able to have a Thanksgiving festival, a celebration, and have turkey with the family because the father or mother or perhaps even both members of the family are out of work.

I suggested last night, and I think it is correct, the biggest turkey around this city during this holiday period is this bill that is now pending before the Senate. I think we can make it better. I think we can make it address the concerns that are legitimate concerns.

I want to take just a minute to describe the amendment I will be offering, I think, after the distinguished Senator from Delaware and the Senator from North Dakota present their amendment.

There were five States that had 13 weeks of extended unemployment benefits when this bill left the Senate.

Somehow when it came back from the House, those five States were reduced from 13 weeks to 6 weeks. Two of those five States even additionally lost their reachback provisions to pick up those people who had lost all unemployment benefits for a period of time.

My amendment is going to be very simple. It is going to say that any State that has a total unemployment rate of 7 percent or more is entitled to at least 13 weeks of unemployment extended compensation. That is what those States had when the Senate first passed the bill, and I think it is fair and equitable that if you have a State that has 7 percent or more total unemployment rate over a 6-month period, that those States have a 13-week extended unemployment.

One of the big arguments has been the President will not sign a bill that just increases the deficit. Mr. President, my amendment has a method which is solid, which makes sense, that pays for reinstating those States which were cut from 13 weeks to 6 weeks. Let me take just a minute to explain it.

This whole bill this time is being paid for by three methods. No. 1 is to permanently extend the .2 percent surtax that people pay for the Federal unemployment tax program. We extend that to make it 1 year of extension, and that is part of the package.

The second way is to provide for the tax offset program for those students who have not paid back their student loans, allowing the Federal Government to garnish any tax refund that they receive. That is the second way that this bill is paid for. We are not touching either one of those.

The third way this bill is being paid for is the big-ticket item, and that is to make some changes in the estimated tax requirements, whereby people who filed their estimated tax under current law, if they have a large increase in their earnings in 1 year, can file under what we call a safe harbor tax provision.

In other words, they can pay 100 percent of the taxes that they owed the previous year instead of paying 90 percent of the tax that they owe in this year. For those wealthy individuals who have very large increases in income in 1 year, they generally always use this safe harbor provision.

Senator BENTSEN had a provision when the bill was adopted that restricted the use of that safe harbor tax filing provision to those individuals who make $30,000 of increased income in 1 year. In other words, if you made over $30,000 more income this year than you made last year, you could not use this safe harbor tax provision; you had to actually pay taxes on what you earned this year.

When this bill went over to the House and they had these negotiations, that provision was changed. They raised that cap from $30,000 extra income to kick you out of the safe harbor up to $40,000 in a year of extra income, which would prohibit you from using the safe harbor provision.

My amendment, in order to bring those States that went down from 6 weeks back up to 13 weeks and ensure they are entitled to the reachback provisions, simply readopts the Bentsen language. That says anybody who makes over $30,000 of extra income over last year in any 1 year, that that person cannot use the safe harbor tax provisions.

The Joint Tax Committee tells us that provision raises $300 million, which is, incidentally, which would pay the cost of bringing the States that had 6 weeks back up to 13 weeks, and guaranteeing that those would have the reachback provisions.

This program has $70 million of excess funds in it already.

What I am saying is that the Breaux amendment clearly addresses an inequity for these States, where they were reduced from 13 weeks to 6 weeks. It addresses it by bringing them back up to 13 weeks. And, in addition, it does it in a way that pays for itself.

By reducing that $40,000 provision down to $30,000, we raise $300 million. Our program only needs $155 million to pay for itself. If we reduce that standard from $40,000 to $35,000, we would generate $155 million. So the Breaux proposal, by reducing that cutoff point from $40,000 down to $30,000 generates $300 million in new money, more than enough to pay for correcting the inequity.

As I pointed out, if it was reduced merely down to $35,000 as the cutoff point, that still raises exactly what is needed to pay for the cost of the program.

So for those Members who say the President will not sign this, I think it is important to note that he said the reason he did not sign the other bill is because it did not pay for itself. Clearly, the Breaux amendment more than pays for itself. So that reason, that argument is eliminated.

I cannot imagine anyone standing on the floor of the Senate and saying I oppose the Breaux amendment which takes care of literally thousands and thousands of unemployed citizens. I am not going to support it because those very wealthy individuals who have increases in their income in a year of more than $30,000 may be slightly affected.

Mr. President, we are talking about equity and we are talking about fair-

ness. I do not think a single Senator would be comfortable saying I am protecting very, very wealthy individuals who have had the great fortune of earning over $30,000 more than they did the year before, that we are going to protect them at the expense of unemployed citizens.

So I think as a matter of fairness and a matter of equity, it clearly, I think, makes the argument for adoption of the Breaux amendment, which incidentally is cosponsored by a number of my colleagues, including Senator JOHNSTON from Louisiana, Senator WENDELL FORD from Kentucky, Senator SMITH from New Hampshire, Senator RUDMAN from New Hampshire, I know Senator PRYOR and Senator BUMPERS from Arkansas and I would expect there would be a number of other Members who would be cosponsors of the Breaux amendment.

So, Mr. President, I will conclude by just saying I understand the order to be the Senator from Delaware [Mr. ROTH] would offer his amendment, joined I am sure by the Senator from North Dakota [Mr. CONRAD] and then I would offer my amendment following in that order.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. FOWLER). The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I must tell my friend and colleague from Arkansas I will not speak all that long.

I wish to compliment Senator PRYOR. I heard his comments and he made some outstanding comments concerning the inequities in this bill, and also Senator CONRAD from North Dakota, and Senator ROTH from Delaware. I think they pointed out some real flaws in this bill, and it needs to be changed.

I know now the majority leader and Republican leader are working on making some changes. I really hope they consider the advice that has been put forward by many in saying we need to have reachback for all States. When we talk about reachback, I think a lot of people do not understand what that means. What we are talking about is making up for some inequities in who receives and who doesn't receive extended benefits if a person's benefits have expired.

Many States would get a reachback of 20 weeks, some States would get a reachback of 13 weeks, some States would get a reachback of 6 weeks and some States, including Oklahoma, would get no reachback. I find that to be grossly inequitable.

I looked at my State, and our maximum benefit is $212 a week. That is probably about average in the country. I have tried to find that out, and we have not found it out, yet. But for ease of computation, I will use $200 a week. It means I have something like 8,000 insured unemployed workers in Oklahoma who will not get anything, but if they happen to live in any of the other 31 or 32 States, they would.

They are just as unemployed, their employer has been contributing to the unemployment system for years, but they would not get the reachback.

If they happen to qualify for the 6 weeks, that is $1,200. If you look at some other States with 20 weeks if it was $200, they would get $4,000. Why would an unemployed worker in Maine get $4,000 and one in Oklahoma get zero? Why would one in Kansas get $2,600 over 6 weeks and one in Oklahoma would get zero? I find that to be really inequitable. They may even work for the same employer.

This bill really needs to be changed. We really have to make the changes concerning the reachback. If we do not, we are going to be giving thousands of dollars of checks to workers all across the country except for a few States.

There is a lot of discussion as to how much this costs. I just asked the Department of Labor. They said $130 million. CBO said it is going to cost $790 million.

I do not know how much it is going to cost. I know the cost already in the bill is several billion dollars for States to get 20 weeks and 13 weeks and 6 weeks. So we are going to give them several billion dollars for the reachback but we are not going to give the $130 million for the States that do not qualify. And that is not fair.

I have heard people say we have been working on this for months and we need to pass it now, and if we do not pass it now we are not going to be providing the benefits. Frankly, I do not think that much serious work has been done on this for months.

I think a lot of people were interested in playing politics. They said if the President had not vetoed this these people would be receiving the benefits and maybe all the States would receive the reachback. But the fact is the President did veto it. I happen to think the President was right.

I heard a lot of people yesterday castigate the President for vetoing those two previous unemployment extensions. I think the President was exactly right. Those bills would have done nothing but increase the deficit. Many of us are concerned about the fact that we had a deficit last year of $268 billion and we did not want to add $6.5 billion to it. That is the reason why this Senator sustained the veto, and I would do it again tomorrow. I think the President was right.

So let us pass a bill, let us pass a bill today, but let us pass a bill that is fair and equitable for all people throughout the country. Let us discriminate against workers in 18 or 19 States by saying, "You do not get a reachback, because your benefits exhausted on November 17. You will not get $1,000, $2,000 or $3,000 in benefits as workers will in countless States." We have 10 States that qualify for 20 weeks. All of them will get reachback. If they average $200 a month and they have been unemployed for 20 weeks beyond the 26 weeks, they are going to get $4,000. Workers in Oklahoma will not receive anything.

We are glad that you live in Alaska, Connecticut, Maine, Massachusetts, Michigan, Mississippi, New Jersey, Rhode Island, West Virginia, and Puerto Rico. Puerto Rico is not a State but, yes, we will give you a check for 20 weeks.

But I am sorry, in Oklahoma, no, you do not get it; North Dakota, you do not get it; Colorado, you do not get it; Delaware you do not get it. You do not get a reachback. We are just going to give benefits to 31 States and Puerto Rico. Puerto Rico is not a State but we are going to give them reachback but we are not going to do it for 19 States.

It just happens, if you look at the geographical distribution, most of these States are Southern States or Midwestern States. Maybe they are more conservative States for different reasons.

My State happens to have an unemployed rate of 6.7 percent. That happens to be the national average. I have 92,700 people unemployed right now and 8,000 of them would qualify for this reachback but will not because of this formula that somebody put together in a very hurried fashion and in a fashion that has been changing.

I have one chart that shows November 14 and a few States are counted one way, and another chart, November 13, and a few States are counted one way there. As a matter of fact, each day's chart changes. So a few States do a little better as the formulas go.

Senator CONRAD happens to be exactly right, if you are going to have reachback for any State you ought to have reachback for every State. If you do not, you have a gross inequity amongst this country, and I do not think that is right. That is not fair. So in our rush to move forward, I hope that we consider fairness and equity. That happens to be a couple of things that many of us would like to think that we stand for.

In our rush to pass this bill today, if we do not have reachback for all States, I hope my colleagues understand that many States will be providing benefits for 6, 13, or 20 weeks to unemployed workers whose benefits expired after February 28, 1991. But in my State and 18 other States only the unemployed whose benefits expired after November 16 will receive extended benefits. In my State, that will be 8,000 unemployed people will not receive their $200 check for 6 weeks.

That is not fair. That is not equitable. We need to make those changes before we pass this bill today.

Mr. BUMPERS. Mr. President, we are sent here, every one of us, to represent

our respective States. Sometimes we win and sometimes we lose for our States, but we often have a lot of formulas.

When I was Governor of my State, we used to assume that since we had 1 percent of the population in the country, under normal circumstances we would get 1 percent of the money, under any formula coming out of Congress. That worked.

I have always been chagrined about the highway trust fund formula which I thought seriously discriminated against my State. Under the Byrd amendment to the highway bill, we were able to correct the situation so that my State received nearly 100 percent of what it paid in. We are a poor State and we make a big effort.

But now I have watched all of these funding formulas come through here on highways, on mental health, on Medicaid, you name it—I have been here 17 years, been to a State fair and two goat ropings, and I have never seen anything to equal this formula.

You have to ask yourself, what on earth were the formula writers thinking about? You might just for openers start off asking why on earth do you have to get 6, 13 or 20 weeks? You have a 7-week disparity in the three categories, each one. Why? Why could not some States be entitled to 9, 10 or 12 weeks? In this day of supercomputers, I would think that some kind of a formula could be put in a supercomputer, a button pushed, and every State would come out exactly the same, that is, prorata wise.

What is the relevance of the adjusted insured rate and the total rate? Those of us who have been fighting for unemployment compensation extended benefits were fighting not for a formula but to help unemployed workers put food on the table.

What is the difference between a person in Mississippi or Connecticut who has used up his benefits and a person in my State who has used up his unemployment benefits? Because we did not hit that magic 29 percent figure of employees who had expended all of their benefits because we lacked 2.3 percent, we only get 6 weeks?

How would you like to be the senior Senator from Arkansas who has to go home and tell people who are out of a job and may have been out of a job for some time, that they are only going to get 6 weeks of benefits because we just did not have enough people who used up their benefits?

I have looked over this formula, and it seems so unnecessarily complicated for openers, to say nothing of the unfairness of it.

Item two on this so-called compromise proposal says all States get at least 6 weeks. Thirteen States, that is, States with an adjusted insured unemployment rate of at least 4 percent or an adjusted IUR of at least 2.5 percent, and an exhaustion rate of at least 29 percent, get at least 13 weeks, and 10 States, that is, States with an adjusted IUR of at least 5 percent or a total unemployment rate of at least 9 percent, get 20 weeks.

What if Mississippi had an 8.9-percent unemployment rate instead of 9? By having a 9-percent unemployment rate, Mississippi qualifies for 20 weeks. If they only had an 8.9-percent unemployment rate, they would get 13 weeks. I am not sure if they would not get just 6 weeks. What kind of nonsense is this?

Now, Senator BREAUX is again to be congratulated on not just proposing an equitable remedy, but paying for it. If the President wants to veto this, I am anxious to hear his rationale. As the junior Senator from Louisiana has appropriately remarked, the President said he was vetoing the first ones because we did not pay for them. Senator BREAUX says, well, here is a more equitable formula and I am paying for it. So what rationale will the President use to veto this?

Incidentally, it helps Members of his own party.

Mr. CONRAD. Will the Senator yield for a question?

Mr. BUMPERS. I will be happy to yield.

Mr. CONRAD. The amendment that is being discussed by the Senator from Louisiana does deal with 5 States, perhaps 6—now I have just heard maybe 7 States—of the 18 that are not given reachback. Without question, those States, in my judgment, including the Senator's home State, deserve to have reachback.

But as a principle, would the Senator from Arkansas agree with me that really every State's workers ought to have reachback applied? Does that seem like a reasonable principle?

Mr. BUMPERS. Well, of course, it does. I would guess that 80 percent of the Members of this body assumed, during all the brouhaha about extended unemployment benefits during the past month, that in every State unemployed workers who had utilized all of their benefits were going to get 20 weeks.

What is the difference where an unemployed worker who has used up his benefits is located? That is what I am saying. That is what makes this thing crazy.

Mr. CONRAD. Might I ask the Senator another question?

Mr. BUMPERS. Absolutely.

Mr. CONRAD. We have been told that if you apply reachback to all the States, that costs $700 million, and therefore it cannot be done.

In fact, we were told last night, any amendment is a deal breaker—any amendment, any change. They will resist all amendments.

Now, this morning, all of a sudden, there is a little change, a little different atmosphere. Now we are being told, well, maybe five or six States can be taken care of.

I just ask the Senator from Arkansas will not it just be fair if we are going to take care of some of those States to take care of all the States that are excluded from reachback if we have a way of paying for it?

Mr. BUMPERS. Come up with the amendment. I would like to see how we are going to pay for it. I can almost promise I will vote for it.

Mr. CONRAD. If I might continue, I ask the Senator, I have the amendment right here. It pays for it by extending garnishment to Federal employees. This bill that we have in front of us provides for garnishment, but it exempts Federal employees. That is going to be hard to justify around the country. Once again, there is special privilege for Federal employees. But if we extend that garnishment to Federal employees and extend it in three areas, student loans, HUD, one other, we would raise more than enough money to take care of reachback for every State. We treat the workers in every State who have exhausted their benefits in the same way.

I just would ask the Senator in principle if that is not a reasonable approach.

Mr. BUMPERS. First of all, I think all people ought to pay their just debts. I have learned, though, by experience, not categorically to commit myself to something unless I have had a chance to look at it. You learn early on here that things are not always as they seem.

But I applaud the Senator for coming up with something creative, as he obviously has, in an effort to change this formula and help the people of his State.

If I may, just let me close, and I will yield the floor to the Senator.

Last night there was some mention made here about some States making a much greater effort and contributing more money. I am not sure of this. But for the edification of my colleagues as to how these unemployment taxes are paid let me offer an example. When I was in business, the maximum amount that anybody paid was 2.7 percent. The Federal requirement was a minimum of 3-percent payroll tax. If you were a new business and you were just starting out, you had to pay 2.7 percent and the State paid three-tenths of 1 percent for a total of 3 percent.

You had to do that for 4 or 5 years, and at the end that time if nobody had filed a claim against your business, your rate went down. And it went down for every year that you had a favorable experience; that is, a year in which no employees alleged they were entitled to draw unemployment compensation on your business.

In my own business, I got down, I believe, to three-tenths of 1 percent. In the 18 years I had a retail outlet I

never had one claim filed. So for the last 8 or 10 years I was in business I was at the very lowest rate.

But here is my point. The States' contribution to these unemployment compensation funds has nothing to do with what we are talking about here. Some States, make more generous contributions to increase the amount an employee receives in unemployment compensation on a weekly basis.

I can remember when unemployment compensation in my State was around $35, $40 a week. Today it averaged $133 a week. The maximum amount is $230 a week.

But the point is, some States—California, Connecticut, maybe Ohio, make a much more generous contribution to the unemployment fund in order to pay a higher rate.

People used to go from Arkansas to California to get jobs. If they lost the job, they came back home to Arkansas where wages were much lower than they were in California, and they drew unemployment compensation under the California system. They received more money than they could make working in Arkansas.

So all I am saying is that I have heard that some States are more generous in what they pay into the fund. But that has nothing to do with this. What that has to do with is the weekly compensation that an employee receives. It has nothing to do with how many weeks.

Mr. President, I have vented my spleen on this. This is the second time now. I know that negotiations are going on right now on the Breaux amendment. I hope they will be fruitful.

I hope my colleagues are really concerned about the Breaux amendment, and its adoption. So far as I am concerned, I do not have anything to do this weekend. I would just as soon stand behind this desk this entire weekend to talk about the craziest formula I have ever seen come to this floor. I know not one single Senator who participated in its creation. As somebody said last night, we are not a unicameral system. So for the House to send us a fait accompli in a formula like this and say "Here it is, take it or leave it; if you do not like it, the President will veto it," is unconscionable.

Mr. President, I yield the floor.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio [Mr. METZENBAUM].

Mr. METZENBAUM. Mr. President, my State, Ohio, is one of seven States that is suddenly ineligible for reachback benefits under the compromise unemployment bill. Make no mistake about it: The elimination of the reachback provision will create havoc in my State.

During 1991, 100,000 Ohioans exhausted their unemployment benefits. Under the so-called compromise bill—which it has already been pointed out, no Member of the Senate was involved in negotiations and it was the White House that was dictating the terms and the House agreed to them—none of those individuals will be eligible for extended unemployment benefits. That may be some 50,000, 60,000, or 70,000 people or more in my State. These are decent American people. These are people who work and gave of themselves and now need the unemployment compensation benefits to maintain their dignity; to provide food for their families. It is unconscionable that they will not be provided needed assistance.

The sad part is that twice before Congress passed legislation, legislation that I supported, that would have covered these very individuals. They were covered in these bills because they deserve to be covered. Now the issue is between the House and the Senate, but the real problem in this instance is the President of the United States. The President has put us in this position. This is not a congressional issue. This is a situation created by one person alone: the President of the United States.

We passed the bill, and then the President refused to release the funds because he felt that the recession was not an emergency.

I urge the President to take a look at those emergencies for which he has already released funds and see whether unemployed workers in this country do not qualify every bit as much as those for whom funds have already been released.

The second time the President flatout vetoed the bill. Since then he has finally spent a few days in this country. Welcome back, Mr. President. Apparently he now realizes that the economy of the United States is a wreck.

I just had some people in my office who asked how I felt the economy was, and when we were going to come back. I am frank to say to you that I do not think the economy is going to come back that rapidly. I think the economy is going to get worse before it gets better. This is not the time for us to be cutting back on unemployment compensation.

But there is no question about who is to blame for the failure to provide desperately needed unemployment assistance. It is not the folks who cooked up this unfortunate formula; it is not the Members of Congress who have been working on this problem for months now. The blame belongs right at the White House door. That is where it belongs. That is where it is. The President has put us in this position.

Up until 2 weeks ago the President refused to support any extended unemployment benefit legislation.

Believe it or not, the President had the audacity to call it garbage—garbage. That was back when the President was packing for the Far East, just before his all-important poll numbers started heading south.

Now we are being told that it is the 11th hour, and too late in the day to make any changes in the bill. We are told this is the only bill that the President will sign. I have been in this body 16 years, and never have I served with any President—I think there have been five different Presidents with whom I have served—who has ever attempted to govern as has this President with respect to a constant threat to veto legislation. It is almost a song that he sings. Every piece of legislation we are considering, we are told in the committees, well, if you pass it with this provision in it, the President will veto it. And the President has certainly exercised that right time and time again.

But I say to the President of the United States that this economy of ours does not need more vetoes. It needs more cooperation, more coordination, in working with the Congress to help the economy of this country. I want the President to know that his idea of an unemployment bill does not help everyone who needs help. We are failing in a moral duty to provide a bit of dignity and a measure of decency for these unemployed workers and their families.

There is no reason that we cannot provide the assistance. I voted for the previous unemployment bills that would have helped Ohioans who are in need of extended unemployment benefits. And I will vote for any amendment that helps Ohio's unemployed. If those amendments fail, and those Ohioans lose out, then I will have to look those people in the eye and tell them that we fought and lost.

I indicated last night that if there was a compromise, and it was the only thing to be done, I would not be the person who objected. Others did, and I commend them for it. Now we are at a point where objections have been made, and we are in an effort to see if we can craft a compromise bill. The unemployed workers of Ohio are entitled to consideration. They demand consideration. This Senator demands consideration for them.

George Bush will not have to look those unemployed workers in the eye, because they do not attend the $1,000-a-plate dinners where the President is spending his time these days. But the President ought to know that he is the one that is responsible for the pain that is being caused those people today. If we cannot work out something, it is the President's fault that we have been unable to do so.

Mr. President, I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask unanimous consent that, if Senator ROTH would decide not to join me in of-

fering the Conrad-Roth amendment or amendments, I be permitted to offer the amendment in his stead.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. CONRAD. I thank the Chair.

Mr. President, I make a parliamentary inquiry.

As I understand it now, I would be allowed, if Senator ROTH removed himself from the Conrad-Roth amendment, to offer two amendments. Would I be able to offer either of those amendments—either or both of those amendments—in the second degree?

The PRESIDING OFFICER. In reading the unanimous-consent agreement, since there is no specificity in the accord concerning the Senator's amendments, it is the understanding of the Chair that the Senator from North Dakota would be within his rights in offering amendments to any degree.

Mr. CONRAD. Perhaps I could just make certain that I understand, Mr. President.

So, at this point, if Senator ROTH removes himself from the Roth-Conrad amendments, this Senator would be able to offer two amendments with respect to the reachback, and either or both could be offered in the second degree; is that correct?

The PRESIDING OFFICER. I believe the Senator to be correct, with the obvious caveat, which the Senator knows, that the Senator would not be able to amend his own amendment.

Mr. CONRAD. I thank the Chair.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, I have been listening with keen interest to the remarks of my fine colleague from North Dakota, and others, who have concerns with the final formula, or lack thereof, that had come about and has brought the Senate to the impasse that we have at the present time. I do not know how to work our way out of this.

I realize and recognize that for far too long, for too many weeks, if not months, because of the insensitivity to the issue of the unemployed by the President of the United States, we find ourselves in this hard-fought clash today, with competing interests of various States involved.

I do not believe we should leave here this week until we have done something. The facts of the matter are that many people in the United States today—not of their own making—have found themselves not only out of work, but the unemployment benefits in place have also run out. Therefore, above everything else, and above every other consideration, I think we have to move ahead and do something.

Once again, I point out, Mr. President, that if it were not for the irresponsible and unrealistic opposition by the President of the United States, we would not be in this impasse today. Rather, we would have passed the previous unemployment extension bills that were approved overwhelmingly by the House and the Senate, only to be vetoed by the President of the United States who, these days, is so far removed from reality that, recently, on one of his latest trips abroad, he said in Italy that he did not think we were in a recession.

Well, there are few people in the United States today who do not recognize that we are in a recession. If you do not believe so, ask the millions of people that are out of work. If you do not believe so, ask the people standing in the unemployment lines.

Mr. President, if you do not believe that we have a serious situation economically on our hands today, then whether you are President of the United States, a Member of the U.S. Senate, or a Member of the House of Representatives, you just do not know what is going on in America today.

I have taken a look at the measure that is in front of us. It is not nearly as fair. It is not nearly as reasonable as the other measures that have previously been suggested and passed by both the House and the Senate.

Therefore, what we find again today, because of the illogical interference by the President of the United States, we have a major problem on our hands today that would not have been here had we had a President that was more understanding and would listen and get away from the proposition that he is king of the world and king of the United States rather than President of the United States.

From a parochial standpoint, I find myself in league with my friend from North Dakota, my friends from Oklahoma, and other States that have been shortchanged in this measure before us. Shortchanged, I say, evidently without any input whatsoever from Members of the U.S. Senate or the leadership of the U.S. Senate.

What we have, again, is a classic case of the House of Representatives, who over the years have been pork barrel specialists, taking advantage of a situation. Whoever is responsible for the putting together of this faulted formula, whether it was done by seniority, whether it was done with backdoor deals, or whether it was done just by accident, it seems that certain States with great influence in the policymaking decisions came out very, very well.

TERM LIMITS

A side issue, Mr. President: There is a hue and cry in America today for term limits. As most Members in this body know full well, this Senator has been for and has supported term limits through a constitutional amendment process for many years. Maybe eventually that will come to pass.

The facts of the matter are that a constitutional amendment is the only way it can be done fairly. Yet, today we have all kinds of activities in lots of States, not the least of which was in the State of Washington in the elections in the last 10 days, where all the polls showed that the people of Washington State were about to set term limits not only on their State officials but also including their Members of the House of Representatives and their Members of the U.S. Senate.

For reasons still not fully understood, the people of the State of Washington finally woke up. And I hope that the people of Nebraska and the people of all of these other States that are on this populist kick to individually and unilaterally try to limit the terms of their Members of the House of Representatives and their Members of the U.S. Senate would begin to understand what they are doing to shoot their State and themselves in the foot, if not in the head or in the pocketbook, with that issue.

Simply said, Mr. President, it is my view, and I say this as a former Governor of the State of Nebraska where we have term limits on Governor and we have term limits on our State Treasurer—and it is fully within the responsibility of the people of the State of Nebraska if they want to put term limits on any of their elected State or local officials. But for the State of Nebraska, the State of Washington, the State of Colorado, or any other State to unilaterally put term limits on their Representatives in the House of Representatives and the U.S. Senate without all of the other Members of those two bodies being on the same level playing field is weird, and yet we have lots of so-called informed columnists today saying that is the thing to do.

It is not the thing to do, and there could be no more evidence of that than what we are wrestling with here right now today, and that is that seniority in the House of Representatives and seniority in the U.S. Senate does indeed play a very key role with the matter of fairness of legislation that is passed. And this formula that we are wrestling with here today could not be a better case in point.

I say that to demonstrate how I think it is important that we bring to awaken the people of the individual States as to how this place operates and how it works. Until we have everybody playing on the same level playing field with the same limit on terms and apply them to Nebraska, Washington, California, and New York, those States that do unilaterally put into place term limits, even if it is held constitutional, we are playing a dangerous game at their own peril.

THE HIGHWAY BILL

Mr. President, I would like to make one further remark about the difficulty that we have right now. Once again, we have a House of Representatives which

is irresponsibly fooling around with the allocations and the earmarkings on the highway bill that was passed here in the Senate last June and was not acted upon in the House of Representatives until the last 2 weeks. I predict that there is a good chance that, after we finish this battle on this formula, we could find ourselves in another extended debate in the next few days on the highway bill that is now in conference between the House and the Senate.

Once again, the House of Representatives is making demands, including a gasoline tax increase, as embodied in the House bill. That is one of the best kept secrets in the United States today. We have a bill that is being conferenced right now that I am fearful will come back to the U.S. Senate with a gasoline tax increase, and few, if any, will know anything about it until after the fact.

In addition, I suspect that we may well see some rather dramatic changes in the allocations of the States, and I think most of the Members of the U.S. Senate felt they were fairly dealt with when we passed our version of that highway bill.

So it may be that this debate that we are having today on the allocation of a few million dollars on the important matter of extended benefits for the unemployed may be repeated unless that conference comes forth with a wiser decision than I am afraid they are working on right now. We could have a fight all over again simply because of the influence, simply because of the seniority, simply because of some of the high-powered brokers that find themselves in key positions in some of these discussions.

Mr. WARNER. Mr. President, if the Senator will yield, I just left that conference 2 minutes ago, and I wish to assure my good friend from Nebraska, as a conferee working with others, we have strong leadership in both the House and the Senate. The problems that the Senator from Nebraska addresses are being addressed. I see the Senate standing steadfast in many areas which I hope will meet the goals of the Senator from Nebraska.

Mr. EXON. Since the Senator from Washington does not have the floor, let me ask another question of the Senator from Virginia in this regard. It is my understanding—and please correct me if I am wrong—that there is being considerable attention given to including the gas tax extension increase in the bill that is likely to come back here. Is that right or wrong?

Mr. WARNER. Mr. President, at this time I would not wish to address a single detail. There are agenda items on each.

I might say to my friend, I am a Senator from Virginia, not from Washington. To the best of my knowledge we have not gotten persons from the District of Columbia as Members of this body yet.

Mr. EXON. Do I take it, then, having involved himself in the debate, the good Senator from Virginia, whom I know very well and work with, is not able to answer the question as to whether or not the gasoline tax increase will be included in the measure that will come back to the Senate for consideration?

Mr. WARNER. Mr. President, the Senator is correct. It is an item, and we will be meeting all weekend, meeting every morning at 9:30, Saturday and Sunday, and the Senator is welcome to attend.

Mr. EXON. Mr. President, I thank the Senator. I have been very much interested in their deliberations. If I thought I could be helpful by being there, I would, and I may be.

Mr. President, I simply say, to finish my remarks in this regard, that I happen to very much feel that the allocation formulas are particularly oppressive and unfair to certain States.

I hope that some changes can be a made along the lines suggested by my friend from North Dakota and others.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. BOREN. Mr. President, I will be very brief. My colleague from Virginia has also been waiting to speak.

I want to associate myself with the remarks that have just been made by the Senator from Nebraska and earlier the Senator from North Dakota. All of us feel very strongly that it is time for us to have emergency action on dealing with the problems of the unemployed in this country.

We always are prepared to declare emergencies and deal with the problems of people in other countries. We have people in our own country that are facing very, very serious problems indeed. And I join with my colleagues in saying that we should not leave the Senate Chamber, we should not complete our work for this week until we have dealt with the problems of the unemployed at home.

A couple of weekends ago when I was in my own hometown of Seminole, OK—a community of about 8,000 that has gone through a very tough economic time, an unemployment rate above 10 percent, in the heart of an energy-producing region that has been now in a virtual depression for the past 7 or 8 years—we had an early cold spell, the first snowfall in my home community since 1913. As I was driving across our small community two weekends ago, I encountered a man on a street corner holding a sign: "I'll work for food for my family." He had two small children in the car with him. He was out with a very lightweight coat standing in that very cold weather, the wind chilling him, pleading for an opportunity to work so that he could feed and shelter his family for that day.

I stopped and talked with him about the difficulty that he was having in finding work. It was obvious to me that this was a proud person who wanted to work, who wanted an opportunity to work, but there simply are no jobs to be found. I feel very strongly that we must reach out and help people like my constituent who was facing those problems. All across the country there are thousands and thousands of people in those circumstances desperate not only to take care of themselves but desperate to take care of their families. And many of these families do have small children. So it is time for us to determine that we will not cease our work until the needs of these individuals are met.

Mr. President, having said that, I think we should also be prepared to take as long as our discussion might take today and this weekend, if necessary, to make sure that this proposal that comes back is fair. This Senator is prepared to discuss this matter at length if we do not come back with a fair proposal.

I have just as much compassion for the unemployed person standing on the street corner—and I am told that in Detroit, for example, there were perhaps 5,000 that were not able to find places in the shelters for the homeless because they were already overcrowded recently. I have just as much compassion for that unemployed person, that family in Detroit, as I do in Seminole, OK. I have just as much compassion for that unemployed person in New York or New Jersey or Florida as I do in Texas or Louisiana or my own home State.

But I would say, Mr. President, that it would be a travesty for us to pass a bill which takes care of the unemployed in some regions of the country but turns its back on the real needs of those in others. It would be absolutely wrong for us to sit still and to remain quiet and to agree to a proposal that does not take care of the people in our own home communities and our own home States who also have these needs.

In some ways, the original formula penalizes a State like mine, which has a lower insured unemployment rate, adjusted unemployment rate, because we are very careful and conservative about those that we deem to be qualified. It is also because we have had such a prolonged economic downturn that our uninsured rate is lower than it otherwise would be. We have not just been in a depression suffering for the last year or two, as some parts of the country. We have been suffering for 8 years. There is not another State in the Union that has lost, for example, more financial institutions, more jobs, has had a greater deflation of the value of all of its property, farmland and

houses and buildings, a depression rate of 50 percent in many cases, where homes are only worth 50 percent of what they were in 1983, as has been true in my State.

Other States around us have suffered as well. I see the distinguished Senator from Louisiana on the floor. He has had a very similar circumstance in his State. The State of Texas has had a very similar tragic experience over the last 7, 8, 9 years in which we have really be in a terrible depression.

Mr. JOHNSTON. Will the Senator yield?

Mr. BOREN. Yes, I am happy to yield.

Mr. JOHNSTON. Since he mentioned the State of Louisiana, the State of Louisiana began with double-digit unemployment in 1982. It continued in 1983, where we were up at 11.8 percent, continued in 1984, 1985, and by 1986 we were up to 13.1 percent unemployment; by 1987, 12 percent unemployment, still in double digits in 1988. And we feel like we are very fortunate to be down to 7 percent now. That is because many of our people have left the State or are not making application for unemployment and are not counted in the statistics.

I appreciate the Senator giving me a chance to talk about our plight which is very much like Oklahoma.

Mr. BOREN. I certainly understand what my colleague is going through in Louisiana. Our experiences really mirror each other.

As the Senator from Louisiana said, it is because this depression in our States has lasted so long that many of our people are not even counted in the statistics anymore because they have long ago exhausted their benefits. And when you look at the rate of those that have exhausted benefits, it is very high in States like Oklahoma and our neighboring States. They have long ago fallen through the cracks and are out of the statistics because they have been hurting for so long.

What an injustice it would be if we write a bill here that excludes the people who have been suffering in this country the longest, excludes them from a reachback provision and reduces the percentage of benefits they would get because this rate undercounts those that have suffered the longest in this country. It absolutely would not be fair.

So I say, Mr. President, there is no reason in the world why we cannot write a fair bill. We have been sent here to do the job. We ought to stay here until we get the job done. But we should not rush through a bill that does not take care, on an equal basis, of all the people in this country that are suffering.

This Senator will not seek any special advantage for an unemployed person in the State of Oklahoma over an unemployed person who is suffering in another State. But, at the same time, this Senator will not stand silent and allow a bill to be passed which treats those in my State who are suffering in a way that is inferior to the way that others are being treated in other States. It does not recognize their needs on an equal basis. That is not right. It should not happen. The unemployed in Oklahoma, the unemployed in Louisiana, the unemployed in North Dakota are suffering just as much as the unemployed people in any other State. They deserve equal treatment and we should stay here until they get equal treatment.

Mr. WARNER. Will the Senator yield on that?

Mr. BOREN. I am happy to yield.

Mr. WARNER. Mr. President, a person in Virginia who is afflicted with unemployment, who is experiencing hunger and pain, that pain is no less, Mr. President, than the pain of an individual in another State. And I agree with the Senator. Flat bellies in Virginia are just as painful as flat bellies in Rhode Island. And we shall not leave here this weekend until we have adjusted this inequity. I join the Senator in that.

Mr. BOREN. I thank my colleague from Virginia. I am glad to hear that there are others on this floor that are equally as determined that we are not going to complete action on this measure until we take care of those that are suffering across this country on an equal basis.

I yield the floor.

Mr. CONRAD. Will the Senator yield?

Mr. BOREN. I am happy to yield.

Mr. CONRAD. Mr. President, on the question of the reachback, the Senator from Oklahoma has been very articulate and outspoken about the need for equivalent and fair treatment for everyone. The argument that was made last night, I would just like to hear the reaction of the Senator from Oklahoma—when I raised this issue last night I was told: Your objection, your concern about the people in Oklahoma, North Dakota, Virginia, Iowa, and Wisconsin, is irrelevant. It is irrelevant, they claim, because unemployment is designed not just for the unemployed worker. In fact that is not even the highest priority, they told us last night. It is to buffer a region from an economic downturn and, therefore, only those States that have the highest levels of unemployment ought to get the reachback.

I made the argument it seemed to me it is pretty relevant to the worker because the worker in North Dakota, Oklahoma, Virginia, Wisconsin, or Iowa who is in this position has the very same problem paying his rent, putting food on the table for his family, as the worker in the State that gets the reachback. And it seemed to me that when they talk about places that have suffered economic hurt, Oklahoma would be pretty high on the list—just like my State of North Dakota.

I would just like to hear the reaction of the Senator from Oklahoma that it is a buffer in this economic downturn and somehow our State—because it has already been so hard hit we do not have much in the way of benefits—we get hit twice?

Mr. BOREN. Mr. President, I agree completely with what the Senator from North Dakota has said.

Sometimes I think it would be wise for those who make these kinds of arguments on the floor of the U.S. Senate if they could step back and quit thinking about the fact they are talking about statistics or formulas. They are talking about real people, human beings who have real problems.

They are talking about people like the man I talked with on the street corner 2 weeks ago on that cold day who was trying to figure out how he was going to feed his family that day: Two hungry children in the car. I would like to hear that argument made to him. I would like to hear it explained to him, that this program was not really designed to help him in his desperate need, and that he should not be so worried about whether or not he is going to feed his two children tonight. He should be more worried about some kind of regional impact. I would like to see how he would react to that kind of argument.

I think that is one of our problems here all too often. We sit here and we talk about statistics, and we talk about formulas. We are so removed from the real problems of the American people who are struggling to feed their families we forget we are talking about real human beings.

I wonder how many of us would be willing to accept that kind of argument if we did not know how we were going to feed our two small children tonight? I wonder how many of us would be willing to accept that kind of argument?

So I say, Mr. President, I agree strongly with the Senator from North Dakota.

I also would say in addition, the way in which regional hardship here is also being figured is wrong in itself. I know from serving with the Senator from North Dakota and from our joint work together on the Agriculture Committee, I know well what his State has gone through. I know what has happened to the small communities and the population loss. I know what has happened to the value of land. I know what has happened to the farmers in his State and many rural States—and mine is another one—where unemployment figures have never adequately counted those in real economic distress and hardship in the rural areas. You may have farmers who are losing their homes, losing their farms, going out of

business, not knowing what they are going to do, and they never show up as an unemployment statistic.

We have lost 150 banks, approximately, in my State. We have been absolutely devastated. To hear the argument that somehow there is a formula, and just because we have suffered longer we should not be expected to get as much help—maybe the theory is, since you have suffered so long you may have just gotten used to suffering, so we will forget about you. That is just not right.

Let us not forget as we continue with this debate, we are not talking about pork barrel politics. We should not be. We should not be talking about regional favoritism. We should be talking about meeting human needs, and the needs of the hungry and the needs of the homeless are the same without regard to where that person happens to live in this country, or what race that person might be, or what sex that person might be, or what religion that person might be.

We are talking about meeting the needs of our human family, and we ought to get on with that task on a fair and equal basis.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I compliment the Senator from Oklahoma. He gave the set of remarks I wished to give.

But I do rise to call the attention of my colleagues to a gross inequity in the payment of extended unemployment benefits under this bill.

Because of the relatively low unemployment rate in Virginia, and indeed we are grateful for that, those who have exhausted their benefits prior to November 16, 1991, will receive no help from this legislation. It is true that every State will get a minimum of 6 weeks' benefits. However, in Virginia and 18 other States, the unemployed worker must still be receiving unemployment insurance on November 16 to qualify for additional benefits. In the majority of States, unemployed workers may qualify for retroactive payments if their benefits have been exhausted at any time since March 1, 1991.

The chronically unemployed in my State have the same problem in feeding their families and keeping a roof over their heads as unemployed workers in other States. A difference in unemployment rates elsewhere matters little to individual men and women who are struggling to make ends meet.

As I said earlier, a hungry, a flat belly in the Commonwealth of Virginia is no less painful than a hungry, a flat belly in other areas of this country. I shall work steadfastly with others to make this bill equitable to all.

Mr. CONRAD. Will the Senator yield for a question on that subject?

Mr. WARNER. Yes.

Mr. CONRAD. I do not know if Senator is aware, perhaps he is, of the kind of fatal flaw that is in the formula we have been presented with. A perfect example is the home State of the Senator from Virginia, contrasted with a bordering State of Maryland.

The State of Virginia has a 5.9-percent unemployment rate. So does the State of Maryland. But Maryland workers would get 13 weeks of additional benefits and reachback. A Virginia worker would get 6 weeks, and no reachback.

I just ask the Senator from Virginia how that strikes him? Is that any kind of a fair formula?

Mr. WARNER. Mr. President, it is unfair. Last night across national media, again, was the leadership of this Congress saying checks will be in the mail by Thanksgiving. But down in the fine print of this proposed bill is an inequity toward my State which adjoins Maryland. You cannot tell me a check will go to Maryland and will not go to Virginia, so long as I am privileged to be a Member of this body.

To reiterate, Mr. President, I call the attention of my colleagues to a gross inequity in the payment of extended unemployment benefits under this bill. Because of the relatively low unemployment rate in Virginia, those who have exhausted their benefits prior to November 16, 1991, will receive no help from this legislation.

It is true that every State will get a minimum of 6 weeks of benefits. However, in Virginia and 18 other States, the unemployed worker must still be receiving unemployment insurance on November 16 to qualify for additional benefits. In the majority of States, unemployed workers may qualify for retroactive payments if their benefits have been exhausted at any time since March 1, 1991.

Mr. President, the chronically unemployed in my State have the same problems in feeding their families and keeping a roof over their heads as unemployed workers in other States. A difference in unemployment rates elsewhere matters little to individual men and women who are struggling to make ends meet.

If this bill is enacted as it has been presented, we will be playing a cruel hoax on hundreds of thousands of unemployed workers. For the people in my State, we will not be helping those who need help the most—those who have already exhausted their benefits.

Unemployed workers receiving benefits today at least have a little income. Thankfully, should their benefits expire in the next several months, they will be eligible for an additional 6 weeks. I do not know about other Senators and other States, but the constituents who are writing me have already run out of help—and there is no help for them under this bill.

The so-called exhaustees have been hearing for months that help is on the way from Washington. They have tried to understand the requirements of the budget summit. They have tried to be patient while partisanship has played its hand. We now have a self-financing bill which complies with the Budget Act, and the two sides have finally joined together.

I know the leadership on this bill has worked long and hard on this. I appreciate the fiscally responsible way in which it was drafted. With all due respect, however, the reachback provision is patently unfair.

The reachback date of March 1, 1991, should be brought forward so that all States would be eligible, on an equal footing, for a degree of retroactivity. Keep the $5.1 billion package intact. Do not tamper with the hard fought financing scheme. Leave the tiers of 6, 13, and 20 weeks alone.

There must be a way, however, to simply move up the reachback from March, and in the process reserve critical funding, and then allow exhaustees in all States to benefit.

Mr. President, allow me to recognize the leadership of the Senator from Delaware [Mr. ROTH] on this very important matter of fairness. I strongly request the managers of the bill to work with those of us receiving only half-a-loaf under this most pressing piece of legislation.

Mr. KASTEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KASTEN. Mr. President, I want to put this whole unemployment compromise and debate into some kind of perspective but particularly a perspective for the State of Wisconsin.

Under the current proposal, the proposal before us, 18 States, including the State of Wisconsin, do not receive reachback benefits.

What does that mean? What are reachback benefits?

This means that the unemployed in 18 States, including Wisconsin, only receive extended benefits when unemployed workers exhaust their benefits after November 17 of this year. All the other States are provided reachback to cover those individuals who have exhausted their benefits any time after the 28th of February.

How many people in Wisconsin does this affect? How many people have fallen through the cracks between February and November when this would take effect?

We now estimate, according to the Governor's office in Wisconsin, that there are between 10,000 and 15,000 workers who would, if this so-called compromise passed, suffer in Wisconsin.

Under this compromise, approximately 44,000 to 50,000 workers in my State would receive benefits. With reachback—with Wisconsin being

treated exactly like the winning States, the bill would reach between 53,000 and 67,000 people in Wisconsin.

What would Wisconsin workers gain or lose?

We are talking about 6 weeks of benefits and those benefit checks could be sent out within 10 days or 2 weeks from today if we pass the legislation today—6 weeks of benefit checks, checks in the neighborhood of $200 to $250 per individual per week. This is important not just because the holiday season is coming. It is important because of the problems of equity and inequity.

We would have between 10,000 and 15,000 Wisconsin citizens, who unfortunately lost their jobs and are falling through the cracks because of a formula. They would not receive the exact same benefits that an individual unemployed in Illinois would receive, an individual unemployed in Texas would receive, or an individual unemployed in Michigan would receive. Two surrounding States, the State of Texas and most other States across the country, would receive these additional benefits, the so-called reachback benefits denied the unemployed in Wisconsin.

Right now, people are calling up my offices in Wisconsin saying, when are we going to receive these benefit checks? How is this all going to work?

How can I tell people calling me that workers in Illinois and Michigan and Texas and in 29 other States that they are going to get one set of benefits and you are going to get a different set? Can I sit back and say this is the result of a formula developed in the House of Representatives—a formula that includes all sorts of things like AIUR's and TUR's and ER's? How can people know about all these formulas?

These happen to be, Mr. President, the adjusted insured unemployment rate, the total unemployment rate, and ER stands for the exhaustion rate.

But forget about all these rates. Unemployed workers in Wisconsin would be getting a raw deal if this so-called compromise passes. That is why I am a cosponsor of the Roth-Conrad amendment, and that is why I believe we ought to fight for equity, not just for Wisconsin, but for all of the other States that right now are being left behind.

Wisconsin has a relatively lower total unemployment rate. But if you stop and look at Janesville, Beloit, Racine, Eau Claire, those unemployed need and deserve the exact same benefits other States will receive.

I am a sponsor of the Roth-Conrad amendment which will provide all States with the same reachback benefits, and that is only fair. Wisconsin workers deserve the same as the workers of these other States. Right this minute, we have negotiations taking place on this subject. I can only hope that the negotiations going on will, in turn, produce an equitable solution, and that all States will receive the same reachback benefits, not just a few.

And if it means we stay here all night tonight and work into tomorrow, Saturday, and on to Sunday and even in to next week, the issue of equity for Wisconsin workers is an issue that we must fight for.

I do not know where this formula came from or how it was devised in the House of Representatives. I do not know what the position of our Wisconsin congressional delegation has been. But the point is we now are here in the Senate. Each State has two votes, and we believe that we can move toward a solution that will be fair. We are not seeking an advantage, special deal, or a special kind of carve out. We are simply saying treat all unemployed workers the same all across this country.

Right this moment, there will be between 10,000 and 15,000 families in the State of Wisconsin who will not receive 6 weeks of benefits of roughly $200 to $250 per week unless and until we prevail with this compromise. And it is worth it. It is worth it to spend the time, to fight for those families who deserve exactly the same benefits as people throughout the rest of this country.

I thank the Chair.

Mr. CONRAD. Will the Senator yield for a question?

Mr. KASTEN. I will be pleased to yield to the Senator.

Mr. CONRAD. The Senator may be aware that there is an attempt being made to put together a deal and the outline of the deal at least just hours ago was to add 5 or 6 more States, give them reachback, but to leave the other 12 States who are denied reachback for their workers, leave us out.

I was just wondering if that strikes the Senator from Wisconsin the way it strikes the Senator from North Dakota as just being unfair?

I would be interested in the reaction of the Senator from Wisconsin.

Mr. KASTEN. I say to the Senator from North Dakota that, first of all, I hope that is not the case. And, second, I hope that if it were the case, and even if Wisconsin and North Dakota were in the 5 or 6 winners and the other 12 were being left behind, that we would not recognize this issue here as necessarily an issue of one State against another; this is an issue of equity we are trying to establish.

My hope is that all of us will be here fighting for equity across the board—not to leave 12 States behind, not to leave even 1 State behind. We are talking about equity and whatever reachback provisions there are, and if part of this compromise is the reachback dates have to be altered somewhat, if part of this compromise is funds have to come from another source, if part of this compromise is something else has to be worked, the key here is that just as all States are represented in this body equally, all States across this country and all unemployed workers across this country should be treated equally. Whether they are from North or South Dakota, from Wisconsin or Illinois, from California or Texas. All unemployed workers are equal in their despair and in their pain right now. They deserve our help and our support.

Mr. CONRAD. Will the Senator yield for a further question?

Mr. KASTEN. I will be pleased to yield to the Senator.

Mr. CONRAD. The work that we have done is to develop two amendments. One amendment would give reachback to all of the States, the workers from all of the States, to treat them all equal, and it would pay for it by taking from those States that have been given the most generous benefits, those with 20 weeks or more, or 20 weeks and reachback, and redistribute the money so every State gets reachback. That is one approach.

The second approach is to say that Federal employees would be subject to garnishment if they owe on their student loan or if they owe HUD. They would be subjected to garnishment, not the permissive garnishment but a required garnishment, and that would pay for it.

I would like to know if the Senator from Wisconsin has a feeling about those two proposals, whether or not those would meet the fairness test the Senator outlined earlier.

Mr. KASTEN. I say to the Senator that either or both or a combination or those two proposals would meet the fairness test that we are trying to work to outline here, as would a change in that February date, from my point of view. They key here is equity across the board, and that we ought not to be singling out one set of unemployed workers for reachback and leaving behind another set of unemployed workers and disallowing them those benefits.

I thank the Senator.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair.

Unfortunately, for tens of thousands of unemployed Americans, this bill we are now considering is a fake solution because, if they have already exhausted their benefits in certain States, this bill will not help those unemployed people one bit.

My State of Iowa, Mr. President, is one of those unfortunate States that is denied reachback assistance for exhaustees. In my State, I believe there are some 16,000 people who will not be getting the help that congressional leaders and even the President and now, of course, the press happen to be indicating that they would get, because the impression is out there, if

you are unemployed and lose your benefits, you are going to get help from this legislation.

There are proposals which I strongly support and are fair and reasonable approaches to this serious problem.

The people from the 18 States without reachback deserve better treatment than in this legislation before us. They are just as unemployed as those in States which do get benefits. Unemployed people in every State should be getting reachback protection.

It is almost inconceivable to me, Mr. President, that a bill would have been negotiated to help the unemployed and the result is that it does not help those who have been unemployed the longest and who I believe would fall into the category of people who need the help the most.

Of course, no one in this body is willing to claim any authorship of this legislation. It seems as if it was cooked up in the other body, passed overwhelmingly before most people knew what was in it, and sent over here on some sort of take-it-or-leave-it approach.

Now, if you do business that way, this body, the Senate of the United States, is going to be basically an irrelevant commodity in the debate.

If this happens, Mr. President, this is certainly another sad commentary on the way we do things around here.

Some have argued that some of the past proposals did not have reachback for some States. So, they might ask, what is all the fuss about? I think the comparison is very misdirected.

The earlier proposals, as we all knew, if we want to be perfectly honest and candid with each other and the American public, were not going to become law, and the issue at that time dealt with whether or not we were going to pass a responsible bill that was paid for, a pay-as-you-go unemployment comp bill, instead of increase the deficit, which is too often the easy way out around this Congress.

At this very moment, we are considering a bill that will become law and is going to be paid for. Now, the issue that has been so much better addressed by most of my colleagues who have been talking this issue, they express it in terms of fairness, and I agree and associate myself with those comments. I am basically saying that what we have before us is not fair. I think it can become a fair proposal.

There is a lot of discussion going on right at this very moment away from the eyes of the public and press that are geared toward that. I hope those talks are successful because I would like to pass this legislation. I would like to pass it as quickly as we can. It is my hope that equity instead of expediency will for once rule the day and that fairness will prevail.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SIMON. Mr. President, I ask unanimous consent to proceed for 5 minutes as in morning business.

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

AFRICA

Mr. SIMON. Mr. President, the news from Africa, in general, is good in terms of human rights, in terms of the spread of democracy, in terms of having an independent judiciary and not arbitrarily arresting people. It was not too many years ago when people said, "Well, you cannot expect that in Africa." It is the same kind of a put-down that now you occasionally hear from Arab and Muslim countries, "Well, you cannot expect that." The reality is that human aspirations are the same no matter where they are. People in Africa and in the Middle East ultimately want the same freedoms you and I have.

But in the midst of generally good news in Africa, we have disturbing developments in Zaire and Kenya. Last night in Kenya, President Moi ordered the arrest of a great many people who wanted to peacefully assemble to protest the one-party government there in Kenya.

In August, I was in Kenya with Senator Chuck Robb, and the two of us met with President Moi and had a very blunt conversation with him. I remember, particularly, we had just come from Eritrea, and I said, if you are to ask me which country will have a multiparty system, independent judiciary, and not detaining people arbitrarily, Eritrea or Kenya, I would have said Kenya. But, in fact, it is Eritrea that is moving in that direction.

In our conversation with President Moi, we were very blunt in saying that you are either going to lead the forces for change or you are going to be run over by the forces for change. Unfortunately, President Moi is resisting change, and that can only, ultimately, result in bloodshed in Kenya. Kenya has tremendous potential, and President Moi is, himself, a person of considerable talent. But those talents have to be used to permit the people of Kenya to have freedom and not suppress that freedom. One of the people arrested last night is Oginga Odinga, an 80-year-old Vice President of the country, who wanted to join in the peaceful protest of what was going on.

I think we have to send a strong message, and I am pleased to say that our Ambassador to Kenya, Smith Hempstone, made it very clear that we do not approve of what is taking place. I think we have to make that message clear in other ways also.

And then, the other place where there is a problem is in Zaire. We have cozied up to President Mobutu, a dictator in Zaire, because we saw this as an East-West conflict, and he was on our side. He is right next to Angola, and he helped us in terms of assisting Dr. Savimbi. My own belief was that we should not have gotten involved in that Angola civil war. But that is history.

Right now, there is a serious situation in Zaire, and President Mobutu ought to leave the country, let an interim government be established there, and make sure that the people have a chance to come to the streets. The people in Zaire are going to come to the streets, either to celebrate relief from a dictator or they are going to come into the streets with massive bloodshed. And we ought to be encouraging, in every way possible, that they come into the streets to celebrate a transition to a free government.

Within the last 48 hours in Zaire, one of the few independent voices that can still speak up, is Archbishop Mosango, of the Roman Catholic Church in that country. A group of commandos—is about all I can describe them as—led by uniformed men from the military came in to attempt to grab the archbishop. His bodyguards prevented that from happening, but one of his bodyguards was seriously wounded.

There is a calm in the capital of Zaire today, but it is the calm before a storm. And we ought to do everything we can to prevent that storm from occurring.

Again, our stance ought to be clearly and firmly on the side of human rights for people, whether they live in Minnesota, Illinois, Maine, or whether they live in Zaire or Kenya. Sometimes we are forceful in standing up for human rights; sometimes we are not. I want us to stand up firmly, clearly, positively, for human rights in Zaire and Kenya.

Mr. President, I yield the floor.

CONCERN OVER DECISION OF AIR FORCE TO ACQUIRE NEW UNIFORMS

Mr. COHEN. Mr. President, I want to take a few moments to indicate my concern and, I might even say, consternation about a recent announcement by the Air Force to spend an estimated $1.5 million for the design of a new Air Force uniform.

According to Air Force News, Capt. Cathy McGinn, who is the Air Force clothing branch chief, is quoted as saying, "We believe we have the best Air Force in the world. As demonstrated in Desert Storm, air power has come of age, and we believe the time is right for the United States Air Force to have a distinctive uniform that reflects our profession."

Mr. President, I believe we have the best Air Force in the world. There is little doubt in my mind that air power, as demonstrated in Operation Desert Storm, has truly come of age. And I am proud of the men and women who served in the Persian Gulf, and those men and women in blue clearly and convincingly lived up to that motto to fly, to fight, to win. I have commended them for their courage and dedication and the contribution they made in carrying the Nation to victory in Operation Desert Storm.

But I might be missing something here. I do not exactly get this. I have enormous difficulty making a connection between the heroic and successful efforts of our Air Force members in the Persian Gulf and the need for new service dress uniforms, the design of which is going to cost $1.5 million.

I have yet to be persuaded that the Air Force needs to have a uniform that is any more distinctive than the current issue. I do not have any difficulty distinguishing the Air Force from the Army or from the Navy or the Marine Corps. And I find it difficult to understand why there is such a compelling need now to have such a distinction drawn in the minds of the American people.

Mr. President, our Nation has fallen on very difficult times. The outlook economically certainly is cold and gloomy and it is blue. The Air Force, like other services, is cutting back. It is involuntarily reducing officers as well as enlisted men who are not eligible for retirement. And during these times in which many Air Force families are going to be displaced, I do not believe the leadership of the Air Force should be contemplating a new blue suit.

While that new uniform may be attractive, although I have difficulty distinguishing it from the uniforms being worn by USAir pilots, nonetheless while it may be attractive and it may be more comfortable, I think the Air Force ought to be addressing only its most pressing problems and placing resources in essential services such as personnel support and health care and not in designing new uniforms when the old ones have served them well for so many years.

I understand that the Air Force employs a tooth-to-tail ratio that is commonly used to determine the composition of Air Force programs. Tooth represents the most essential programs and elements, and tail represents the less essential elements. While many acquisitions may fall into either the tooth or tail categories depending on the user, there is little doubt in my mind that the acquisition of a new service dress uniform is clearly a tail.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VIRGINIA AIRPORT MODERNIZATION

Mr. WARNER. Mr. President, I rise today to commend the members of the Commerce Committee, Chairman HOLLINGS, Senator FORD, Senator DANFORTH and other Senators—indeed, Senator ROBB, my colleague from Virginia—who have been working on getting the legislation necessary to enable two airports, National Airport and Dulles Airport, both located in my State, to continue with their modernization program, a program which is absolutely essential to the lifestyle of every single Member of the Congress.

The House of Representatives has, in committee, framed a bill which appears to be satisfactory to the House. I anticipate it will be voted on by the House and passed in a matter of days. That bill has been introduced in the Senate by Chairman HOLLINGS, Senator FORD, and my colleague Senator ROBB and myself. Senator ROBB has put a lot of time on this subject since he was a member of the Commerce Committee, and I commend him.

Those of us in favor of this legislation, and I am confident all Members of this body basically are in favor of going ahead with the modernization program of these two key airports—but the realities are that some Senators, within their rights, are looking at this piece of legislation as a means—perhaps the word is too weak, "means"—as leverage to resolve problems they have in their respective States with respect to air service from the Nation's Capital to their States. I do not fault them for exercising their rights, but I wish to say I will join Senator ROBB and other Senators in seeing that this bill is passed by this body, such that it can be joined with the House bill and become law before we depart, whenever that departure date may be.

I wish to inform all my colleagues, the Senator from Virginia, having the privilege of being a conferee on the highway bill, I have taken it upon myself to discuss with other conferees, the leadership of the conference and House and Senate conferees, about the probability of putting this legislation as an integral part of the highway bill, in order to assure its passage and that it become law. I fully intend to do that.

It is my hope that perhaps the Senators on the respective committees in the Senate; namely, the Commerce Committee, and the House, can work out some accommodation to pass this bill in the normal course.

But, absent that, this Senator is steadfastly going to work to get that bill into the highway bill such that it becomes law, and the modernization programs of these two airports will go forward. Otherwise, contracts will be severed as early as December, and the inconvenience associated with this modernization now—which is quite extensive—will be experienced for an indeterminate period of time because of the inability of the authority as a consequence of the Supreme Court decision to get the requisite financing to go forward with this vital modernization program.

So in a sense of fairness. I am here to announce to the U.S. Senate today, that I and others will work for passage of this bill prior to our departure, and that my role as a part of that effort will be to introduce it into the highway conference bill so that it is sure to become law.

Prompt enactment of this legislation is critical to prevent the improvements underway at Washington National and Dulles from coming to an abrupt halt.

In 1985, I served on a Commission appointed by Secretary of Transportation Elizabeth Dole to make recommendations of how to manage the modernization of the airports of the National Capital. The Commission was known as the Holton Commission after the Chairman Linwood Holton, former Governor of Virginia. Upon my recommendation, the Holton Commission adopted the so-called Warner plan for a review board to oversee the activities of the airport authority. Under the Warner plan, no Member of Congress would have served on the review board.

The recommendations of the Holton Commission resulted in the enactment of legislation to lease Washington National and Washington Dulles International Airports to a newly created agency, the Metropolitan Washington Airports Authority. The authority was jointly created by the Commonwealth of Virginia and the District of Columbia to finance the reconstruction of National and the expansion of Dulles.

Unfortunately, the Congress refused to go along with the Warner plan for the Review Board. If it had, we would not be back here today enacting this legislation.

At the time the 1986 legislation was debated some in Congress opposed the airport transfer on the basis that a local airport authority—particularly a brand new one—might unduly favor local interests over the interests of airport users. The act, therefore, required a Board of Review, made up of Senators and Members of Congress, that could veto decisions of the new Authority's Board of Directors.

On June 21, 1991, the Supreme Court of the United States found this provision of the law unconstitutional. It considered the Board of Review an arm of Congress, and therefore held that its veto power violated the separation of powers principle.

Because of the Supreme Court decision, the Airports Authority may no longer issue bonds for projects at National Airport. It cannot amend its master plans, its regulations, or even adopt an annual budget. By January 1992, the authority will run out of money for the program at National and begin to shut down projects.

The practical result will be to leave National partially renovated forever, with a large hole in the middle of the property where the new terminal is to be built. Airport users will continue to be confused, inconvenienced, and indeed stunned that this is the airport of the Nation's Capital.

The Washington Metropolitan Airports Authority, chaired by the former Governor of Virginia, Linwood Holton, has done an outstanding job since 1987 in managing the airport and planning and funding its improvements. If allowed to move forward, I am confident that the result will be two modern airports to serve the Nation's Capital efficiently.

Mr. President, the main provisions of the legislation are as follows:

Establishment of a new, constitutional Board of Review, with a congressional review procedure adopted from the District of Columbia Home Rule Act.

Oversight of the Authority by the Congress in a conventional manner. If the Board of Review and the Authority cannot agree, it will be referred to the President pro tempore and the Speaker of the House, and thereafter to the Senate Commerce Committee and the House Public Works Committee.

Disapproval of Authority actions would be by joint resolution of the Congress.

Mr. President, this legislation has been drafted in consultation between the Senate and House Aviation Subcommittees. It is not perfect legislation, but I believe it will withstand constitutional muster and it will allow the airport improvements to go forward.

Time is short, Mr. President, and this legislation deserves our expeditious approval.

TELEPHONE ADVERTISING CONSUMER RIGHTS ACT

Mr. PRESSLER. Mr. President, last week the Senate passed S. 1410, the Telephone Advertising Consumer Rights Act. I introduced this legislation in response to the national outcry over the explosion of unsolicited telephone advertising. Many consumers in my home State of South Dakota are simply tired of the nuisance of unwanted telephone solicitations. New technologies when combined with the telephone now give modern door-to-door salesmen an unrestricted ability to invade the privacy of our homes at any time. It is time we liberated Americans from obnoxious phone calls.

Unlike other communications media, the telephone commands our instant attention. Junk mail can be thrown away. Television commercials can be turned off. The telephone demands to be answered.

People are increasingly upset over this invasion of their privacy by unrestricted telemarketing. In fact, the consumer backlash that has arisen from the cost and the interference of unsolicited telemarketing calls has sparked the introduction of over 1,000 bills in State legislatures around the country seeking to limit this abuse. We have heard the complaints of consumers.

This past June, we held hearings in the Commerce, Science, and Transportation Committee on S. 1410. During these hearings, we received testimony from consumer advocates, private citizens, and representatives of the telemarketing industry. The testimony we received was clear. The Federal Government needs to act now to provide uniform legislation to protect consumers.

The primary purpose of this legislation is to develop the necessary ground rules for cost-effective protection of consumers from unwanted telephone solicitations. These rules should allow responsible telemarketers to reach consumers who are most responsive to this form of solicitation, while eliminating the cost and time of contacting those individuals who would be least responsive.

To accomplish this balanced approach, the Senate has passed legislation that directs the FCC to prescribe regulations to protect the privacy rights of consumers from the intrusion of unsolicited telephone marketing calls.

One such proposal the FCC would consider is the use of a telephone electronic database that would allow consumers to have their phone numbers protected from unsolicited advertising. This type of consumer protection has already been used with great success in the State of Florida. Another proposal the FCC would examine is the placement of all telemarketers on a single exchange, thus allowing consumers to block calls from that exchange.

Some objected to the original legislation because of the extent to which it outlined the safeguards necessary for the creation of a national database. It is important to note that this substitute bill does not mandate the creation of an electronic database. Rather, it gives the FCC flexibility in deciding the best approach to handling this problem. Personally, and in the eyes of many others, it appears that an electronic database clearly offers the most promising protection for consumers. However, we recognize that newer technologies may arise in the future. For this reason, the Senate legislation directs the FCC to consider a number of alternatives.

The purpose of this legislation is to prohibit cold calls by any telemarketer to the telephone of a consumer who has no connection or affiliation with that business. Responsible telemarketers have told me that they will save both time and money by contacting only people who are most likely to respond positively to such solicitations.

S. 1410 also addresses problems arising from computerized calls. Due to advances in auto-dialer technology, machines can be programmed to deliver a prerecorded message to thousands of sequential phone numbers. This results in calls to hospitals, emergency care providers, unlisted numbers, and paging and cellular equipment.

There have been many instances of auto-dial machines hitting hospital switchboards and sequentially delivering a recorded message to all telephone lines. In some cases, the calling machine does not release the called party's line until the recorded message has ended. This renders the called party's phones inoperable. In an emergency situation, this can create a real hazard.

To remedy this situation, the Senate legislation requires auto-dialer machines to release the phone line automatically after the called party hangs up. In addition, it requires all prerecorded messages to clearly identify the name, phone number or address of the person or business initiating the call.

This bill also allows hospitals, police stations, fire stations, and owners of paging and cellular equipment to eliminate all unsolicited calls.

The growth of facsimile machines in the workplace has brought another form of unsolicited advertising—the junk fax. Unsolicited facsimile advertising ties up fax machines and uses the called party's fax paper. This costs the recipient both time and money. The Senate bill requires that auto-dial fax machines clearly mark on all transmissions the date and time of transmission, the identify of the sender, and the telephone number of the sending machine.

While our legislation will not end all unsolicited calls, it will allow consumers to choose how their telephones are used and requires vendors to respect that decision. The balanced approach taken by the Senate, should ensure a robust telemarketing industry while giving consumers relief from unwanted telephone solicitations.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The Senate continued with consideration of the bill.

Mr. KOHL. Mr. President, we often play political partisan games down here and often times we do not help the country.

We have been playing political games with aid to the unemployed for 3

months now; 3 months in which people have run out of benefits, run out of money, and run out of patience with our political games and legislative inaction.

This week we finally decided that it was time to stop playing games and do something. So the White House agreed to a proposal and everyone started talking about getting extended benefit checks to people in time for Thanksgiving. But while the speeches were being made, the proposal was being changed. Suddenly some States were doing a lot better than they had before—and some States were doing a lot worse.

In my own State of Wisconsin, we no longer have look-back coverage, which means that as many as 10,000 people in my State who have already exhausted their unemployment benefits are not going to be helped by this bill. They would have been helped by the first bill that Senator MITCHELL introduced. And they would have been helped if we had passed any bill 3 months ago. But in this bill they are not being given anything. Not anything.

Now, Mr. President, that is not fair. It is not fair to play around with the formula. It is not fair to punish people because we failed to act 3 months ago. It is not fair—and it is not acceptable.

We may soon have an amendment before us to deal with this problem. It restores the look-back provision so that all of the people this bill is designed to help—the people who are now exhausting their benefits, the people who will be exhausting their benefits, and the people who have already exhausted their benefits—will be helped. To do anything else, Mr. President, is intolerable.

This bill is based on the belief that people are suffering because of the recession. They want to work but, because of the economy, they cannot get jobs. It is not their fault. So we want to give them some extra help—some extra time while we wait for the promised economic recovery. There is no logical justification for helping some of these people and not others. There is no rational justification for saying that the people who used up their regular unemployment benefits months ago should get less help than people who are just now exhausting their benefits at this time. There is no possible justification for making the unemployed pay for the months of stalemate and inaction created by the President's unwillingness to act.

So, Mr. President, I support efforts to restore a look-back provision and cover people who have already exhausted their benefits. I understand that there may be a limited look-back already contained in the bill as a result of various State laws. I also understand that the limited look-back will apply to my State. But that is not enough, Mr. President. It is not enough to give limited relief to people who have unlimited trouble.

So I urge my colleagues to correct this problem equitably and completely. It is the only fair thing to do. On behalf of the 10,000 people in my State—and the hundreds of thousands of people in other States throughout this country—I urge my colleagues to support a comprehensive effort to resolve this problem.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

THE ECONOMY AND HIGHWAY CONSTRUCTION

Mr. BUMPERS. Mr. President, I will be very brief. I will just take a minute to talk about something of importance to me while some of the Senators are negotiating on the extended benefits for the unemployment compensation issue.

Everybody is talking about what we ought to be doing about the economy, and you can get almost as many suggestions as people you ask. But I feel absolutely confident that one thing we can do to stimulate the economy would be to dump a very sizable portion of the highway trust fund into road and bridge construction. I feel sure that every State in the Union is like Arkansas and has tremendous numbers of projects that it could fund immediately if it had the money.

Now I am not talking specifically about the fact that the conference committee between the House and the Senate on the transportation bill seems to be stalled. I am talking about the fact that the highway trust fund has around $12 billion in it right now. Spending the surplus funds would probably require a budget waiver. However, bear in mind that this trust fund money is there because each time a person buys a gallon of gasoline, they pay 14 cents a gallon in Federal tax which goes directly into that trust fund, and it cannot be spent for anything else except for 2½ cents which goes to deficit reduction under last year's budget agreement.

So while this surplus might slightly exacerbate or mask the deficit in the short term, in the long run, bear in mind, the money is to be paid out for highways, highway construction, and mass transit. It cannot be used for anything else, and ought to be used now.

For every billion dollars you put into highway construction Mr. President, you create 52,000 jobs. For every billion dollars you put into defense, you create 30,000 jobs. So bear in mind you get almost twice the benefit from putting a billion dollars into highway construction than you would putting it into defense.

I am not sure what my position will be on all these various tax bills that are being floated around here by Senator BENTSEN, Chairman ROSTENKOWSKI, and others. I want you to know I have some serious reservations about the advisability of a tax cut, not because I would not relish the idea of putting more money into the pockets of the middle class in this country but because this economy is showing no signs of recovery.

The announcements yesterday regarding retail sales, in my opinion, are a harbinger of the tremendous lack of confidence the people of this country have in our future and our economy. This is frightening when you consider that two-thirds of the gross national product of this country is generated by consumer spending. Consumer morale is at an all-time low, and they are not spending because they do not have any confidence in the future. The economy is not going to be jump-started until the Government takes some affirmative action. And because of this deficit, we are very limited.

In the old days—and I refer even back to the Carter days as the old days in my book—during the Carter-Nixon-Johnson years, the Government was always coming up with programs to turn a stagnant economy around and get it going again.

Now there are economists who say that even though the deficit is staggering, we ought to spend money to get the economy going in the certain knowledge that a stimulated economy will generate revenues that will more than offset the cost of doing it. That is not a new argument, and I am not sure it is a valid argument. But the one thing I do know is that we have $12 billion in the bank that cannot be spent for anything else, and we ought to put massive amounts of highway money from the trust fund into the hands of the States, right now.

And so, Mr. President, I hope, No. 1, that the conference committee that is now conferencing on the transportation bill will be able to reach an agreement and get that bill back to us so that we can at least start putting the money in the pipeline that would normally go into the pipeline.

But I believe that we, as Democrats and Republicans, ought to formulate a plan to dump a very significant amount of that $12 billion into the economy. If you could put $5 billion into the economy tomorrow, Mr. President, and create jobs for 260,000 people, I daresay you would not have to spend $5.2 billion on these extended benefits under the unemployment compensation laws of the country.

The reason we have to pay so much is because we have people idle who have expended all of their benefits. And when I go home—as I do virtually every weekend of the year, and have for 17 years—and talk to people in my State—and I have always tried to be a good listener as well as an educator, and I think a legislator has an obligation to also be an educator and on occasion tell people things that they would rather not hear—but I can tell you the message back home is loud and clear. It is jobs, and it is fair treatment for the middle class.

The Philadelphia Inquirer has done a three-part series on what happened in Pennsylvania that ought to be mandatory reading for every Member of the U.S. Congress. There are all kinds of documented stories coming out today of the travesties of the past 10 years and the terrible consequences they have put on the middle class in America.

So, Mr. President, since there was nobody else here, I spoke really longer than I intended to. But in my opinion, If I were king and could do it today, I would put a tremendous amount of that highway trust fund to work immediately. And bear in mind—I want to repeat one more time—that money cannot be spent for anything except highways. What are we holding it for?

Mr. EXON. Will the Senator yield for a question?

Mr. BUMPERS. I am happy to yield.

Mr. EXON. I have been listening with keen interest to my friend and colleague from the State of Arkansas. I salute him for making the clear and concise comments that he just made, because it is important that we try and place things in perspective.

However, there is one part of the statement that the Senator from Arkansas made that I think was an inadvertent error, and I wanted to call that to his attention and ask him whether he does not agree.

I agree with everything that the Senator from Arkansas has said. It would help the economy if we would release the $12 billion that is in the highway trust fund. But I believe I heard the Senator from Arkansas say that that $12 billion highway trust fund money was in the bank and it could not be spent for anything else.

I think the Senator from Arkansas, if I heard him correctly, knows full well that, unfortunately, that $12 billion is not in the bank, and that is one of the great problems we have with all of these trust funds, including the Social Security trust fund, the highway trust fund that he referenced, the airport trust fund, and all of the other trust funds. The money is not in the bank. There is simply an IOU from the Federal Government in lieu of cash in the bank. And therefore the money is not in the bank available to be spent after the authorization of the Congress and the appropriation of the Congress.

Is it not correct that that money is not in the bank, in the traditional sense?

Mr. BUMPERS. Well, the Senator is right. The only thing we have in the bank in this country is a $3.5 trillion debt. Obviously, I did not intend to mislead anybody with that statement. It was simply a way of saying that that money, even though it is an IOU from the Federal Government—because we do use those trust funds to build bombers and everything else is in an account down at the Treasury. And it is an account that, when the Federal Government does pay it—which it does as this money comes in—cannot be spent for any other purpose, as the Senator well knows. But the Senator, technically, is absolutely correct, it is not in the bank, as I wish it were.

Mr. EXON. I thank my friend from Arkansas.

Mr. BUMPERS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, as we await action on this unemployment bill, I think it is appropriate to consider where we are as a nation, how we got here, and how we get out of this problem. It is an unusual confluence of events, Mr. President.

This Saturday, in my State, David Duke has a serious chance to be elected Governor. I understand he is better known, according to the polls, than the Presidential candidates already announced—other than President Bush.

In Mississippi, a candidate was elected—to be sure not with his baggage—but on many of his issues.

In Pennsylvania, a candidate was elected whom I consider to be one of the finest candidates I have seen in a long time but on a new platform of programs that appeal to the middle class who feel disenfranchised.

So, in effect, politically, what we have, Mr. President, is a confluence of events where the people of this country say "We have had enough. We want a change. We want the middle class to be recognized."

At the same time here we are on the floor debating an unemployment compensation bill to deal with these tremendous difficulties which ordinary Americans have.

There are high rates of unemployment. My State has had double digit unemployment for almost a decade. Now, at 7 percent, we are much better off than we have been. We have come from a deep depression in Louisiana to a deep recession, and we call that progress. But it is really not progress, it is just sustained lethargy in the economy and difficulty for people and the kind of situation that breeds a David Duke.

But how did we get here, Mr. President, the greatest Nation in the world? Back in the sixties the soaring ambitions of this country were that we could do anything, we could defeat anybody militarily, we had all the power economically, we were the greatest manufacturer, our automobiles were desired all around the world—how did it happen?

Mr. President, it happened, I believe, because Americans do not think long term. Americans think short term. We have always been compared with the Japanese because the Japanese think long term. You know, they will sit there, year after year and suffer a little loss because they are building market share for the long term. They are thinking long term. Americans think, in corporate America, of the next quarter—at least not longer than the next year. Politicians think of the next election. And the consequence is that over the long term, the Japanese get the markets, Americans get the recession. Americans get the unemployment. And then we come in and try to jury-rig some kind of system to alleviate, in the short term, the difficulty.

Mr. President, Americans ought to learn to think long term. And we can if we can get a little maturity in our politics, in our media—and do not think the media does not share a large responsibility for the shape we are in. Because the media tends to exaggerate the problems of the day.

What are the problems of the day according to the media? The House has some bank accounts; people take trips; or that long litany of perquisites or whatever it is—right or wrong, and I do not defend all of those things—that is not the problem with America. Mr. President, the problem with America is we do not think long term.

I will go in, this afternoon, to talk with a group of Senators about energy policy. One part of this problem is energy policy because what we have done is to think always short term. What is the price of gasoline today? If you can fill up your tank at a reasonable price today, there is not a problem. Notwithstanding the fact that a year ago we had a half-million Americans in the gulf fighting a war, there is not a problem today.

I do not believe we are going to be able to come together with an agreement on energy policy. I just do not think we can. Because the different parts of it offer a little discomfort for people. The homebuilders do not like building standards. Some of the utilities do not like the fact that they would have to compete. Some people do not like nuclear energy. Some people do not like the fact that you would have natural gas moving more quickly. There are endless objections to all of the disparate parts of our energy policy bill. But all we can come together on is opposition.

When it comes to trade, this country has been made a patsy on trade for so

long it is amazing we cannot wake up. We have our friends in the Far East—the Japanese and others—who keep taking advantage of this country, continually, year after year after year, taking advantage of us while we lose markets to them while they restrict our products, and we let them open up our markets. There is not any fairness to it; there is not any balance to it; there is not any equity to it. And in the great American tradition of hope, we keep hoping they are gong to do better and they never do. And we keep losing our markets.

In education, yes, we are for strong education and we are for all those good things, but we are not willing to make any sacrifice at all. We are not willing to think long term for education. We are not willing to spend the money on education that needs to be spent. If people are comfortable with our system, that is where we stand. If it costs any money on education, do not do it. If it is within our present ability to pay and it is comfortable, do it. That is America when it comes to education. And we all know that it is a worldwide, international economy, and we are losing out.

Mr. President, we are all environmentalists now. We have learned that. If there is anything we have learned it is that we are all environmentalists. We have not just learned it politically, we feel that. But we serve the environmental cause and never think what it is going to cost. Maybe it is unwise to even talk about the cost of environmentalism. But do not ever think there is not a cost. If you do not want to drill anywhere in America and you want to import all your oil, you are going to have to pay the price. Right now, 62 percent of the imbalance of trade is because of imported oil—62 percent.

What is our response?

I am afraid the only response this Senate can make to the energy crisis is to put off limits the Outer Continental Shelf. In other words, put off limits Florida, California, probably the east coast. Maybe that ought to be done.

But it is not much of a response to the energy crisis to say put things off limits. So we are paying a price, Mr. President.

We must also think about the legacy of Ronald Reagan in our difficulties now. When I think about how we solve our problems, I think about the great communicator who has sown the seeds of making things much more difficult. Ronald Reagan came in as the ultimate outsider, even though he had been in control of this Government for 8 years. The skill, the political skill of this man to be able to be an outsider who ran the Government, how he could do that, I do not know, but he did it beautifully and he made the American people feel that somebody else was running the Government—as far as the blame—that he was the leader who made us feel proud and who made us feel good, who made us proud of America again, who made a strong America, who asserted its freedoms all around the world; but in terms of the economy, in terms of domestic policy, he was not to blame. It was that Democratic Congress in spite of the fact that he had the reins for 8 years.

What he sowed were the seeds of the impossible dream, the impossible dream being that you can have greater benefits with lower taxes. That is what he said explicitly to the American public; that if you can just do away with the $700 toilet seats and the waste and the perks and all of those things, that everything is going to be OK. Unfortunately, that contributes a lot to the anger out there.

Down in my State, with David Duke now, they do not remember explicitly the words of Ronald Reagan, but what they do remember is that there is an easy solution out there. If the Congress would just stop the bank accounts and reduce salaries and up the price of haircuts and throw those out who are in and bring a new crowd in, that somehow things will be OK. That is really the angry feeling and that you can get something for nothing. Somehow that feeling has been sown by President Reagan. I like President Reagan in many ways, and indeed he did a lot to restore the American spirit.

But, Mr. President, I guess ultimately what the American public must do to get out of this situation—and I do not mean the next 6, 7, 12 or 18 weeks, referring to the different amounts of unemployment insurance—what we have to do for the long term is think about the long term, is be willing to make some sacrifices for the long-term, to be able to understand that good education does not come free, it does not come without study and without longer hours in school; that trade policy involves being tough, and consistently tough, as well as being fair and open; that energy policy involves doing a whole group of things, not something simple like putting a solar array in your backyard.

We have tried all those things and we know they do not work; that competitiveness means a whole series of things, including education, including good environmental policy; that in substance, Mr. President, it does not come cheap or easy; that there are no simple solutions out there.

Who was it? H.R. Mencken said for every complicated problem there is a simple solution, and it is always wrong. In this case, the simple solutions are always wrong and the quick fixes, like this bill which we are considering now and which I hope we will amend as many of us from some of the more impacted States are talking about, whether we do this or not, it is a quick Band-Aid for a bleeding sore. It is not the ultimate solution.

Mr. President, we must think long term. We must mature as a nation. We must get a news media that does not just look to the sound bite but looks to the wisdom of things, who helps us as a nation solve problems and not just sell newspapers. Frankly, it is not as much the newspapers as it is the television who is at fault now, because they are the ones who are seeking the quick sound bite as opposed to the deep analysis.

Mr. President, I hope this country will come to its senses and think long term.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. BROWN. Thank you, Mr. President. I wish to address H.R. 3575, the unemployment compensation bill, and I ask unanimous consent to print in the RECORD the budget effect of this compromise proposal.

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

H.R. 3575—BUDGET EFFECTS OF COMPROMISE PROPOSAL

[In millions]

	Fiscal year—					5-year total
	1992	1993	1994	1995	1996	
Outlays:						
EUC benefits	4,845	0	0	0	0	4,845
Ex-servicemembers	105	115	120	120	125	585
School employees	20	20	20	20	20	100
Job search assistance	0	2	0	0	0	2
Rail UI	10	0	0	0	0	10
Gross outlays	4,750	137	140	140	145	5,342
IRS debt collection	−1,100	−160	−160	−160	−160	−1,740
GSL compromise	−15	−25	−25	−25	−25	−115
Net outlays	3,665	−48	−45	−45	−40	3,487

H.R. 3575—BUDGET EFFECTS OF COMPROMISE PROPOSAL—Continued

[In millions]

	Fiscal year—					5-year total
	1992	1993	1994	1995	1996	
Revenues:						
Estimated tax	2,600	0	0	0	0	2,600
School employees	0	20	20	20	20	80
FUTA extension	0	0	0	0	878	878
Total revenues	2,600	20	20	20	898	3,558
Deficit effect [1]	1,065	−68	−65	−65	−938	−71

[1] In addition, the Labor–HHS appropriations bill will provide approximately $160 million of funding to States for administering these benefits.

Note.—Assumes a 7.5-month program from Nov. 17, 1991 to July 4, 1992.

Mr. BROWN. Mr. President, the Congressional Budget Office has not come forward with a financial analysis of the bill that is before us. That is a bit unusual because, of course, our entire budget process is dependent upon this Congress respecting the limits that are set forth in the budget agreement. Included in those is an effort to limit the size of the deficit in the current year and future years.

What appears to be taking place is that a bill is now offered to us that violates the budget agreement in a very significant and dramatic way, and the Congressional Budget Office does not yet have an official estimates.

I think for those who are not familiar with the budget process, you may appreciate the situation that we are in. We have a budget. It does limit the deficit that this country is burdened with. But to make a point of order against the pending bill or an appropriation, one has to have the Congressional Budget Office do an estimate that certifies that it is indeed a violation of the budget.

This bill clearly violates the budget. The sheet that I have just introduced into the RECORD is a statement of the financial impact of the bill as put together by the Ways and Means Committee in the House of Representatives. I have no reason to believe that this will not be identical to or very similar to the conclusions reached by the Congressional Budget Office. It shows over a billion dollars added to the deficit in this current fiscal year, a clear violation of the budget. But no point of order can lie against this bill for its violation of the budget until the Congressional Budget Office acts.

Thus, if they fail to act—and they have not acted thus far—we may well violate the budget, violate our own rules, and have opened another loophole in the budget. The loophole is simply this: If you do not like the facts, if you do not like the reality, all you need do is not put the report out. If you do not get the report out, you cannot make a point of order, and if you cannot make a point of order, you cannot see that the Budget Act is followed.

This is a hat trick. This is a charlatan's move. This is hiding from the truth.

Mr. President, at the appropriate time, I will make a point of order against this bill. I do believe that it is certainly possible to amend this bill so it does comply with the Budget Act. The shortfall in this fiscal year is about a billion dollars, a little more than that.

We are funding unemployment figures retroactively, going back by simply adjusting the amount as we go backwards in time. I think we have the ability to make this fall within the budget.

The point I guess I want to make for this Chamber is that if we are concerned about the long-term economy, destroying the Budget Act is not the way to accomplish that goal; it is not the way to improve our long-term economy.

Pulling tricks that have this Congress avoid its responsibilities and ignore the budget will not help the economy long-term. It will hurt it. What it sends to all the markets around the world is a message that this U.S. Senate has no intention of living by any budget, no matter how generous, in terms of its increased spending. And, believe me, this budget that we operate under is generous in terms of increased spending.

We are talking about a deficit this year that is in the neighborhood of $360 billion, nearly $1 billion a day. I cannot believe that there is a Member of this body who can come to the floor and say the problem with the budget we operate under is that the deficit is not high enough; there is not enough stimulus in this budget for the economy.

That is not the problem with the budget. The problem with the budget is that we have sent a message to the world that we are not willing to live within any limits. I think acting on this bill—without ensuring that it complies with the budget—will hurt the economy, not help it. It will reinforce the image, that the Congress has gathered from financial markets around the world, that we simply do not care and are not going to be guided by principle; that we simply are not committed to making sure that our budgets end up making sense.

So while our rules to not permit a point of order to lie against the bill at this point, because we do not have the report of the Office of Management and Budget, I want the RECORD to clearly reflect that should that report become available, I intend to make that point of order, and that I have requested the Office of Management and Budget and the Congressional Budget Office, more particularly—because theirs is the report that makes the difference here—to develop that report as quickly as possible.

Mr. President, there is one other item that I would like to share with this body. Many remarks that have been made in the last hour, I think, have made some valid points. First, that a bill which provides jobs for people, not just compensation, is far preferable to what we are passing today. I believe that is true.

The distinguished Senator from Arkansas had made the point about highways, that those are real jobs on tasks that need to be done. I think he is right. I think he makes a valid point. I am one who believes that far superior to simply a handout is a job where someone earns their way, develops skills, and contributes to our economy. It is unfortunate that that alternative has not been taken at this juncture.

Others have suggested that there is not a better solution in terms of looking at our budget. I must say I do not believe that. I believe this Congress can, and should, make dramatic reductions in spending that will improve our economy in the long run. I do not want that simply to hang out in vague terms. Let me be specific.

We are spending money to join the coffee cartel this year, nearly $1 billion. Anybody who thinks that makes sense has insight that I do not yet possess. Why is it in the interest of American consumers to pay money to belong to an organization, the purpose of which is to increase the price of coffee to American consumers? I am not sure that we have really examined all the alternatives. I do not think it is in America's interest to belong to the coffee cartel. It cost us $800,000 to $900,000 this year to belong. It could cost a billion more to American consumers if we reach agreement.

We have a honey program that in the past has cost nearly $100 million a year. It is an embarrassment to anyone who has to defend that program, yet we carry it on.

We have a dairy program designed to increase the price of milk to women and children in this country. What ben-

efit is that? Is that program such a wonderful program that we can stand here with pride and say we will take the public's money to spend on that program? Anyone who believes that, simply come and listen to the representatives of the dairy States—and Colorado has a lot of dairy. But anyone who believes that, come and listen to the representatives of the dairy States talk about the state of the dairy industry right now. If decades of the dairy program have been so good to this country, why is it simply a disaster in the dairy business right now? The simple fact is the program does not work, and yet we continue to fund it.

We have a tobacco program. More precisely, we have a program that helps subsidize the production of tobacco, and at the same time we have a program to urge people not to use it. Anyone proud of that dichotomy? I do not think so. I know we have supposedly made the tobacco program revenue-neutral, but it is not the case. We have in the neighborhood of $1 billion that is used in financing the problem now. We could recover that if we would end the program.

Foreign aid; both sides of the aisle have come up with recommendations of how we could take money out of the foreign aid program. Apparently everyone agrees, but no one will do it. Are there low priorities in the foreign aid program? I believe there are, and we could save money that way, and I think it would help the American economy.

Defense; both sides of the aisle from time to time have identified areas in defense. But I believe there are some potential savings in defense, and that ought to be realized.

I do not mean to exhaust the long list of alternatives, but the point is very clear. If we are serious about getting jobs for America, there is a better way to do it than a bill that breaks the budget. If we are serious about making America's economy strong, what we need to do is go back and examine the waste in our economy that is fostered by this very Congress. Eliminate that waste and I believe we will be on the right track towards strengthening America's economy and providing true jobs.

When it comes to President Reagan—President Reagan, I guess, is getting a little tough time on this floor today. But I do know one fact that his critics have not addressed, and I hope they will take the time to address it. Since President Reagan's program took full effect in 1982, this country has gained 23 million new jobs. Let me repeat that: We have gained 23 million jobs since 1982.

Mr. FORD. Mr. President, will the Senator yield for a question?

Mr. BROWN. If I could just finish this statement.

Mr. FORD. All right.

Mr. BROWN. I will do it very quickly.

Since 1982, I do not think you can attribute all those jobs to President Reagan, but I think it is not fair to look at the record of this country since 1982, when we have produced more than half of all the jobs in the industrialized nations around the world—I think it is a mistake for us to look at this experience. and not have some pride in the kind of economic record that has come about from that.

I yield to my friend from Kentucky.

Mr. FORD. Mr. President, can the distinguished Senator from Colorado give me the breakdown of the jobs that were created? At one time, the overwhelming percentage of those were so-called fast-food, service jobs, and minimum wage. They were not the kind of jobs that would pay $9, $10, $12 an hour, that sort of thing.

Can the Senator give me a breakdown on those?

Mr. BROWN. Mr. President, the distinguished Senator makes a very valid point. Indeed, many of those 23 million jobs were jobs that were not the high-paying jobs, that were basic service jobs, although my understanding is that many of them were better paying jobs as well. And I will be happy to supply to the Senator a breakdown.

Mr. FORD. And of course, what you have to realize is that you have been having a $200 billion party almost annually since 1982. And you can always look good when you are spending $200 billion that you do not have in the bank. So we have had——

Mr. BROWN. We are spending $360 billion——

Mr. FORD. This year.

Mr. BROWN. This year.

Mr. FORD. That is right.

Mr. BROWN. That we do not have in the bank, and things are looking pretty bad.

Mr. FORD. That is right, Mr. President. I am just saying for 10 years we have spent $2 trillion. Give me $2 trillion; I can take you to a pretty good 10-year party.

Mr. BROWN. I think the Senator's point is a very valid point.

Mr. President, I yield back.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. HEFLIN. Mr. President, I rise in opposition to the bill as it is formulated. It does tremendous damage to my State, as well as to four other States, limiting them to 6 weeks of extra unemployment benefits.

My State has an unemployment rate of 7.4 percent. If the Nation as a whole today had a 7.4 percent rate of unemployment, we would be talking about approaching a depression, not a recession. The U.S. figure is 6.8 percent unemployment. It is a figure that means we are in a recession, and it is very gloomy. The predictions pertaining to how long this recession will last are uncertain.

And many people are saying it is going to be a long, hard effort to try to get out of this recession. A person that is unemployed, whether he be in a State that has 6 percent unemployment or 7.4 percent unemployment, is unemployed. He cannot go to the grocery store and buy what he wants to buy to help his family. He may have to cut back on the milk in regards to his children's needs.

It seems to me that the way this bill is formulated, making many distinctions, is entirely wrong. My good and distinguished friend from Arkansas, in speaking, used the words of a football coach to "do right." It is what we ought to be doing. In my judgment this bill is to "do wrong." I think that we ought to make every effort to correct it.

The unemployment figures in my State are 7.4 percent, which means that there are many that have drawn all of their benefits and no longer are a statistic or no longer drawing unemployment benefits. We have seen that those that are no longer drawing benefits have to go to programs like the Food Stamp Program. Our Food Stamp Program is increasing. The numbers applying and drawing food stamps have been drastically increasing over the last 6 months.

This bill with its many discrepancies—like Kansas with a 4.7-percent unemployment rate yet being entitled to 13 weeks of benefits under this bill; my State, where we have a 7.4-percent unemployment rate, we are only entitled to 6 weeks—how do we work this thing out? There are efforts being made. I have been talking to people and doing everything I can to correct the "do wrongs" that are in this bill, do wrongs pertaining to reachback as well as to the matter of weeks of benefits involved.

I certainly hope everybody will give consideration to this. We need to extend the benefits. We need a bill that can pass and that can pass as soon as possible. So we need a bill with a formula in it that is fair and does not "do wrong."

So I urge my colleagues to give careful consideration to this, and see if we cannot work this matter out.

Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

First of all, let me just echo the words of the Senator from Alabama. I thank Senator CONRAD, from North Dakota, and Senator FORD, from Kentucky, and other Senators for raising very important questions about the

basic fairness of this bill to extend unemployment benefits.

For 6 months now, I say to Senator HEFLIN, we have been dithering about extending unemployment benefits to people out of work. Congress has passed two separate versions, but the President has refused to approve any benefits. What that means is that in the State of Minnesota—there is the irony—we now have people who have been out of work waiting 6 months for 6 weeks of benefits. But the problem is, with no reachback provision, the very workers in Minnesota who have been waiting 6 months for 6 weeks of benefits will not be eligible for those benefits. That is why I thank Senator CONRAD, from North Dakota, for taking the lead on this.

I want an unemployment benefits bill passed. It is really difficult to go home and explain an action on an issue as complex as these benefit formulas here in the House or in the Senate. I can understand full well why the House moved so fast on this. But the Senate is to be a deliberative body. Sometimes, as someone who is so impatient and wants to see change, I get frustrated with that. But I will tell you, every once in a while the emphasis should be on deliberation. Sometimes we should step back and ask the question: Is this fair? Can we do better? I am confident that in this case we can—and we must.

I met with 40 unemployed workers in Minnesota last weekend. Some of them have been middle-level managers, some of them have been white-collar workers, some of them were bakers. I think that in the case of almost every single one of those workers, if we did not have a reachback provision, not a single one of them would be able to get extended benefits. I would have to go back and explain to them that the problem is they were unemployed a long time ago, waiting and waiting and waiting for us to take action, but because we did not take action, there is no reachback; they are not eligible; only those who ran out of benefits after we passed this legislation would be eligible under the House-passed version. It is just impossible to explain that to people.

Here is what people know. They know they are out of work. They know they have run out of benefits. Several of them said they were competing for $5 and $6 jobs with their children and losing out to the children. I am supposed to tell them that when we pass this extension of benefits it will not apply to them? I cannot do that.

In the U.S. Senate each State has two Senators. The system is designed to ensure that small States have the same representation as larger ones and when we work out these formulas and agreements we do it fairly and treat people consistently. I think we have a ways to go in that regard on this bill.

I want to see a bill passed which extends unemployment benefits. I want to see that more than anything. And I am hopeful we can work out an agreement so that I can go back to my State and be proud of what we have done, and tell unemployed workers in Minnesota that we will indeed be able to provide you with some real extended benefits assistance.

Of course, I remind my colleagues that this is only a modest first step. The next step is to focus on our economy, to do better for family farmers and small businesses, to get serious about capital investment, to help people go beyond this immediate relief to obtain a job at a decent wage so that they can support themselves and their families. I urge my colleagues to develop a more comprehensive package that provides broader extended benefits and that covers unemployed workers in Minnesota and elsewhere who have already waited far too long. I look forward to working with the Democratic leadership today—and for the next few days if neccessary—to develop and approve such a benefits package.

Mr. President, I yield the floor.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

COMPREHENSIVE DEPOSIT INSURANCE REFORM AND TAXPAYER PROTECTION ACT OF 1991

Mr. D'AMATO. Mr. President, the banking bill was held out as an opportunity to help deal with some of the economic problems that we have and give some viability to the financial institutions, to strengthen certain provisions so as to protect the taxpayers.

It gave this Senator an opportunity to focus in on an area that for the past 5 or 6 years has been treated with indifference. Why do I say for 5 or 6 years? Because, in 1985, Mr. President, this Senator offered an amendment to deal with the extraordinarily high interest charges that were placed on consumers through the credit cards. This Senator was given hearings on his legislation. This Senator was promised by the financial institutions, by those in Treasury and other areas, that good competition would bring about the kind of results that would lower interest rates to the consumers, that there was an education process that was necessary. I subscribed to giving an opportunity for that to take place.

Mr. President, it is 6 years later. What have we seen take place? We have seen a lack of competition in the area of rates as it relates to credit cards and interest that are charged. We have seen interest rates go down extraordinarily low as it relates to the prime interest rate, as it relates to the discount rate; that is, the rate at which the Government makes available funds to banks, at 4.5 percent.

I think you have to go back to something like 1973, to find a lower rate. In other words, when the banks go to borrow money, they are paying rates lower than they have since 1973. CD's today are paying extraordinarily low rates—some less than 5 percent.

While the cost of borrowing money to the banks has gone down, we have seen an amazing situation in this country. We have seen that, indeed, instead of interest rates coming down for credit cards, they have gone in the other direction; they have gone up. Mr. President, I suggest that it is simply wrong. I suggest that not only is it wrong, but it is an opportunity which the banks have used to turn enormous profits that go into the billions of dollars at the expense of working middle-class taxpayers.

Mr. President, large money center banks have billions and billions of dollars of losses that the taxpayers of this country are going to have to come in and bail out and, in some cases have already done it. They have loaned it to countries they had no business loaning to. They loaned to lenders they never should have.

Who is there? It is the taxpayer who gets stuck with it. What are they doing now? In order to bail out these loans, they are coming once again to middle-class taxpayers with these extraordinary charges.

You know, I have been criticized, and that is part of this business and, my gosh, that is fine. I look at the Wall Street Journal today and they say this is horrendous. They say: Senator CONRAD and Senator D'AMATO, imagine them shaping this country's credit policies. I have to say something. We do a heck of a lot better job than the fellows over at Treasury.

Maybe we would be a little more responsive to the needs of working middle-class families and to the economy, and maybe recognize there is a recession now, and you should not come together in the collusive activity to deprive the marketplace of free and fair competition, because what I am about to show you I think demonstrates quite clearly that there is no free and fair competition.

I would be the first to say I would agree with the Wall Street Journal and with the economic professors who say: Let the economy work, let the free marketplace work, let there be fair and free competition, and you will see interest rates come down, and you will see people go to those institutions that offer the best rates. Mr. President, that is not the fact.

I think that the U.S. Justice Department should look into this amazing coincidence; it is amazing that 7 out of 10 of the top credit card issuers charge the identical rate of interest, even to the decimal point. Citicorp is 19.8. Well, there is competition. The Treasury Secretary said let there be competition. Do you fellows not regulate? I agree with him. The Chase Manhattan

is 19.8. MBNA is 19.8. Bank of America, which is on the coast, a big bank, charges 19.8. Centurion, Optima, we have a break here, 16.25. First Chicago is 19.8. The Bank of New York is 16.98. Manufacturers Hanover is 19.8. Here is someone who says, hey, listen, we grab anyone that you fellows will not take. We charge 21.

I would like to think that the American people have a right to know how is it—and this Senator would like to know, and I wonder where the Justice Department is as it relates to determining how you can have 7 out of 10 charging interest rates down to the last decimal point being the same? And the absurdity of the people in the Treasury coming forth and the Secretary of the Treasury's office saying, "we oppose a floating cap."

By the way, what is the rate that we propose? Almost 7 percent over prime. Prime rate, for the people who are not aware, is the rate of interest which banks loan to their preferred customers. They make money on that. So when they are loaning at 7½ percent, they are making money, not losing money.

We said go on up to 14 points. The cost of money 4½ to 5 percent, they are making three times what it cost them; 300 percent. We say go ahead, that is fine. Under the cap, there should be fair competition. We are not suggesting to you that there are not companies that are charging fair rates. Some credit unions that issue credit cards are charging 13 and 14 percent, and that is where we say free and fair competition would be.

We do not have that. These credit card companies should have to justify how this kind of interest rate was determined. I think the Justice Department should be sure these rates were not established through collusion and price fixing. My suggestion is not that they have been. I am suggesting to take a look at the facts and tell me how it can be.

We have a recession. It is a tough recession. I think for us to turn our backs on the offer of political expediency and the pressure being brought to bear by the large financial institutions would be a terrible shame and a betrayal of what we should be about. This is not about political pandering. This is about seeing to it that the middle-class working families of America, the little guy, is listened to.

I have heard all of the arguments like: If you put in some kind of limitation, you would destroy credit to America. Nonsense. Are we really saying that working middle-class Americans are going to have to pay the bailout for the bad loans made abroad; that some of these institutions are in such bad shape that this is the only area where they can make billions of dollars where there is no competition? Are we really going to say that many of these credit cards will be pulled back because people really are not creditworthy, and therefore they are going to restrict their credit? Does that mean to say that because there are credit cards being sent to everyone, regardless of whether or not they have the ability and should be getting credit, that the millions of people who are good, hard-working, decent people and who should enjoy good credit are going to have to pay extraordinarily high rates?

That is what is happening. We are paying; working middle-class families are paying for people who are bad credit risks. What kind of free economic system is this? If you want to make that judgment based on their ability to pay, based upon their risk, that is one thing. I want to say that we have a stacked deck here. It is our job to knock down that wall, to see to it that the free economic system works.

I hear all of the free marketeers come up here and say to me: You want to try to regulate the economy. No, I do not want to try to do that. I want to see that that ebb and flow, as it relates to the free market system, is allowed to go and that it does not have these artificial barriers right down to the very decimal point that killed competition and makes a mockery of it.

Let me tell you what is taking place now. We have a full court press. This is a stack of faxes that my office has received here in Washington, and it came over directed by Citicorp from their various offices, and the people are being told instructions: All officers and staff are to sign a copy of this letter and fax it today to their Senator. Then they list the various fax numbers. This is what Citicorp has done. I have another 500 of these in my New York office. And literally, as we speak, the fax machine is tied up with these ridiculous letters, the same one coming:

DEAR SENATOR: I urge you to vote against S. 453. It will hurt consumers and banks alike, and will have a devasting impact on the U.S. economy.

The purpose is that it relates to trying to see to it that there is free and fair competition.

My legislation should not be required. I will tell you that. I think it is absolutely a shame that we have to reach that point to see to it that there is real competition, that we have to offer legislation like this.

Let me ask you, How is it that the President of the United States has to say lower your credit charges? How is it the people could say if you are going to pass this legislation that somehow you are not going to have people making purchases?

Let me suggest to you that as a result of this kind of rate, 19.8 percent and higher, that there are $7.5 to $10 billion over the 14 percent mark that are being paid to the banks, to the credit card companies, and they are not purchasing goods and services; that is $7.5 to $10 billion that could go into the economy, that could buy goods, household wares, and services that people need. That is what the economy needs.

It does not need usurious rates that are going to deprive the economy of that kind of economic stimulus that will put people to work. Why is it that someone who has a mortgage can obtain a mortgage on a $100,000 home at 9.5 percent, 10 percent, but if that same person goes to make a $50 purchase he or she are going to be required to pay 20 percent? The same person, same credit rating, 20 percent.

Because you know why? He or she does not have the ability really to shop around, not if you have this kind of price structuring and this kind of tiering. To come in here and say you can go down and find a bank 1,500 miles from where you live offering a wonderful rate. People are supposed to know that. Where we see advertising, I bet the big bankers are running out to post their advertisements to show people they are willing to advertise.

Then we hear the nonsense they are going to restrict and pull bank credit cards if this legislation passes.

Let me suggest to you this is an opportunity for us to show that we are going to stand up for what is right. I think that we have an obligation to see to it, notwithstanding some of the large money center banks may have some real difficulties, that they make fair and reasonable profits but if they do not fairly compete as the law requires there be action brought against them.

I defy us to see any other industry that could get away with this kind of situation. The Federal Trade Commission or Justice Department would be down on their back. How is it this has been allowed to take place? I think we better stand up and do what is right.

I have no illusions, no illusions about the tremendous pressures that are being brought upon Members of this body, Members of the Congress, and the administration and the tales of woe that are being spilled out and how it is we are going to let the politicians get in and destroy the free market system. I am going to suggest to you that we have no free market system where this kind of market manipulation is taking place. I suggest to you it is an aberration.

And as a matter of fact people can fool around with the figures and numbers. When it really comes down to it, each of us know what is taking place. There is a bailout. This is a bailout because of the bad loans that were made. And who is bailing them out? The little guy, working middle-class families, the guys who need the credit. Is the free market system free competition? Not on your life. Not when 8 out of 10 are charging more than 19.8, and 7 of them are changing exactly the same.

You know, credit card issuers are upset at my amendment and maybe part of why they are so upset is because they have been found out. We are finally questioning their tactics and asking them to justify their high rates. I have yet to hear a convincing argument that consumers should be charged almost four times for the cost of the funds that the banks purchase.

Maybe it is about time we told the emperor that he has no clothes and right now the emperor is desperately trying to cover himself up and we all know that he has already been exposed. I think Members of this body, and hopefully the Members of the House understand it, and I do not think that we should back down because there are those who are going to say this is nothing but politics.

The Senators and I know what this is. Maybe it is an attempt on our part to do what is right. How dare people say that is because something is right and it may make sense to the public and therefore it should be questioned?

It seems to me that if something is popular, if something is right, if something is justified, then we should undertake to do that which is right. Let us do the right thing because it is the right thing to do, not because it is simply popular.

In this case, if there is an additional benefit let us give that benefit of the doubt to the little guy, to the consumer, and let us begin to show him that we do care, because I think there is a cynicism in this country that was depicted in the last election that says, institutions do not care, at the State level, at the local level, and certainly at the national level. They have their special interests that they protect.

I would suggest that this situation depicts that we at the very best have been asleep at the switch, and if we are going to turn our back and allow this situation to continue then at the very best we could be accused of indifference, and I think in most cases we could be accused of yielding to the special interests of the large money center banks and those who they are able to reach with their great power.

I yield the floor.

Mr. CONRAD. Mr. President, will the Senator yield for a question?

Mr. D'AMATO. Certainly.

Mr. CONRAD. Mr. President, first of all, by way of introduction, I just say I was proud to join the Senator from New York, the Senator from Connecticut, in offering the amendment to restrict the interest on the credit cards. We have heard ever since we successfully agreed to that amendment in an overwhelming vote on the floor of the Senate, 74 to 19, with the leadership of the Senator from New York, that somehow we are interfering in the market. Interfering in the market—that is the charge that is being leveled against it.

I am certain the Senator from New York has had the big banks contacting him just the way they come in and contact me. And they have been throwing up their hands in hysteria saying, my God, look what you have done now. You are going to restrict us to only 14 percent on these credit cards—down from 19.8 percent that almost all of them are charging—and they say you are interfering in the market.

I just asked the Senator from New York, would these numbers not suggest, these numbers that show 7 of the 10 biggest issuers are all charging an identical rate of 19.8 percent, and indicate that the market is not working and that perhaps the reason it is not working is because consumers are captives to the credit cards that they currently have, and that these people who have a $2,000 or $3,000 outstanding debt cannot go to a lower-interest credit card? Would that not suggest itself as the reality of the marketplace?

Mr. D'AMATO. I think my friend and colleague has absolutely touched upon what takes place in millions of American homes, that there was no real opportunity initially, that the rates were all uniform, and that once a person is paying this extraordinarily high rate, and by the way again to the very decimal point, 19.8, no attempt at competition, that it becomes impossible for them to move to obtain a lower credit rating at some other institution carrying that huge debt. So they are saddled, they are stuck.

I would also suggest that what we are attempting to do is to break down this wall and allow the free marketplace to operate because we have put a cap that moves up and down tied to a very relevant figure, the cost of money. What is the cost of money? What is a fair return? Is a fair return 300 percent, 200 percent.

As a matter of fact, we have provided a huge margin, a huge margin. People in almost every industry including the bank industry would be delighted to make that kind of a profit.

So, I think one of the very telling points that my colleague makes is the fact that what we are attempting to do is tear down this wall and allow that free market system to operate.

And I also think it is unfortunate that we had to put forth this legislation, that this situation was allowed to come to be, that the Treasury Department and others should have been looking at what was taking place and say, hey, fellows, this is not fair and free competition. You are not competing for these dollars. You are happy to have this captive market.

I thank my friend for the observation that was made and for his support.

Mr. CONRAD. If I might just ask one further question: We have now seen the big credit card issuers engage in scare tactics, at least that would be my terminology. I read in the paper this morning that if our legislation becomes law after having been passed in the Senate, 60 million people will lose their credit cards.

Sixty million people are going to have their credit cards taken away if the credit card companies cannot charge 19.8 percent interest. I just ask the Senator from New York his reaction to those scare tactics.

(Mr. BRYAN assumed the chair.)

Mr. D'AMATO. Well they are exactly what the Senator from North Dakota indicated; they are scare tactics. They are not tied to anything reasonable. Those people who already have credit and who are good payers, who are most of the people of this country, will continue to get that credit because there is still a big profit that can and will be earned at the 14-percent level. And that is tied again to that IRS rate.

The fact is that they may have better practices be more discriminate as it relates to the manner in which these credit cards are doled out. It is like giving someone a quick fix. It is like getting them entrapped on drugs.

One of the most incredible drugs, the addictive propensities which are incredible, is crack. Do you know I have been told that some youngsters are induced to take that first drug that first time and the drug is given to them or given to them for a $1 or $2; addictive propensities are such that thereafter there was a tremendous crash.

Let me suggest to you that is the same kind of manipulation that has taken place all too often, that youngsters who have no jobs and people who do not have the ability to make a reasonable opportunity to pay back are given this addictive drug. And for someone to suggest that is good for the economy for people who should not be induced to go out and run up charges at 20 percent interest—and why? Because the 50 and 60 million hardworking middle-class Americans who do pay are going to pick up the expenses because the charges are so high.

That is wrong. Why should they be paying an extra $10 billion in charging this interest. By the way, the total interest is well over $20 billion. But $10 billion. Then we have $7.5 to $10 billion that would be working, middle-class families' money that they could keep. They could either save it, spend it, buy goods and services.

This is also going to create jobs. We often hear that a billion dollars in the economy produces anywhere—depending upon if it is defense or other oriented—anywhere from 30,000 to 50,000 jobs. If you have $7 billion—take the low figure—$7 billion at 30,000 jobs, we are talking about a lot of man-years, a lot of jobs that are going to be created if we want to get out of an economic recession.

Then we hear this gibberish that comes from some economist in the Treasury Department that somehow

the higher interest rates are good. I cannot believe it. I was at lunch with the President. I think I was. He said banks ought to lower their interest rates. Now what is this? Do you mean when the President said you ought to lower your interest rates, that is good; when Congress then comes and puts on a floating cap, that is bad?

If the President recognized the interest rates were too high, how is it, now that we have adopted this, that somehow we are doing a disservice? Why is that? Who is talking politics and who is talking about what is right?

So Citicorp, you cannot make a profit any other way, you are running this into the ground, you are loaning millions of dollars to crooks and despots throughout the country. The American taxpayers had to bail you out. Now, when we say, hey, knock it off, we become the villians and you send thousands of these pieces of garbage over here. The guys says, send them to your Senators. Same letter. And I will go upstairs in my room and I will have another pile, 300 more coming over the fax machine, the same thing. And this is supposed to convince us.

Then they call every stockbroker who scrutinizes these things and say "You know what? You are going to lose your piece of action. We will not be able to do this." So they call up and say "Alfonse, what are you doing? What are you doing?"

Stand up at some point in time for the people of this country. Give them a break. Do not continue business as usual.

What do I think is going to take place? Well, I have to tell you. It will be interesting to see whether or not this system is going to stand up and do what is right.

I am not suggesting this because of the pride of authorship. I know the Senator from North Dakota was a cosponsor and worked on this legislation with me. He is not going to say it has to be exactly this bill. But do not come and give the people a piece of baloney with a study. Do not say we are going to study this, we are going look at this, we are to see. And do not let these people who say, "Oh, we don't want to regulate capital"—what do you think has been going on here? They regulated it. They kept it controlled.

It is not a free market. My uncle Louie could do better at pretending that was a free market. He would have changed a couple of decimal points. He would have made one 18.89.

They have numbers like the "4" that says if you have preferred credit we are going to do something, we are going to give you a little lower rate.

I thank my colleague and my friend for being strong and supportive. It is going to be a real test of all of the institutions, the institutions of Government. And, sure, this may be a popular measure, but you know that does not mean it is any less right to say that we should not permit usury, because that is exactly what this is. This is usury.

Mr. CONRAD. I thank my colleague.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama [Mr. SHELBY] is recognized.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. SHELBY. Mr. President, I rise today to join the chorus of voices in this body calling for fairness in the process by which our Nation's long-term unemployed receive extended benefits.

This unemployment measure, unlike its predecessors, does not meet the shortterm needs of those individuals it is designed to help. It does not meet these needs because an arbitrary set of requirements were introduced as the criteria for receiving additional benefits. Some States, like my own State of Alabama, faired much better, under the previous set of criteria. Individuals in other States will receive additional extended benefits under the plan before us today. Certain States that have identical unemployment rates receive different rates of extended benefits. Individuals in 18 States that do not meet certain criteria receive no reachback provisions. None of this is fair or makes any sense.

We are presented with a bill based on criteria such as the adjusted rate of insured unemployment, the exhaustion rate, the rate of total unemployment, rounding, and reachback.

How am I going to explain to my constituents in Alabama that under this plan they will only receive an additional 6 weeks of unemployment benefits, instead of the 13 weeks that they would have received under passed legislation, because the exhaustion rate in Alabama was not high enough?

How am I going to explain to my constituents in Alabama that the adjusted rate of insured unemployment was not high enough?

How am I going to explain to my fellow Alabamians that they are only going to receive 6 weeks of unemployment compensation because the requirements for 13 weeks of additional unemployment benefits are different than the requirements for 20 weeks of additional benefits?

How am I going to explain to my constituents that even though the unemployment rate in Alabama is higher than in New York, they only receive 6 weeks of additional benefits, while New Yorkers receive 20 weeks?

How am I going to explain to the people of Alabama that they will only receive 6 weeks of additional benefits when their neighbors in Georgia and Florida, receive 13 weeks of extended benefits and their neighbors in Mississippi receive 20 weeks of additional benefits?

Mr. President, the simple fact is that I am not going to be able to convince, and I would not try to convince, the people of my State Alabama that this is a fair process before us. And it is not a fair process.

Now is the time we must make an extra effort to help individuals and families who have become the victims of this dismal economic climate. Extending unemployment benefits may make the difference between having food on the table or not, paying the rent or mortgage on time or not, putting gas in the car or not. For a family struggling to make ends meet, the extension of unemployment benefits may be the one thing that enables them to stay above the poverty line.

Mr. President, we will not be able to assist these victims unless we change the formula by which these standards have been arrived at. Let us make this a fair process.

Mr. President, we will not be able to assist these victims in my State and others unless we change the formula by which these standards have been arrived. I hope during this debate today we are going to be able to change this equation. We need to make this a fair process.

Several Senators addressed the Chair.

Mr. SHELBY. I will be glad to yield to the Senator from Alabama.

Mr. HEFLIN. I want to ask a question of the distinguished Senator from Alabama. The bills we passed before provided in each instance, in two instances, for 13 weeks of additional benefits for Alabama. Then this bill comes down and provides only 6 weeks.

Mr. SHELBY. That is exactly right.

Mr. HEFLIN. When the White House got involved in this, and they came up with this agreement, it changed the 13 weeks of benefits that we previously had in the two other proposals to only 6 weeks. Is there any real reason why that should have occurred?

Mr. SHELBY. I believe, if the Senator will let me answer, I believe that people have been tinkering with the formula. We passed this and we had 13 weeks. A lot of us were led to believe this was a fair formula that we have. But once you examine it, you see the discrimination. And it certainly discriminates against my State and yours, and a lot of others.

This measure is not fair. We have to change it.

Mr. HEFLIN. I thank the distinguished Senator from Alabama.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. LAUTENBERG] is recognized.

ABORTION RIGHTS IN THE MILITARY

Mr. LAUTENBERG. Mr. President, I rise to report on an injustice that was

done last night to American service women and military dependents living overseas. What we saw was a sorry exhibit of unconcern about women's rights if they are in the military.

We have seen the most callous disregard of rights provided by law for those who have volunteered—because that is the only way they get into the service now—for those who have volunteered to serve their country, serve it overseas, as well as those military family dependents who are with them.

The Defense appropriations conferees voted last night to drop a provision that would have overturned a 1988 Department of Defense directive that prevents servicewomen and military dependents from receiving privately financed abortions in overseas military medical facilities. This action was taken at the behest of the President and was an enormous disservice to our servicewomen and military dependents.

By the way, there are 65,000 women serving abroad and 400,000 dependents. Last night, they were told that they are not able to have the same services available to them as those service people who are here stateside or any other citizen of this country.

I have heard a lot of comments about this so-called military abortion provision. This issue here is not the legality of abortion. Roe versus Wade is the law of the land. The issue here is whether or not a servicewoman who is stationed overseas leaves her constitutional rights at the U.S. border when she is shipped overseas to defend our country.

It does not matter whether it is the Persian Gulf or Europe or Japan or any other theater in which we operate.

In countries like the Philippines, Panama, and Saudi Arabia, abortion is not permitted. A servicewoman who seeks to terminate a pregnancy in those countries must either try to obtain an unsafe, back alley abortion or travel all the way back to the United States or some other country to receive these health services.

Mr. President, the only way that this individual can get a flight back to the United States, or to another country, is an on-available-seat basis. So that means that a woman who may be in the first trimester who wants to rid herself of a pregnancy may be forced to wait into the second trimester, or from the second trimester into the third trimester, at which point the law changes. It is terribly unfair.

What happens if this is a child of a military family who may want to have a mother or a father accompany her? Or what happens if there is a complication?

Mr. President, what we have seen is the military gets involved in abortions if there is a botched abortion in a back alley someplace. Then the military hospital takes over and provides the care. So that really involves the Government in the abortion process.

Mr. President, during the conference, no conferee chose to defend the Department of Defense policy. That is because it is indefensible and was arbitrarily changed in 1988 without any direction from Congress or warning to the public. The only objection to this provision in conference was that the President was threatening to veto the entire Defense appropriations bill over this provision.

Let me repeat, the President stated that he would block expenditures designed to ensure our national security over a provision that would allow servicewomen to exercise their constitutional rights overseas; that he would, in fact, veto a bill appropriating $300 billion—necessary to pay service people's wages, to provide the equipment that they need, to provide the food, to provide the medical care—he would veto that bill over the question of whether or not a servicewoman or dependent is entitled, at their own expense, to have an abortion in a safe, clean, and effective medical facility. This is not typical Bush administration government by veto, this is government by threat of veto.

The current DOD policy either forces servicewomen to obtain unsafe, back alley abortions or forces them to take leave and try to get space available to travel back to the United States or some other country to exercise their U.S. constitutional rights. If it were not for this arbitrary DOD directive, servicewomen and military dependents could receive privately funded—again, they pay for it—reproductive health care at safe, accessible U.S. military medical facilities overseas.

But in order to receive safe reproductive health care, servicewomen must wait and try to travel all the way back to the United States, even though it is available right on the base. This is disgraceful. Can you imagine if DOD policy forced servicemen with prostate cancer or another health problem to take leave and try to get a space available to travel back to the United States to receive appropriate medical care even though it was available right on the base? What a cry we would hear throughout the country.

The U.S. military initially built U.S. medical facilities on our overseas bases because our service members are often stationed in countries where safe health care is not available. However, because of the 1988 directive, servicemen can receive all types of medical care at these facilities but servicewomen cannot.

Mr. President, this is a disturbing turn of events. This body passed the DOD appropriations bill by an overwhelming margin. The House had this provision in its authorization bill. The Senator from Colorado [Mr. WIRTH] had a cloture vote on this floor that obtained 58 votes, two short of cloture; but 58 votes, a significant majority, to correct this policy.

Mr. President, it is disturbing, but I speak for myself, and I know that I also speak for Senator WIRTH, when I say we are going to continue to work hard to overturn this directive to restore the rights of the woman who serve us so valiantly, wherever asked, once they enlist, to make sure that they have at least the same rights available as any other citizen in this country.

THE HIGHWAY BILL

Mr. BAUCUS. Mr. President, I would like the Senate to stand back for a moment and ask itself why we are here today; why we have not yet passed the unemployment compensation benefits extension?

When we ask ourselves that question, the answer is fairly clear; namely, that there are some inequities in the provision before us. The Senator from North Dakota, the Senator from Alabama, the Senators from Louisiana have all spent a good amount of time on the floor trying to correct those inequities, trying to correct those deficiencies because their States were unfairly provided for when the agreement was put together by certain people, most of them not Senators, most of whom were Members of the other body, a select few and with the administration involved.

That is why we are here. We are trying to correct a problem, the problem being that when the extension of unemployment compensation benefits package came back to the Senate, it took care of some States disproportionately. There was not an equal distribution around the country. To put it candidly and frankly, those who were in the room, in on the agreement, took care of themselves to some degree, and to a large degree, those who were not, were left out.

That is why we are here today. I very strongly commend the Senators who are protecting their States because they were not in on the agreement. They are not asking for more than their fair share. They do not want to take advantage of other States. They just do not want to be taken advantage of themselves. I commend them for their efforts and standing up for their people.

Why do I say all this? I say all this because I want the Senate to also be aware of another similar development that may put us in this same position, and I hope we can avoid it. What is it? It is the highway bill. The highway bill is now in conference. The Senate passed its highway bill; the House passed its highway bill. The Senate-passed highway bill, by a very large margin, recognized a very important principle.

What is that principle? The principle is that States should receive Federal highway dollars to a large degree, and there are a lot of components in the

formula, but to a large degree depending upon the level of that State's financial contribution itself to the highway program. The principle being, those States that contribute more of their taxpayers' dollars to the Federal highway program should also, because they contribute their share, receive more Federal dollars to the Federal highway program for Federal highway construction and maintenance in their State.

It is a revision that was offered by and large by the chairman of the Appropriations Committee, Senator BYRD from West Virginia, and it passed this body by a vote of 89 to 9. It is very important, Mr. President, particularly to sparsely populated States, particularly States in the West. The national level of effort average per capita is about $130 per person. That is, if you look around the country and determine what each State contributes to the Federal highway program, on average it is about $130 per person that the people in those States contribute to the Federal highway program.

In the State of Montana, my State, we contribute about $300 per person. The same is true in other sparsely populated States. That is, the sparsely populated States contribute a lot, more than the national average, of their own dollars that they raise in those States than do the urban States.

Highways are critical to our States. They are more critical to our States than even to the most urban States because it is the only form of transportation. We do not have any rail transportation, no passenger rail transportation in the Western States to speak of. Oh, a little bit. It is minuscule. It is nothing. We have some air service, but with deregulation of airlines that, too, is spotty and mixed. We are a highway State, as are most Western States.

So I very much hope that the conferees continue to respect the Senate position which passed the Senator BYRD level-of-effort provision by a vote of 89 to 9. I very much hope the conferees respect that position.

I also am speaking because there is a proposal that has been floating around in the last day—I just came across it several hours ago—a proposal to virtually emasculate the level-of-effort provision and replace it with a formula which essentially provides that States get Federal dollars in proportion to the miles of highways that they devoted to the Federal system before the interstate highway system was enacted. That obviously benefits Eastern States, the States that were more highly developed prior to the passage of the Federal highway system back in the fifties and it obviously discriminates against those States that were developed later into Western States and certainly against those States that did not contribute as many miles at the time.

That is a formula, Mr. President, which is irrelevant to the 1990's, totally irrelevant because we want a national Federal highway system, one that binds our country together, one that reflects the realities of the present, not some crazy formula based upon something that occurred 40 years ago, but the present.

So I urge the conferees, when they bring back the Federal highway conference report to this body and ask this body to ratify that report, that they bring back a conference report that is one that is fair to all States, one that is proportionately fair to Eastern urban States as well as to Western rural States. We in the West are not asking for more than our fair share. We are just asking that we not be discriminated against. And just as the Senators from Alabama, Louisiana, North Dakota, and others are standing here on the floor today in very direct opposition to the extension of unemployment compensation benefits because the formula was put together in a room that discriminated against them, western Senators and Senators from rural States will also be on the floor in very strong opposition to the conference report if it, in effect, helps certain urban States and discrimination against rural States.

I very much hope that we do not find ourselves in that position again Because just as it is happening now, Senators are protecting their States because they are discriminated against, it will happen again. Senators will stand on the floor and protect their States because they are discriminated against unless we get a conference report that is fair. I have the utmost confidence in our conferees that they will only bring back a conference report that does that, but is fair.

I urge Senators to be looking at what is happening, to look at those formulas and, if they are upset with those formulas, to tell our conferees, tell the House conferees as well, so we can come back and adopt a conference report expeditiously and not go through all the rancor that otherwise we will go through. I thank the President for recognizing me at this point. I yield the floor.

NEED TO ACT ON THE TRANSPORTATION BILL

Mr. DIXON. Mr. President, I have several letters here with me. All of them urge Congress to act quickly on a transportation bill. I have one letter from a Mr. Ray Morrissey, who is concerned that failure to pass a transportation funding bill will jeopardize the ability to complete major expressway reconstruction projects now underway in the Chicago area, making already bad traffic congestion much worse. I have another, from Donna Foy, the executive director of the Carbondale Business Development Corp., that states that the economic survival of southwestern Illinois depends heavily on the money provided in this bill. I have another, from Roger L. Yarbrough of Urbana, that talks about the impending employee layoffs in this community if this bill does not pass soon.

I think the people clearly know what they need. They know our highways and transit systems need repair. They know we are in a recession. They know we need Federal action to help stimulate the economy. In short, they know we need to enact a transportation bill that improves our infrastructure and provides jobs—and we need to do it now.

Unfortunately, I cannot yet tell my constituents when we will have a final bill to send to the President for his signature. We are less than 2 weeks away from the scheduled end of this session of Congress, and yet there is still no final bill in sight. Meanwhile, the recession is continuing, States are running out of highway and transit funds, and our people are suffering.

I think we need to listen to our constituents. I think that it is imperative that we act quickly to demonstrate to them that we know how important this bill is:

For our infrastructure, which desperately needs repairs and improvements; and

For our economy, which badly needs the boost.

We need to act to let our constituents know that we want to provide jobs, and make no mistake, this $100 billion-plus Transportation bill, in addition to being a highway and transit building program, is a critical jobs program and an antirecessionary bill.

The bill provides for over $120 to $150 billion in highway and transit projects—that means road construction projects like the $450 million reconstruction of the Kennedy Expressway project in Chicago and the $123 million rehabilitation of the Clark Street Bridge in the East St. Louis area. This translates into hundreds of thousands of jobs—jobs for contractors, jobs for suppliers, jobs for support services, jobs for the ordinary person. I would like to point out these jobs are well-paying jobs, the kind of jobs that can support a family.

My constituents know what they need, people all over the country know what they need, but we are not providing it. We are debating over a bill that is critical to our infrastructure and critical to our economy. Debate is good and necessary, but the time for debate is ending. Now is the time for action.

The current surface transportation law expired on October 1. It is now already November 15, 46 days into the new fiscal year. The States cannot tolerate these kinds of delays, the public cannot tolerate these kinds of delays.

The public does not understand why we do not yet have an agreement, and frankly, Mr. President, neither do I.

Congress is criticized for failing to make decisions. If we cannot get an agreement on this bill soon, it will be a textbook case of everything that the public thinks is wrong with our Government.

I implore the Transportation conferees and the administration to reach an agreement—now. I entreat them to meet around the clock if necessary to reach an agreement. It is time for Congress to act. This legislation is supposed to be a top priority for both Congress and the White House. It is time to act like it. It is time to resolve the issues that remain to be resolved. It is time to pass a final version of the bill and to get it signed into law. It is time to work with the sense of urgency that this situation demands.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. BRADLEY] is recognized.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. BRADLEY. Mr. President, retail sales fell in October. The number of people applying for new unemployment benefits rose to its highest level since May. Automobile sales are slumping, companies are laying off workers. Two nights ago at a fund raiser in St. Louis, MO, the President of the United States said once again that there is no recession.

Franklin Roosevelt once said, "Better the occasional faults of a Government living in the spirit of charity than the consistent omissions of a Government frozen in the ice of its own indifference."

Mr. President, the administration's approach to the financial problems of real Americans shows no signs of melting the ice. That is why we have this unemployment compromise before us, because the President of the United States said that this is the only approach that he will accept.

In Washington, complex formulas and brinksmanship with unemployment benefits put together by a small group of people may look like smart politics. We have been told time and again this morning that this is the only bill the president will sign, and if it is changed he will again veto it. No doubt that the veto will be upheld by the same people complaining now about the formulas. The President will once again be able to claim a political victory—smart politics in Washington.

In the rest of the country people are having trouble paying their bills, finding jobs—millions of people. Millions more are worried about losing their jobs, paying for health insurance, and they do not think that things are going to get a lot better. They are not interested in winners and losers, the inside games. They want us to do something. They see an administration frozen in the ice of its own indifference on unemployment benefits, on health care, on education, on moving the country ahead. And they are right. This is not the Senate's bill. This is not the legislation for which we twice have voted. This is the President's bill advanced by an administration consistently more interested in scoring political points than addressing national problems. And he will win and proclaim a great victory on this bill. But I hope that everyone in this country who does not feel as if they are winning right now will remember whose win this is.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANFORD). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I commend the leadership and the Senators who are working hard to improve this legislation and work out a fair compromise.

At long last, we are close to a final agreement on providing extended unemployment benefits to hundreds of thousands of working men and women who desperately need help. Most important, the agreement preserves the essential benefits of our previous bills that President Bush refused to sign, and it includes a satisfactory compromise to offset the revenue cost involved.

The agreement provides up to 20 weeks of benefits for States like Massachusetts, which have been hit hardest by the continuing recession and where the need for benefits is greatest. The legislation also reaches back to provide extended benefits to workers in Massachusetts and other States where benefits have already run out.

In addition, other injustices in the earlier bills have been corrected. I am particularly pleased that this bill includes railroad workers. They were unfairly left out of the previous two bills. This issue has concerned many of us for many months, especially Senator METZENBAUM, Senator EXON, Senator WELLSTONE, and Senator CONRAD. I commend the efforts made by Senator BENTSEN and the majority leader to provide equal treatment for these workers. Sometimes, as railroad workers well know, a squeaky wheel does get oiled. A gross injustice has now been remedied. For thousands of unemployed railroad workers across the country, this legislation means a ray of hope at Thanksgiving.

In many other ways, this legislation will help ease the pain of the recession and years of economic stagnation. It is the minimum that we should be doing for working Americans in the face of the troubles they are enduring through no fault of their own. In addition to providing overdue financial assistance, these benefits will put immediate spending power back into the economy—over $400 million in Massachusetts alone during the next year.

This new stimulus will be helpful in fighting the recession and reviving the economy, but it is far from sufficient to achieve our goal. Make no mistake, the recession is not over. People are still hurting. Small businesses cannot get the credit they need to survive, let alone grow and create jobs.

Contrary to the rosy scenarios that continue to emanate from the White House, the economy is not recovering, and Government must do more. The administration is hamstrung by its ideology. Laissez faire is not an acceptable policy when the economy is faring badly. When the economy is heading for a plane crash, you cannot leave it on automatic pilot. We need economic leadership from the White House. The American people cannot live by foreign policy alone. Waiting for George is more frustrating than waiting for Godot.

With this legislation, we are reducing the human costs of the recession. But we are not taking adequate steps to restore prosperity.

Yesterday, it was announced that new weekly claims for unemployment insurance hit their highest level in 6 months. The Nation is not creating jobs. Companies continue to lay off workers.

Retail sales declined in October, because hard-pressed consumers do not have money to spend. Underscoring this point, in early November, sales of American-made cars and trucks fell by 14 percent, compared to the same period last year.

All you have to do is pick up the morning newspaper and read the advertisements, with their tone of panic and desperation, as department stores offer bigger and bigger sales, begging their customers to come back.

According to a Wall Street analyst, these new economic data represent a "nightmare on Main Street." Even Wall Street now recognizes the problem. Why is the administration so out of touch?

This economy is sinking into deeper and deeper trouble for two reasons—Ronald Reagan's economics and George Bush's neglect—and it is time for Congress and the White House to stop pretending that everything is going to be all right. That is what Herbert Hoover said in the early 1930's, and the Nation turned to Franklin Roosevelt.

In Congress, many of us have recognized this problem for some time. We have been calling for immediate action to turn this economy around and do

what it takes to revive our economic strength.

Perhaps this legislation marks a turning point, and Congress will be able to work with the administration to address the Nation's other serious unmet needs, including tax relief for working Americans and the forgotten middle class, health care, and education. But most of all we need a comprehensive economic plan to stop the recession now—no ifs, ands, or buts.

The American people do not need sound bites, photo opportunities, campaign tactics, and public relations—they need action to restore the vitality of our economy, action that will put this country back on the right track. Families cannot feed their children on sound bites and cheerleading from the White House. They cannot cash a photo opportunity at the bank. They cannot buy a car or pay the mortgage without a job.

For the good of the nation, we all need to work together to develop the long-term measures that will revitalize our economy and our country. And the time to start is now.

The passage of this legislation is important in its own right, because unemployed workers need this immediate assistance. But its larger significance may well be as a down-payment on a brighter future, a sign that other urgently needed measures are on the way, and that America is finally moving onto the right path.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DODD. Mr. President, parliamentary inquiry. What is the business before the Senate?

The PRESIDING OFFICER. The Senate is considering unemployment compensation business.

Mr. DODD. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senator may have that privilege.

SENATE ACTION AND THE STOCK MARKET DECLINE

Mr. DODD. Mr. President, I do not have the exact number in front of me at this point, but I have just watched the news that the market today closed in excess of 100 points down in the last hour, raising some legitimate concerns about whether or not we may be looking at a similar situation we saw several years ago when the market declined substantially on a Friday, only to fall more precipitously on the following Monday.

We are getting already, you might imagine, instant analysis as to the rationale for that particular decline. I do not think anything emerged that would give an absolute certainty as to what the rationale for it is. Some have suggested that legislation that was adopted on the floor of the U.S. Senate yesterday regarding credit card interest rates, lowering that to a maximum I think of 14 percent, may have caused some of this problem.

I know my colleague from New York, and others who sponsored that legislation, feel very passionately about it and are concerned about the cost of credit card rates to consumers.

I should say I, along with I think about 79 other Members of this body, supported that amendment yesterday. I would say as one Member of this body and one member of the Banking Committee, if in fact we are able to complete action on the banking reform bill at some time next week, that I would hope that we would be able to modify that particular proposal to reflect some very legitimate concerns that have been raised about the impact of the legislation.

Certainly lowering interest rates for consumers has an appealing ring to it. I certainly found it appealing. There may be other implications, however, that we may have to take into consideration that could have a negative impact on the overall economy of the country.

I am told here, now, reading from the Associated Press, the stock market is tumbling in the closing minutes of trading Friday. The Dow Jones average of 30 industrials dropped 104.21 points by 3:49 p.m.

I tell you, Mr. President, I watched the close at 4, and actually that number is higher than 104. I think more in the 120 range was the actual closing number.

At any rate I at least suggest for my part that we will have to take a very close look at the credit card legislation and try and ease the concerns of those who may be wondering over the weekend whether or not that particular proposal is going to stand, as we hopefully go to conference with our House Members dealing with the banking legislation.

Let me also suggest that some other action is taking place here in the Senate in the last 24 hours that I hope would be a source of some encouragement to those who invest in the market who are wondering whether or not the Congress is listening at all to the economic concerns being raised across the country.

I was pleased to join with Senators DANFORTH and BAUCUS in the last 24 hours in our efforts to seek the signatures of our colleagues on a letter that we have submitted to both the majority leader and the minority leader asking for the possible consideration of a tax measure that would extend 12 credits, tax credits that have been in place in some cases for decades, that have proved invaluable in terms of economic growth in this country.

I report that without a great deal of time, because it was only during several recorded votes here we were able, actually, to solicit the support of our colleagues, and I note the Presiding Officer was one of those Members I was able to talk to about this matter, and he joined with 65 others of us in a letter to the majority and minority leaders asking that these extensions of these credits be raised before we leave, before we adjourn this session of the Congress, so that on December 31, these credits would not expire under the Internal Revenue Code as they will if we do not extend them.

I will enumerate. These credits include the employer-provided education assistance credit, group legal services, health insurance deduction for the self-employed, mortgage revenue bonds and mortgage credit certificates, qualified small issue manufacturing bonds, foreign allocation for research and development, research and experimentation tax credits, low-income housing tax credit, targeted jobs tax credit, the business energy tax credit for solar and geothermal property, orphan drug tax credit, and minimum tax exception for gifts of appreciated tangible property.

Those are the 12 credits, Mr. President, that are in place now that have proved to be tremendously helpful in the past.

As I pointed out a moment ago, several of them have actually been a part of the Internal Revenue Code for decades. These would all expire on December 31, if we do not take some action in the next several weeks to allow—at least we would hope—a 1-year extension with the thought in mind that at some point next year a tax bill may come before the Congress, in which case we could address these issues and consider, in some cases, a permanent tax credit or a tax credit of some limited duration.

An extension of these credits I believe, Mr. President, is absolutely vital to our efforts to not only protect jobs in this country, but far more importantly, to stimulate our economy and encourage investment in our industries in this Nation. Families and businesses hard hit by the pressures of this recession certainly are looking to us and to the President to try and come up with some specific answers that will not just come up with an unemployment insurance bill to take care of people who have lost their jobs; what they really want to know is what are we going to do to make it possible for people to go back to work so that the issue of extended unemployment benefits does not become the issue, but rather how do you put people to work. No greater social program was ever created in the

mind of man than a job. It is the best social program that one ever was able to manufacture or create.

Our hope is that with some of these credits being extended beyond December 31, we will be able to stimulate some economic activity in this country.

Mr. President, why is the legislation important? Obviously, passage of a bill to extend these credits, as I mentioned, that have been a problem for some time, would send, I think, a very strong message to our markets and to investors, not to mention to the industry and working families, that we are serious about doing our part to get the economy moving.

More importantly, Mr. President, we cannot afford to let lapse incentives for growth, construction, research and development, job creation, and educational opportunities in the middle of a recession. In some parts of our country, as we have heard explained eloquently over the last 2 days, talking about unemployment insurance, our economy has been particularly devastated. These tax credits have already proven to be an effective incentive for growth and investment. To let these credits lapse, obviously, would be a great disservice to business and to the families who depend upon jobs for economic solvency.

Mr. President, there are consequences of not acting on this measure before the end of the year. Let me enumerate, if I could, a couple of them. We will fail to encourage much needed research and development activities that stimulate growth and help make us competitive. It is estimated that an extension of this credit would increase spending on research and development by $25.7 billion over the next 4 years.

That is how effective that particular credit has been. And at a time when we need to encourage businesses to innovate, to be more creative, more imaginative, to try new ideas, it seems to me to take away the tax credit that makes it possible for these industries to invest in these more innovative approaches would be the worst possible message we could be sending. So this tax credit should be extended, in my view, as 1 of the 12.

Second, we will abandon our effort to encourage the construction of low-income housing. The homebuilders of this country estimate that the credit would preserve some 620,000 units of housing in the next decade and encourage the production of 640,000 new low-income rental units over that same period of time.

This credit, Mr. President, it is estimated, now that it has been in place for some time, creates 100,000 jobs a year in the homebuilding industry. Again, I presume that if we do have a tax bill next year, that people will want to extend this tax credit. But to allow it to lapse for a year at a time when we find millions of people out of work seems to me the wrong signal, the wrong message. To extend this credit, to try and at least see that there are an additional 100,000 jobs out there in that industry I think would be extremely worthwhile.

Third, Mr. President, companies, of course, would have to stop paying for their employees to pursue further educational opportunities. One of the very important tax credits in this package of 12 is the incentive for employers to invest in the education of their employees. Some might say, let the employees pay for it themselves.

I point out to my colleagues that 71 percent of all of the people who have been advantaged by this educational tax credit have family incomes of less than $30,000 a year. These people will not be able to take advantage of higher educational opportunities to improve their skills, to give them the kind of training that they should have to meet the more demanding jobs of the coming years if we do not provide this particular, or continue this particular credit in existence.

So for these reasons, Mr. President—I have only cited 3 out of the 12; the others, I think, are fairly self-explanatory. But the research and development, the low-income housing, the educational credits—I think every single Member of this Chamber, without exception would want to be on record supporting the extension of these particular credits, particularly at this moment.

Obviously, there is the danger that if you bring a tax bill to the floor—and obviously, one has to originate in the House—but certainly the chairman of the Ways and Means Committee and the members of that committee and the leadership are going to ask a very obvious question: If we bring up this package which everyone agrees to, do we not run the risk of turning this into a Christman tree in the waning hours and days of this particular session, and find a lot of ideas that may not be so good attached to a bill where there are proposals that everyone would like to support?

That is a very legitimate question. Hence, the letter that we have sent to the majority leader and the Republican leader, signed by 66 Members of this body, says that we are willing to forego any other tax provision, as tempting as it may be, and we would oppose any other provision that would be attached to these 12 extensions if you bring this bill to the floor of the Senate, if it would be originated in the House.

The House, of course, under their rules can design a package which would prohibit any amendments to it. We do not have that system in the Senate, of course, where amendments can be offered to any particular proposal that comes forward in the absence of a unanimous-consent agreement or the ability to defeat those amendments. Sixty-six of us have said we are willing to reject those amendments if, in fact, you will bring up a tax bill that will provide for the extension of these 12 credits.

So we would hope that the leadership might consult with the leadership of the other body, Mr. President, to consider over the weekend or possibly the early part of next week whether such a proposal as this could be brought forward before adjournment occurs.

In light of the news this afternoon about the drop, the significant drop in the Dow Jones average, it seems to me that we need to send an important signal that we are concerned about economic incentives; we are concerned about economic growth and expansion. These particular credits, I think, could provide that kind of a signal. And a clear message from this body, a clear message from other Members to those markets, to those investors, that this is something we think is important and would like to accomplish before our adjournment, I think would help in that regard.

I would point out the obvious other question is, how do you pay for this? There are about 17 different ideas that are already being explored as a way of providing the revenues for these extensions. We believe that that is not a terribly difficult question to answer. Senator DANFORTH, who serves on the Senate Finance Committee, along with, Senator BAUCUS, have been working with members of the committee, the chairman of the committee, and others, to come up with a revenue offset for the extension of these tax credits.

So I hope that we will get to this, and I will close on the note that I opened with, Mr. President. I would also, at least speaking for my own part—I cannot obviously speak for the Banking Committee or members of the Banking Committee. But if, in fact, our action regarding credit cards has contributed in any significant way, which I think is worth exploring, then we will have to take a look at that proposal. And if modifications are required, then I for one would certainly be willing to consider modifications to that proposal if, in fact, it will ease the concerns of those who make the investments in our markets, to try and restore some confidence over the weekend so that come Monday, we will see the market regain the losses that it suffered today, and be put more on a stable and steady track.

Mr. President, I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, before I get on the topic that I am to speak on and that I know also is of interest to Senator DODD, I just want to commend him of his leadership.

Take an item like low-income housing tax credit. In the city of Chicago,

69 percent of the people who live below the poverty line are spending more than 50 percent of their income for housing. That is just an astronomical figures. And this low-income housing tax credit builds about 1,700 units a year in Chicago. That is not a lot of units. But it is sure better than nothing for a community that is desperate for that housing.

So I commend my colleague for his leadership on this, as he has shown leadership on so many things.

EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991

The Senate continued with the consideration of the bill.

Mr. SIMON. Mr. President, I am speaking on the one provision that starts on page 46 of the bill that is before us on unemployment compensation. I was startled to learn—and the Presiding Officer, as a former president of Duke University, will be interested to learn this—that part of the way we pay for this is to cut back on guaranteed student loans. The proposal is that for any loan applicant who will be 21 years of age in July of the award year, there will have to be a credit check, for which the applicant will pay $25, and if that credit check is negative, then you are denied the chance for a guaranteed student loan unless you get a cosigner on that student loan.

Now, obviously, the cosigner has to be someone who has a good, established credit rating. Otherwise, the lender is not going to provide that loan. We are talking about people who are struggling to get by. We are talking about people who frequently may have had an experience that is not a good experience in getting credit. For us to come along and say we are going to save money by depriving people of an opportunity to go to college, that is like saving money by building a house and not putting a roof on it.

I do not want to hold up this bill because it is so important that we get help to those who are not receiving unemployment compensation, and I do not know that the full impact of this. It is obvious that no one knows the full impact of it. It is interesting the estimate by CBO is that we will save $15 million the first year. The estimate by OMB is that we will save $850 million the first year. And to save $850 million, my friends, you would have to eliminate one-third of the student loans.

This, obviously, just does not make sense, and I am sure that Senator KENNEDY and Senator PELL and others, Senator KASSENBAUM and Senator DODD, who is on the floor right now, who has been a leader in education, will want to get legislation in right away to correct this because this does not make sense at all.

Let me add, for those who want to then correct a credit rating, Consumers Union has found that mistakes are made in 49 percent of all credit reports. Credit bureau consolidated information services in 1989 looked at 1,500 credit reports and found errors in 42 to 47 percent of the reports. The credit bureau industry has testified that of the 9 million consumers who requested copies of their reports in 1 year, 3 million—one-third—updated and found mistakes in their reports.

Now, let us say that John Smith or Jane Smith finds a mistake in a credit report after going through all of this. First of all, John Smith or Jane Smith may just give up going to college. But to correct a credit report, on the average, means writing, contacting a credit bureau, an average of slightly more than five times, and it takes an average of 6 months to correct a flawed credit report.

I want to help people who are unemployed. We have to do something. It is a national disgrace that only one-third of the unemployed are receiving any kind of unemployment compensation. I do not know if we have had a record that bad since the time unemployment compensation started. But to believe that we can save money for the unemployed by denying an opportunity for people to go to college, that is the most shortsighted kind of policy I can imagine.

I am going to vote for the legislation, but I want to see this thing corrected and corrected quickly. I do not know who is right. CBO says we will save $15 million a year. OMB says we will save $850 million a year. That eliminates one-third of the students who are on the loan programs. I do not know who is right, but I think we may be skirting on something which is very dangerous to the future of this country. We ought to be talking about how we can expand the opportunity for people to go to college, not how we restrict it.

Mr. President, I see my colleague from Alabama on the floor. I yield the floor.

Mr. HEFLIN. Mr. President, I rise again to discuss this unemployment benefit bill that is before us. I have been working off the floor with various people trying to bring about a correction to this bill in regards to reachback and in regards to the number of weeks of benefits that would be paid, particularly in view of the fact that, my State of Alabama, which in all other bills that have been proposed until this compromise bill—so-called compromise bill—was worked out with the White House—was left with only 6 weeks.

They say we have to go ahead and pass this bill and pass it today. We do not know what the House will do. We do not know yet whether the President will sign a changed bill. Well, the bill is provided in a manner where there are offsets and revenues, and, of course, it is coming out of a trust fund.

We are told that we have to go ahead and pass this bill right now, without any change and without really taking care of those States which are being deprived of their just rights. They are arguing that congressional inaction would threaten to deprive benefits or delay benefits to the unemployed workers in the United States, to these victims of this recession, that these people would be without their Thanksgiving turkeys because Congress failed to act.

That argument, first, does not make a lot of sense to me. I do not believe many of these unemployed people are going to be eating turkey regardless of whether or not this bill passes. They will have a Thanksgiving celebration. They will give thanks for being Americans, and they will give thanks for what they have. I do not think it will be turkey. It may be something less. It might be Spam or something else that they are able to buy because unemployment benefits are not nearly to the extent of what wages they would have received if they had been employed.

But, on the other hand, what is so magical about having this bill pass 10 days before Thanksgiving? If the money comes in 2 days late or 1 day late, they still know that it is coming. The major thing is to give them the assurance that they are going to get additional extended benefits, that they will get a fair amount of benefits and that those benefits are on their way. Whether they arrive in their first check on the Wednesday before Thanksgiving I think is really immaterial. That is some sort of political pie in the sky about which the politicians are talking.

We can get a good bill that is fair, that treats the unemployed the way they should be. And if it is signed on Wednesday of next week or Thursday of next week, then they know that the benefits are coming. They are going to know that there has to be paperwork and other things.

So I do not think this magical date of trying to get everything passed today or tomorrow or the next 2 or 3 days is as important as trying to get a fair bill.

I would like to remind my colleagues that this body has twice passed unemployment compensation legislation this year; one was passed months ago, in August. And if it was some magical delivery date at that time, it could have been Labor Day. Labor Day, of course, is a very important day that we celebrate in America for the working men and women of this country. If they had known a few days before Labor Day that they would get extended unemployment benefits, it would have meant something to them as they celebrated Labor Day.

Then we passed a bill in October. Halloween came along. It is not as significant as Labor Day or Thanksgiving. But to me this bill is a trick-or-treat bill. It is tricking a lot of people in a

lot of different States, particularly in my State, who think they are going to get a lot in regards to unemployment compensation benefits but they are really being cut back from the extended benefits from 13 weeks to 6 weeks. Meanwhile, some States are being treated when they have something like a 4.7-percent unemployment rate yet they will receive 20 weeks of benefits. They are still unemployed. They need benefits too. But those States are not in the same situation as my State where we have a 7.4-percent rate of unemployment.

We see that of course this bill comes along and it is called a compromise bill. But, in my opinion, the only reason to call it a compromise bill is because it compromises the ability of many Americans, including Alabamans, to receive the benefits that they need to weather the storm of unemployment. The storms of unemployment are with us now. They are going to be with us in November, and they are going to be with us in December. I hope that we can bring an end to this downward trend of recession, start bottoming out and coming out of it, and moving forward. But we are in a recession.

This bill also, when you think about the Congress passing previous bills months ago while people were suffering a great deal, comes somewhat late, especially for the 20,000 Alabamans in my State who have exhausted their benefits since the end of February. Had the President signed either of the two bills Congress sent to him earlier this year, we would not be worried about getting checks to these people by Thanksgiving.

Congress has not failed with regards to unemployment compensation. We have twice passed by overwhelming votes bills to give extended benefits but they have not been signed. They have not become law because the administration was opposed to them. Now they say they have worked out a compromise. It does not cost as much money. Why does it not cost as much money? The reason is that people in my State who are unemployed are not receiving what they are entitled to receive.

My constituents, in my judgment, are entitled to receive the benefits just as much as people in any other State. They should not be the ones to suffer the consequences of the administration's failure to sign a bill on a previous date. My constituents need a fair bill and a fair benefits formula. They need fair reachback provisions, and they deserve for the President to sign such a bill.

I urge that we go ahead and work out some sort of an agreement on this, pass a reasonable fair bill, and do what is right with regard to this issue. I think the message of such a bill passing the Congress and the President agreeing to sign it will be sufficient in regards to Thanksgiving. I do not think there is anything magic about Thanksgiving though. If it takes to next Wednesday or Thursday to pass the bill and have it signed, if it is a fairer bill than one that is here, I think we will benefit all over the country, particularly in my State.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MITCHELL. Mr. President, I wanted to take this occasion, with the distinguished Republican leader, to report to the Senate on the status of the legislation now pending, the unemployment insurance reform legislation, which is of critical importance and on which we have now been engaged since yesterday.

I have been meeting throughout the day, almost continuously with Senator DOLE, Senator BENTSEN, and a large number of other Senators, all of whom are interested in and concerned about the legislation and, of course, the effects on their States.

We have been attempting to determine if there is some way in which this matter can be resolved that would be acceptable to all or a large majority of Senators, as well as to the House leadership and the administration.

It has been an extremely positive, good faith, informative process for all concerned. As I indicated, for almost the entire working day, Senator DOLE and I have been in almost a continuous meeting with Senator BENTSEN, with others coming in and participating from time to time. It is our hope that we will be able to reach an agreement on which we can proceed this evening.

We are not yet at that point. We hope to be there soon, but some further time will be required. But I am hopeful at this time we will be able to reach such an agreement. If we are able to reach an agreement, it is my intention to continue and to complete action on this legislation this evening.

If we are unable to reach agreement, it is my intention to remain in session and consider the matter under the previous order reached last evening governing the consideration and disposition of this matter.

Therefore, in either event, the Senate will continue this evening in consideration of this matter. It is, of course, unusual to have a session on a Friday evening and possibly on a Saturday, but the importance of the legislation and the critical need throughout the country which it addresses combined to require our continuing in session for that purpose.

During the day, there have been a number of statements made on that and other measures. In the last hour or so, there have been no Senators seeking the opportunity to address the Senate and, therefore, it is my intention to recess the Senate subject to the call of the Chair with the expectation and understanding that the recess will not be a lengthy one and that we are going to return to this matter this evening in any event.

If we reach an agreement, or if we do not reach an agreement, we have to proceed with this bill, one way or the other. And we, therefore, anticipate that votes may occur. We do not know that, but that remains a very real possibility and therefore Senators must be prepared to remain to participate in that further debate and discussion.

I apologize to all Senators for the inconvenience which this causes to them, but we are in the closing days of this session, and as all Senators are aware, when important matters come up and require extensive deliberation from time to time inconvenience must be anticipated.

Mr. President, the distinguished Republican leader was here and had to leave to take an important phone call. Since we discussed this privately just prior to this statement by me, I am confident that he shares the views which I have expressed and would likewise urge his colleagues to remain available for the possibility of further Senate activity on this matter this evening.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 5:20 p.m. recessed subject to the call of the Chair; whereupon, the Senate reassembled at 5:34 p.m. when called to order by the Presiding Officer [Mr. FORD].

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

Mr. GORTON. Mr. President, I am concerned that the recent extension of the unemployment insurance benefits, while very helpful to workers who are impacted by the spotted owl decisions, will not be adequate to address their situation, as was the provision in the bill vetoed by the President several weeks ago.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. Mr. President, I agree with my friend from Washington that the extension of unemployment benefits will not sufficiently assist the plight of dislocated timberworkers in Oregon.

The provision in the previous bill that gave special consideration to dis-

located timberworkers was very important to Oregon.

It would have directed valuable resources to provide dislocated timberworkers in Oregon with: First, job counseling; second, job retraining; and third, needs-related assistance.

I recognize that even this assistance will not fully address the timber problem in the Northwest. However, we must assist these dislocated timberworkers who need help now.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, I thank my colleagues and this certainly is an important concern in the States of Oregon and Washington.

I understand the Senator's concerns and I have at this time a letter from the Department of Labor suggesting that it also understands the situation and will give special attention to this situation. It has additional resources available to assist these workers through the Dislocated Worker Adjustment and Assistance Act. Specifically, resources are available under the special Secretary's National Reserve Account which provides additional funds for retraining and other readjustment services. This assurance, in my view, is the functional equivalent of the provision in the earlier bill to which the Senator from Washington refers.

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

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

DEPUTY SECRETARY OF LABOR,
Washington, DC, November 14, 1991.

Hon. ROBERT DOLE,
U.S. Senate,
Washington, DC.

DEAR SENATOR DOLE: We are aware that many of the timber workers who may be displaced as a result of decisions to protect the Spotted Owl will need additional services beyond those immediately available through the recent extension of Unemployment Insurance benefits. The Department recognizes this situation and stands ready to react quickly and give special consideration to any request to provide additional assistance for these workers. Resources are available under the Secretary's National Reserve Account of Title III of JTPA.

Sincerely,

DELBERT L. SPURLOCK, Jr.

Mr. DOLE. Mr. President, I will briefly quote from the letter:

We are aware that many of the timber workers who may be displaced as a result of decisions to protect the Spotted Owl will need additional services beyond those immediately available through the recent extension of Unemployment Insurance benefits. The Department recognizes this situation and stands ready to react quickly and give special consideration to any request to provide additional assistance for these workers.

I think it makes it clear. If further clarification is needed, I understand it can be made available.

Mr. GORTON. I thank the distinguished Republican leader.

Mr. PACKWOOD. And I thank the distinguished leader, also.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DOLE. Mr. President, I move we stand in recess subject to the call of the Chair.

The motion was agreed to, and at 5:37 p.m., the Senate recessed, subject to the call of the Chair.

The Senate reassembled at 5:56 p.m., when called to order by the Presiding Officer [Mr. BINGAMAN].

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. Mr. President, I am pleased to report to Senators that we have reached agreement on the disposition of the unemployment insurance legislation, an agreement that I believe will not only be accepted but highly desirable from the standpoint of most, if not all, Senators.

The agreement is the product of intensive discussion over the past 24 hours between myself, the distinguished Republican leader, Senator BENTSEN, and a number of other Senators. During that time we have remained in close contact by telephone with House leadership on both sides of the aisle, and I believe that we have reached an agreement that will, most of all, be acceptable to the millions of Americans who we all agree need these important benefits.

Under the agreement the Senate will shortly vote on—and I hope and believe pass—the House bill that is now pending before us, that is H.R. 3575, the bill which the Senate has been considering since yesterday. There will then be a unanimous-consent agreement under which the Finance Committee will be discharged from further consideration of a House bill now in that committee, and there will be a substitute amendment to that bill offered by Senators BENTSEN, DOLE, myself, and others, which will provide for the following:

This bill will replace the House bill's three-tier system of 20, 13, and 6 weeks of extended benefits with a two-tier system of 20 and 13 weeks. The nine States with total unemployment rates of at least 9 percent or adjusted insured unemployment rates of a least 5 percent would still receive 20 weeks of extended benefits. The 41 other States would receive 13 weeks of extended benefits.

Compared to the House-passed bill, this will enable 23 additional States to offer 13 weeks of extended benefits rather than 6 weeks. As under the House-passed bill, if a State's economic situation worsens, and its total unemployment rate increased to 9 percent, or its insured unemployment rate increased to 5 percent, it would then move up to the 20-week tier.

The Senate bill will also extend reachback coverage to all States. Under the House-passed bill, 18 States would not have qualified for reachbacks. This amendment will allow unemployed Americans who have exhausted their benefits, regardless of where they live, to qualify for 13 weeks of additional benefits. Reachback for those States in the 20-week tier would continue to be 20 weeks.

The additional cost of this amendment would be offset through, first, excess savings in the House passed bill; and second, moving the bill's expiration date from July 4, 1992, until June 13, 1992.

Mr. President, I believe this to be a very sound and responsible solution to the problem which we have confronted in the past day of debate on this matter. It extends benefits to a large number of Americans who need them, simplifies the system by providing a two-rather than a three-tier system, and provides all States with a minimum of 13 weeks as opposed to the previous minimum of 6 weeks. It is paid for, and the cost is offset by the changing of the bill's expiration date from July 4, 1992, to June 13, 1992.

It is, as I said, the product of numerous discussions. We have moved through several phases in these talks, and all of the participants were acting in good faith and made positive and significant contributions to the discussion. Primary among them were, of course, the distinguished Republican leader, and the distinguished chairman of the Finance Committee, Senator BENTSEN, both of whom have been leaders in this effort for some time.

I am now going to yield to Senator BENTSEN, and then to Senator DOLE. Following those remarks, I am going to propound the unanimous-consent request, to which I earlier referred, which will govern the disposition of the second bill. It is my expectation that there will be a rollcall vote on the pending bill, H.R. 3575. Under this unanimous-consent agreement, there will then be 20 minutes for debate on the second bill, or more specifically the substitute amendment to the second bill, and we hope we can pass that by voice vote. There has been no request for a rollcall vote on that one. We do have a request for a rollcall vote on the first bill.

So Senators should be aware that I will momentarily propound the unanimous-consent request. If approved, that will be followed by a rollcall vote on the first bill. That will then be followed by 20 minutes of debate, and there will be a voice vote on the second bill.

I thank all of my colleagues, especially Senators BENTSEN and DOLE. I yield now to Senator BENTSEN.

Mr. BENTSEN. Mr. President, I think this is really a major breakthrough. Frankly, I am delighted with the outcome and to have watched the majority leader and the minority leader working toward this solution, along with the assistance of others. To get

the kind of cooperation we have had from the chairman of the Ways and Means Committee, and in turn the Speaker of the House, and the minority leader in the House, has been very heartening indeed.

We had people saying here that you would have one State next to another, and one would have reachback and the other would not. Where is the fairness in that? We have resolved that. They are talking about reachback for all States. We are talking about 13 weeks of benefits for all States.

My hope is that this economy will finally begin to improve, and that we will not face this problem when June 13 rolls around and this program finally ends, that we will see the economy well on the road to recovery. If we do not, then we will face up to this problem once again.

But what we have seen here is a very encouraging answer to people that are having a tough time making the mortgage payments and keeping the car and trying to keep food on the table. We will have the checks in the mail before Thanksgiving, in many instances, and that will be a happy Thanksgiving indeed. I congratulate the majority leader and minority leader for an extraordinary job.

Mr. DOLE. Mr. President, let me underscore what has been stated by the majority leader and the distinguished chairman of the Finance Committee. The total cost of these changes is only $95 million. Still, that leaves a surplus of about $28 million in the bill. That was accomplished primarily by terminating the program on June 13, rather than on July 4.

Let me also indicate that this conforms with the President's request, first, to be short-term, and that it be paid for in each year, and that there be no new taxes to finance the program. So we have met those requirements.

We have explained this program to the Director of the Office of Management and Budget, Mr. Darman. He has no objection to the program.

But let me indicate what occurred to me as we went through the day trying to decide whether we ought to have five States, seven States, or eight States; every time you slice somewhere, there was somebody one-tenth of 1 percent below who says, "Why leave me out?" So it occurred that maybe we can just move everybody up into that bracket, and that was done.

Now the following States, instead of receiving 6 weeks, will receive 13: Alabama, Arkansas, Kentucky, South Carolina, Tennessee, Colorado, Delaware, Hawaii, Indiana, Iowa, Louisiana, Minnesota, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Utah, Virginia, Wisconsin, Wyoming, and also the Virgin Islands.

So I hope that people are satisfied with what has come out of a fairly long discussion.

Again, I salute those who raised this on the floor last night. I did not care much for it at the time, but this is the Senate of the United States, and that is what it is for. That is why we have unlimited debate, and that is why we give Senators an opportunity to express their disagreements.

I am not going to suggest that this is the best policy, because in a lot of cases it is very bad policy. We have another one that Senator PACKWOOD and others will look at regarding IUR, TUR, all of these things that ought to be addressed. But this is a temporary program, so it seems to me that we have reached the right conclusion.

The only chance that somebody might be reduced is if they talk too long tonight. We were here until midnight last night. We do not want to hear the debate again. The leaders are prepared to put our statements in the RECORD.

It seems to me that for those who had questions, this has been resolved in their favor. There has been one 6-week period that has not been resolved, and that relates to those who talk at length on this particular measure. Hopefully, we can resolve this and have the vote. A number of Members have conflicts and need to be on their way.

I want to congratulate those who have been working throughout the day, including the officials, the Labor Department, our staffs, and other Senators who have come to visit with me personally, and who I know also visited with the majority leader. We believe this is a good solution, and the leadership is in agreement. We think the chairman of the Ways and Means Committee is in agreement, and we hope they can address this, and the second bill will pass tonight, next week.

Mr. MITCHELL. Mr. President, if I could just say that we have all been in a lot of negotiations; in fact, it seems like that is essentially what those jobs consist of is constant negotiation, but this was one of the more informative, instructive, good faith, and I think productive discussions which we have had.

This final result is a product of ideas contributed by a number of different participants. I think the real genius of this compromise is that it provides a level of benefits that is greater than any legislation that has been so far considered at a time when it is most needed but pays for that by reducing the length of the program.

And so what we all hope, frankly, is that even these benefits will not be needed, that we are going to have a recovering economy and that people who would otherwise qualify and receive these benefits will be getting the jobs that they want and are seeking and that, really, is the ultimate solution.

No one should be under any illusion that we are here solving the problems of the American economy. We are dealing with a very specific problem. I think it is a good and fair compromise solution in the best sense of that word by all concerned.

I would like, Mr. President, if I might, before the Senator makes any remarks, to put the unanimous-consent request.

Mr. DOLE. Mr. President, if I could just make one comment. I think there is one more caveat in all agreements that is important we do. If we sent this second bill or substitute to the House and they load it up with a lot of things that are not paid for, I think there has been sort of a gentleman's agreement of not going to try to embarrass the White House or the President. His rule of thumb is if you pay for it that is fine, if you stay within the guidelines. I think that is the understanding we had. We think we suggested some good things to the House we hope they take the package we send them, but if it should come back without being paid for, a lot of extra bells and whistles, I hope then we will have the same bipartisan cooperation.

Mr. MITCHELL. Mr. President, let me assure the Republican leader that that will be the case, and as he knows, I have already stated to the leadership in the House—I spoke directly to the minority leader, the Speaker, that what we hope is that they will simply pass this legislation without any changes. We think it is a good compromise. We think it improves the product that they sent over to us in the best spirit of both parties on acting on an important problem.

Our effort is exclusively to get this done and get it done for the benefits flowing as soon as possible.

So the distinguished Republican leader has my assurance in that regard should that occur.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, sufficient time having elapsed since notice of this was provided to all Senators, I would like now to ask unanimous consent that immediately upon disposition of H.R. 3575, the Finance Committee be discharged from further consideration of H.R. 1724, a bill to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary; that the Senate proceed to its immediate consideration; that the only amendment in order to the bill be a substitute amendment to be offered by Senators BENTSEN, MITCHELL, DOLE, and others; that no motions to recommit be in order; that there be 20 minutes for debate on the bill, including the substitute amendment; that when all time is used or yielded back, the Senate, without any intervening action or debate, vote on the substitute amendment, proceed to third reading and final passage of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Mr. President, the bill before us violates the Budget Act. At the request of mine, the Congressional Budget Office has examined the measure it reflects $1.2 billion deficit this year, $1.225 billion deficit this year.

My understanding is that a point of order lies for violation of the Budget Act, and you have an opinion by the CBO. By moving away from the bill that is before us, we will move away from the CBO opinion that we have. The amendment itself we do not have an opinion on. My impression is that that it also violates the budget as a matter of fact it expends more money and will have a higher deficit the first year.

Mr. President, it is not my intention to delay the proceedings. I think distinguished majority leader, the distinguished Republican leader have done a great service by putting together a compromise. It is my concern that we violate the budget, that is a concern I will express in the way I vote not in expressing an objection at this point.

But I do want to make one thing clear that I think is appropriate. My understanding is that a point again will lie for a violation of the Budget Act when a conference report comes back. At that point it would be my intention to request CBO to examine it, to see whether or not the conference report violates the budget. If it does, I will make that point of order. If, of course, the House accepts what the Senate has done, which I think our leaders has expressed the hope that they do, I would not have that opportunity.

With that, hopefully, encouragement that the House go along with the Senate's good work, I reserve my objection.

The PRESIDING OFFICER. Is there further objection?

Mr. FORD. Mr. President, reserving the right to object, and I will not object.

Yesterday afternoon, I felt about as bad as I felt in the 17 years that I have been in the U.S. Senate when I had to object to a motion by my good friend and majority leader. Tonight, I feel so much better because at that time when I objected yesterday, we had 83,000 identifiable Kentuckians that were eligible for the extension of the unemployment compensation. It could be 155,000.

I thank my friends, Senator MITCHELL, Senator BENTSEN, Senator DOLE, and all those who have worked so hard from those five small States to every State now in the Nation has been taken care of.

So I do not object, and I thank my friends.

Mr. BREAUX. Mr. President, reserving the right to object, I will not object—only to say that when this bill was in the Senate yesterday, I called it the biggest turkey in Washington. I can only say the turkey has been brought back into the kitchen with much work of many chefs and it is much improved, now brought back to the table so people will be able to enjoy the fruits of Thanksgiving.

I want to say without the leadership of the majority leader and the Republican leader and the chairman of the Finance Committee, this never would have been a possible deal. This train was on track and it was headed very fast. Had it not been stopped in the willingness of the leadership to sit down and really work in a bipartisan spirit to bring to us tonight a package that really will be a very meaningful piece of legislation for literally hundreds of thousands of Americans, I not only do not object, I certainly enthusiastically support the compromise.

Mr. RUDMAN. Mr. President, reserving the right to object, and I will not object, and I will be very brief.

I thank the majority leader, my friend from Maine, Mr. MITCHELL, and the Republican leader, Senator DOLE.

I also express concern to Senators CONRAD, BREAUX, JOHNSTON, ROTH, and certainly Senator BENTSEN.

When this legislation came here last night, it was obvious it was not in any sense what the U.S. Senate tried to do with the kind of situation we were dealing with here as an emergency. If there had been a hurricane in South Carolina or a drought in North Dakota, this Senate generally stands together in the interest of all the people. We did not in this case.

I found it interesting this afternoon a capital newspaper in New Hampshire said New Hampshire was doomed along with four other States because of this legislation. Luckily, we have leadership in the body that pays attention to our needs collectively. I thank our leadership because without the leadership on both sides we could not clear this. I express the appreciation of the people in my State.

Mr. President, if I could also add my colleague, Senator SMITH, has stood tall, as he usually does, 6 foot 6, but particularly tall on this issue, and I thank him.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, reserving the right to object, and I will not object, I just want to point that out that what we are talking about tonight is a matter of fairness, a matter of equity. We are talking about the treatment of men and women who had jobs but lost them due to no fault of their own because they cannot find work. They are heads of households, families with children, who face a bleak Thanksgiving.

So I think we are all appreciative of the fact that by working together—and certainly it was not easy for me to object to the unanimous consent on the compensation originally.

I am indebted to the leadership of Senator DOLE, to Senator MITCHELL, and my chairman for what they have crafted today because I think this ensures equity to all who are so concerned. I thank them.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, reserving the right to object, and I will not object. This does represent a significant victory. Reachback for everyone who has exhausted their benefits is far more fair than what we had when this process started, and I thank the majority leader for his patience, the chairman of the Finance Committee, the Republican leader for helping to work through this problem. I also want to recognize Senator FORD for objecting yesterday and Senator ROTH for objecting last night so we could reach this result.

I yield the floor.

Mr. GRAMM. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I want to thank everybody for working out the compromise. I had not planned to speak, but so many have taken that opportunity that I want to take a moment to thank the President. I want to thank the President for courageously standing up to political attempts to embarrass him, to bust the budget, send interests rates up, send the deficit up, and to put more people out of work.

Tonight, at long last, we have done what we should have done to begin with: We have passed a bill that extends benefits and that pays for it and I rejoice in that and I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, I cannot permit that statement to go without response. I categorically reject the assertion. It is absolutely incorrect and ought not to go unchallenged. We believe the opposite to be true. We have reached a compromise here. No other statement made this evening has been of that caliber, and I just do not want anyone to think that statement represents the sentiment of all Senators. It does not. There is no point in prolonging this. We can debate this afterward. But I, for myself, and I believe for our colleagues, do not share the sentiment expressed.

Mr. President, I would like now, if we could, to get the agreement and then proceed to vote, get the yeas and nays.

Mr. DOMENICI. Mr. Leader, might I just take 30 seconds?

Mr. MITCHELL. Certainly.

Mr. DOMENICI. The Senator from New Mexico is aware of the technical point of order that the Senator from Colorado said he would have made. But the point of it is that if there is going to be any effect, it is what OMB says, and they do not say it would have any.

They say it would not have any budgetary effect. For that reason I did not join him either in the comments or in raising the point of order.

I thank the majority leader.

Mr. MITCHELL. Mr. President I renew my request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays on H.R. 3575.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WALLOP. Mr. President, 1 year ago, we were rushing to adjournment. Late in the session, the Senate was presented with a Halloween trick, the so-called budget summit agreement. We all recall the wonderful rhetoric accompanying this package. It would reduce Federal spending. It would keep the economy growing. And, the small price we had to pay was new taxes. It was a horrible idea, but Congress so desired to be politically safe that we acquiesced, and agreed to the leadership package. This Senator voted against the proposal because it was bad for the President, it was rotten fiscal policy, and it stifled the economy.

The budget agreement has been even worse than I imagined last October. The economy not only slowed down, it dived into a recession. The Federal budget continues to be a disaster—we may have a record deficit next year. And, the President has lost his leverage with Congress to enact an economic growth tax package. One of the results of Congress' mismanagement of the economy is that American workers have been hurt. Unemployment in many regions of the country is the highest in over a decade.

This year, it is too late for any tricks, but we are staring at a turkey as we prepare for a Thanksgiving adjournment. Once again, a leadership package has been devised. Forget the budget agreement, there will be new spending. Forget that higher taxes stifle economic growth, there will be new taxes.

The increase in unemployment and the slowness in the economic recovery has created havoc for many Americans. American workers need help. They do not need more backroom deals. We have to get the economy moving, we need an economic growth package. I have sponsored a growth program. I would like to offer it today. But, it is obvious that such an amendment would upset what some consider to be a balanced package.

There is nothing balanced about this package. We force the unemployed to continue their dependency rather than promoting opportunities to return to work. And, we impose new tax burdens on those who some contemptuously refer to as the wealthy. Well, the people in Wyoming who will face this tax burden are the ranchers, farmers, small business men and women, and the independent energy producers who use the quarterly withholding procedure. These are not wealthy Americans, these are hard working, job producing Americans. And, now we are going to do it to them again. This is perhaps politically correct, but it is not very visionary.

We are all sensitive to the needs of the unemployed. Unfortunately, the action we are about to take is of little solace to those who want to work, who are tired of public benefits. A more appropriate course is to stimulate new job creation by an economic growth policy. This proposal does not do that, and I must vote in protest against the agreement.

A "YES" VOTE—UNDER PROTEST

Mr. HOLLINGS. Mr. President, I strongly favor an extension of unemployment benefits, and I believe that we should pay for these extended benefits appropriately: By tapping the $8 billion surplus in the extended unemployment trust fund. I will vote "yes" on the Rostenkowski compromise because this is the last chance to secure urgently needed benefits for 3 million long-term unemployed Americans, including South Carolinians. But I strongly object to the dishonest financing mechanism embodied in this bill.

This bill capitulates to the administration's wishes by brazenly ignoring the surplus in the trust fund. It mandates, instead, that we raise new revenues. This is double taxation, pure and simple. Working Americans have already paid for these extended unemployment benefits, and now this bill asks them to pay a second time.

Why does the administration refuse to spend the $8 billion in the extended unemployment trust fund? The reason is that the Treasury has already borrowed and spent every dime of that $8 billion on the deficit. The sad truth about the extended unemployment trust fund is that there is no trust and no fund.

The larger problem here is that the administration has been systematically embezzling from the unemployment trust fund, the Social Security trust fund, and every other Federal trust fund in order to mask the size of the deficit. To date, the administration has borrowed—embezzled, to be more accurate—a grand total of $864 billion from the various trust funds, including $269 billion from the Social Security trust fund. And they have no plan whatsoever for repaying those borrowed funds.

So the Rostenkowski plan establishes an exceptionally dangerous precedent. It says, "Sorry, we have already spent the trust fund monies on the deficit, so if you want to receive your benefits you will have to raise new revenues, you will have to submit to double taxation."

To see just how dangerous this precedent is, consider the Social Security trust fund. We have been racking up huge surpluses in order to fund the baby boomers' retirement in the next century. But those surpluses exist strictly as a bookkeeping entry, because the administration is spending every dime on the deficit today. The administration has already borrowed $269 billion from the Social Security trust fund, and by the year 2000 borrowing from the Social Security trust fund will exceed $1 trillion. When the baby boomers retire and apply for Social Security benefits, they are going to be told the same thing that unemployed workers are being told today: "Sorry, we have already spent the trust fund money. If you want your benefits, we are going to have to reimburse the trust fund by raising new revenues."

This is fraud on a monumental scale. If there is any virtue in this bill it is that we are finally blowing the cover off the administration's practice of embezzling from the trust funds.

Mr. BENTSEN. Mr. President, the development of this bill has been a long and arduous process which could not have been accomplished without exceptional work on the part of several key staffers. I want to commend especially the following individuals for their contributions—Margaret Malone, whose grace under pressure has been exemplary; Sam Sessions, without whose creative work on the deficit offsets we would not be here tonight; Ron Davis, a staffer who is new to the Finance Committee and who spent the last 4 months in a highly pressured course of on the job training; George Tyler of the Joint Economic Committee, who followed closely the changing economic landscape; Hank Gutman of the Joint Committee on Taxation; Chris Peacock, who kept the press up to date on the progress of our negotiations; Douglas Fredrick of Senator PACKWOOD's staff; Rick Samans with Senator RIEGLE; Grace Reef with the majority leader; and Lee Price, with the Joint Economic Committee, who also made major contributions to the success of this effort. Finally, Mr. President, I want to extend special thanks to the staff of the Joint Tax Committee, the Congressional Budget Office, the Legislative Counsel's Office, and the Department of Labor for their indispensible work in making certain that the provisions we considered here tonight were properly crafted and that their costs to the Treasury were fully offset.

Mr. GLENN. Mr. President, I rise to make additional comments regarding the extension of unemployment benefits. My home State of Ohio continues to fight this recession. Ohio, of course, was hit very hard by the last recession and many industries have not fully recovered. In fact, some of those industries will never employ the number of workers that they once employed. This

recession has only added to the difficulties of many families.

The Federal Government has yet to respond to the unmet needs of our unemployed workers. Clearly, the massive increase in the national debt during the last decade has limited our ability to provide the necessary help to many American families. But, the administration has yet to provide the necessary leadership to move the economy forward. The President tells us that it's a good time to buy a new car or new house. For unemployed Ohioans this seems to be an unlikely prospect.

The Congress has tried to provide needed help. Twice we have passed bills to extend unemployment benefits. Twice the President has effectively denied those benefits.

Today we have another bill before us. It makes many improvements to our current system of benefits. It does provide extended benefits to many Americans. It provides retroactive reachback to some Americans whose benefits are already exhausted. It also includes ex-servicemen, school employees, job search, and railroad workers provisions.

The problem is that the formula to provide additional benefits does not fairly distribute those benefits among the States. It is not fair to Ohio. We simply are unable to justify the distribution of benefits under this bill.

Through the efforts of many Senators who have expressed their concerns about the unfairness of the legislation, the Senate will now consider an alternative package of unemployment benefits. This alternative will provide two tiers of benefits: 20 weeks of benefits for those States with a 9 percent unemployment rate, 13 weeks to all other States. The reachback provisions are provided to all States.

This is a much improved provision. It provides fairness. By directly facing the inequity of the bill, I believe the Senate has provided a great public service. By directly facing the unfairness in the bill, 53,000 Ohioans will receive these needed benefits. The original package provided 6 weeks of benefits to Ohioans and no reach-back provision. This new provision will provide Ohioans 13 weeks of extended benefits and a reach-back provision equal to all other States.

Mr. President, I am very pleased that the Senate was able to take a second look at this legislation and substantially improve its content.

Mr. COHEN. Mr. President, today the Senate has the opportunity to vote to ensure that America's long-term unemployed workers receive a desperately needed extension of their unemployment benefits.

I have been in support of the extension of unemployment benefits since July, when Congress first debated this critical issue facing the millions of Americans who have lost their jobs. I voted for several proposals in recent months and weeks, which would have provided much-needed relief to many unemployed Americans. Unfortunately, these measures were either defeated or vetoed. Today we have, hopefully, reached, an agreement that is acceptable to all of the parties involved.

Mr. President, we have reached a critical point in our economy. Jobs are being lost every day and the number of people applying for unemployment benefits continues to rise. The unemployment rate in my own State of Maine has risen from 6.1 percent in August to 6.7 percent in September. In New England winter is approaching and families are desperate for funds to heat their homes and keep food on their tables.

As we approach the season of giving thanks, it is indeed appropriate, and long overdue, to send the millions of Americans, who have exhausted their unemployment benefits, the checks they have been so desperately waiting for.

It is my great hope that today we may put an end to this debate and begin the process that will bring this long awaited compromise into law.

Mr. CHAFEE. Mr. President, I am pleased to support the measure before us, H.R. 3575, to provide emergency unemployment compensation benefits to the many long-term unemployed across the country. This legislation is critical for the thousands of workers around the country, and especially in my home State of Rhode Island, who cannot find jobs and who are having trouble making ends meet for themselves and their families. This bill provides help to those who really, try as they may, simply are not able to help themselves at this time. Nowhere has the frustration due to the floundering economy been more evident than in my home State.

This past year has been a real struggle for businesses in my State. Nearly every signal of the State's economic health is blinking red. New construction, employment, consumer confidence, and manufacturing are all down, revealing that Rhode Island is in the midst of a lingering recession. Small businesses are being hit particularly hard.

The total unemployment rate in Rhode Island is one of the highest in the country, second only to Puerto Rico. And, unfortunately, it continues to rise. Last month, our total unemployment rate was 9.2 percent. This month it went up to 9.6 percent, and the Rhode Island Department of Labor does not anticipate that rate going down in the near future. Clearly, the situation in Rhode Island, like most of New England, is desperate.

That's the bad news. But, the good news is this measure will provide individuals in my home State with up to 20 extra weeks of benefits. The Rhode Island Department of Employment and Training estimates that potentially 19,000 people will be eligible for these emergency benefits, and that each individual will receive approximately $208 per week. Most importantly, the first checks will be in the mail by Thanksgiving, and will carry them through the holidays.

Nothing is ever cheap around here, and this proposal, like many critical programs, is costly—$5.1 billion to be exact. I am particularly pleased that we have found a way to pay for this measure. First, it closes the loophole for wealthy taxpayers who make quarterly income tax payments. Second, it maintains the unemployment tax at its current level instead of allowing it to drop as scheduled. And finally it withholds tax refunds from people who have defaulted on student loans. Providing these benefits is the humane thing to do, and paying for them is the responsible thing to do. So, I am glad that we are able to accomplish both goals in the measure before us today.

In closing, Mr. President, let me just commend my colleagues on both sides of the aisle and in the administration who have worked so hard to get an agreement. It is a good agreement, and I support it.

Mr. WOFFORD. Mr. President, once again I support legislation to extend unemployment benefits for Americans who are hardest hit by this recession.

I have been working for an extended benefits bill since I came to the Senate last May. Nearly 3 million Americans—and at present estimates 50,000 Pennsylvanians—need the help that these benefits will provide until they can find new jobs.

One of the powerful messages sent by the voters of my State last week was that they want action from Washington in getting this economy moving again—including extended benefits. The people of Pennsylvania said that they are tired of business as usual in Washington. And the saga of extended unemployment benefits legislation is a good example of why they are so frustrated with business as usual. We have needed an agreement on extended benefits for many months. Finding a compromise should never have been such a drawn out and difficult process.

The President should never have vetoed two earlier bills which would have delivered these benefits to the people who needed them last summer. And this Congress should never have taken so long to act in the first place.

Currently, workers are entitled to only 26 weeks of unemployment compensation. This legislation would provide workers who qualify for extended benefits—the long-term unemployed—with 13 or 20 additional weeks of compensation, depending upon the unemployment rates in their State.

This is a modest extension—especially when it is compared to the 49 weeks of compensation available during the 1982–83 recession. Workers are

asking no more than the compensation they have earned. The extension of unemployment benefits is badly needed and long overdue.

Although I strongly support the extension of benefits, I am only reluctantly supporting this legislation. Because, in addition to extending unemployment benefits, this bill also needlessly increases business taxes. The fact is that these benefits have already been paid for. Employers and workers have already contributed to a trust fund for the specific purpose of providing extended benefits.

The fund contains nearly $8 billion. Even after the extended benefits are paid, the trust fund would end the 1992 fiscal year with a balance of $3.5 billion. And even if we use the fund as it was intended, the Department of Labor estimates that it would still reach its statutory ceiling of $9.03 billion by the end of fiscal 1994.

Why raise new revenues when there are already funds specifically earmarked to help workers who have exhausted their benefits? Why make our employers pay for the same thing twice? The reason is that the administration is using the unemployment trust fund to hide the true size of the budget deficit. This budgetary trick is being used at the expense of working families and their employers.

The unemployment trust fund, like all Federal trust funds, was created to serve a specific purpose—to provide insurance to working Americans who lose their jobs, and cannot find new work, because of a recession. Working Americans and their employers pay into the trust fund—and working Americans should be able to use it when they need it.

It is a disgrace that this recession has been allowed to drag on, month after month, while the President sits back and simply waits for things to get better. Worse than no action at all, the President twice vetoed earlier bills that would have provided these extended benefits when they were really needed. Mr. Bush may be satisfied that the recession is over, but millions of Americans do not live by the technical niceties of macroeconomics. They have to pay the bills, struggle to save, and sometimes come up a little short at the end of the month.

Every day, another 2,000 workers are laid off from their jobs. But this administration does not call it an emergency. We recognize emergencies all over the world. In recent legislation, President Bush has requested American tax dollars to help the Kurds and people in Egypt, Turkey, Sudan, Angola, Bangladesh, and Ethiopia. And yet he ignores the human emergencies we face here at home. More than 2.8 million working Americans have exhausted their benefits in the last 12 months. By the end of 1992, it is estimated that 3.4 million will have exhausted their benefits.

I support this legislation because it will help put food on the table for millions of American families who are suffering from this recession. But I hope that this will only be the first of many actions we need to move our economy off dead center and to finally help middle-income Americans who've been so badly hurt by a decade of Washington policies and Washington priorities which have rigged the economic game against them.

Mr. President, I yield the floor.

Mr. DURENBERGER. Mr. President, like many of my colleagues, I have recognized the need for extended unemployment benefits for the Americans who have experienced long-term unemployment and whose basic benefits have been exhausted. Over the past several months, I have supported proposals and introduced my own legislation which I believed would address this problem in an effective and responsible manner.

In September, a House and Senate conference committee took legislation which I had supported and, after working behind closed doors, produced a product which was only a shadow of the original bill. The President expressed his support for some type of extended unemployment benefits, but also outlined what provisions he could not accept. In spite of his efforts to work out an agreeable solution, a bill was foisted upon the President which represented precisely what he said he could not accept. As he promised, the President vetoed that bill. And I don't blame him.

In a sense of cooperation, the President outlined the basis for a compromise which was acceptable to him. The response was to brush aside the President's hand and send him a bill which went 180 degrees in the wrong direction. The Congress tried to shove something it created down the throat of the President. In my judgment, Mr. President, the unwillingness to include all parties in the negotiation process demonstrated a distinct lack of good faith.

After the President's veto, which I supported, I offered an alternative bill, S. 1789. This legislation tried to bridge the gap between the Congress and the administration in an attempt to end the political bickering which caused inexcusable delays in getting benefits into the hands of Americans in need.

The legislation which I offered in September would have delivered better benefits to more States than any of the legislation which had been considered by the Congress up to that date. The first bills to address this problem would have provided 7, 13, or 20 weeks of benefits. Minnesota would have received 7 weeks under this approach. Under my legislation, 8 weeks would have been given to Minnesota and most other States and 15 weeks would go to those States hardest hit by the recession.

Mine was not the only approach to compromise. The Republican leader also offered an alternative which I supported. Of course, neither of these bills were permitted to come to the floor. They were offered by the minority. But they were fair and they were responsible.

In an effort to reach a compromise, the White House and the leadership in the House of Representatives worked out and passed the deal which we have been debating since yesterday. The legislation which we received from the House, H.R. 3575, for many States, including my own, represented a step backward.

The end result, Mr. President, was that the compromise which was achieved in H.R. 3575 came at the expense of the long-term unemployed in a handful of States, rather than sharing the burden nationwide. This type of so-called compromise took the view that a person who has run out of benefits in one State must be less strapped, less hungry, and less unemployed than people in other States. Compromise entails give and take from both sides. H.R. 3575 only took from one side.

A good many of my colleagues including myself, Mr. President, after supporting earlier bills, discovered that the approach of H.R. 3575 was not to their liking. Either their States would have received fewer weeks of benefits or would have lost eligibility for a reachback giving benefits to all of the unemployed in their States.

We cried "foul." And we were heard.

A compromise has been achieved which will ensure that the unemployed in all States will be eligible for a reachback. Now all Minnesotans whose benefits have run out since last March would be eligible to receive meaningful benefits, not just those whose expired after enactment of this final proposal.

The real tragedy is that this important lesson has come at the expense of the unemployed of this Nation.

I sincerely hope, Mr. President, that the Senate will take this very valuable lesson to heart and realize that this system works best when all parties are included in negotiations and when compromise is embraced at all points of the process.

No one in this process is blameless. At various points, the administration has resisted the Congress, the House has proceeded without the Senate, and the majority blocked consideration of the alternatives offered by the minority. I hope, Mr. President, these differences and disagreements are now behind us.

I am pleased to be able to enthusiastically support this arrangement. Most importantly, Mr. President, these enhanced benefits for all States are accomplished without casting fiscal responsibility to the wind. It respects last year's budget agreement, includes many important policy provisions re-

garding financing and triggers, and gets the relief flowing.

To the people in my State of Minnesota, I am very happy to report that their wait has been worth it. Unemployed Minnesotans will not only get their much needed benefits, but will receive them retroactively and at a higher level than previously expected. With timely adoption of this legislation, checks will be on their way before Thanksgiving.

To all Minnesotans, I am pleased to report that all these benefits are paid for—from current funds, not deficit financing loaded on our children. This legislation will ensure that all Minnesotans have something to be thankful for.

Finally, Mr. President, we are about to cast a vote in a manner that some members of the American public will not quite understand. We will be voting on H.R. 3575, legislation that I have indicated I cannot support. However, this will enable the President to sign an extended benefits unemployment bill today. But that legislation will be superceded by the compromise that will provide enhanced benefits to the unemployed people of this country.

Mr. President, I will cast my vote in favor of H.R. 3575 only because I am assured that the compromise engineered by the chairman of the Finance Committee, Senator BENTSEN, and the Senate leadership will supersede this bill.

Mr. BYRD. Mr. President, I am pleased that the long impasse over providing extended unemployment benefits has finally ended. Twice before, in August and in October, Congress sent an emergency extended unemployment benefits bill to the President. Twice, he refused to designate the spending in those bills as emergency spending. Twice, he refused to extend a helping hand to those workers who are experiencing long-term unemployment as a result of current economic conditions and who have exhausted their unemployment benefits.

Today, we have an opportunity to pass a bill that the President will sign. We have an opportunity to pass a bill that will, at long last, provide those who are suffering most with the helping hand they so desperately need and deserve.

According to the latest labor market statistics, there are nearly 8.6 million men and women in our Nation who want to work but who cannot find work. Another 6.3 million Americans are working only part-time because they cannot find full-time jobs, even though they want to work full-time. Finally, at last count, another 1.1 million have simply left the labor force because they no longer believe they can find a job. These workers have become discouraged, so discouraged that they have given up looking for a job. They no longer are counted among the unemployed, at least not officially. But they are out there—out of work, out of luck, and out of hope.

Should we be surprised? In 1988, candidate George Bush promised the American people that, if elected, he would create 30 million jobs in 8 years. Yet, in almost 3 years since President Bush took office, barely a quarter of a million jobs have been created in the United States.

Despite the repeated assurances of the Bush administration that this would be a short and shallow recession, there are more than 750,000 fewer Americans employed today than there were 1 year ago. More than 1.1 million Americans have been unemployed for 27 weeks or more. In other words, more than one out of every eight unemployed workers in America has been without work for more than 6 months.

Adding to the tragedy of the current unemployment situation is the fact that our unemployment compensation system—a system designed as a safety net for those workers who lose their jobs through no fault of their own—is failing to do its job. Although 8.6 million Americans are out of work, less than 40 percent are eligible for unemployment insurance. West Virginia has the highest unemployment rate in the Nation. Thousands of workers in West Virginia have exhausted their unemployment benefits since the beginning of the year. Yet, unemployed workers in my State are not eligible for extended unemployment benefits.

Too many unemployed Americans are falling through the holes in the unemployment insurance safety net. Providing a meaningful program of extended unemployment benefits is long overdue. We cannot act too quickly to provide those who are suffering most with a helping hand. The legislation before us will accomplish that goal. I commend the chairman of the Finance Committee for his efforts in putting this bill together, and I urge my colleagues to pass this legislation so that unemployed workers across our Nation will finally receive the help for which they have been waiting so long.

Mrs. KASSEBAUM. Mr. President, the terms of the compromise call for raising the funds to pay for the extension of benefits through a variety of means. While this indicates some measure of fiscal responsibility on our part, it also illustrates one of the more troublesome aspects of our current fiscal policy.

Throughout this debate, reference has been made to the unemployment trust fund, and the moneys in that fund which have been set aside to pay for unemployment benefits. To many, the term "trust fund" and the talk of money that has been set aside implies that this is money that has been put into a special vault, and that it will be held in this special vault until it is spent on the purpose for which it was collected.

In reality, however, the Federal Government has no special vault for its trust funds. It puts all its revenues into the same general fund and then pays all its bills from this one general fund.

With our Government operating at a deficit, this means that we are not only spending all the revenue we collect and put into the general vault, but that we are actually spending more than we are collecting. As a result, there is no leftover in the general vault that can be tapped when it is needed. There are simply IOU's from a government in the red.

The money that was raised for the unemployment trust fund is being spent to finance the Government and mask the deficit. The fact of the matter is, this trust fund—and others like the aviation and highway trust fund—are nothing more than an accounting charade. We have a passbook entry at a bank that is so broke that it would have to borrow money to pay out our account.

I am aware that the alternative to this financing is to declare another emergency and increase a deficit already likely to be a third of a trillion dollars next year. However, I also believe that the trust funds should be used for the purpose for which they were intended—in this case unemployment benefits—instead of being used to mask the true extent of our spending.

It is interesting that one of the financing mechanisms in the bill proposed to finance these benefits is extending the surcharge on the Federal unemployment tax. Ironically, the reason this tax was levied in the first place was to pay for the very kind of benefits we are not proposing.

Now we want to continue making employers pay this surcharge, so we can maintain the level in the trust funds in order to offset spending in other areas. In my view, this makes little sense. If we allow the surcharge to expire, we would thereby reduce the marginal cost of labor, which might have the happy result of more new jobs.

I would also note that another way we are funding the extension is to make a number of changes in the Federal Student Aid Program. The Senate Labor and Human Resources Committee recently reported legislation reauthorizing the Higher Education Act. This legislation takes a number of important steps to address the problem of student loan defaults, and that measure is the appropriate vehicle in which to address such changes.

Among other things, this proposal would garnish the wages of individuals who default on their student loans. Although many think we will be garnishing the wages of doctors and lawyers, the stark reality is that those individuals whose wages are going to be garnished are mostly those with outstanding loans from schools from which

these individuals never received a degree or the skills necessary to obtain worthwhile jobs.

I am not saying that student loan defaults should not be repaid. However, Senators should understand that this will not be painless revenue we are going after. The student loan defaulters we are going after are for the most part not the country club doctors—but rather unwed mothers trying to raise a family on a minimum wage job. Garnishment, rightly or wrongly, is going to impose severe hardships on these people.

Mr. President, the compromise may be the best we can do, but we should be straightforward with the American people. We should not talk about trust funds or money that is set aside. In the future, if we are going to raise taxes, we should simply tell people that is what we are doing and not lead them to think we will put the money in a special vault to be spent on some special purpose.

• Mr. KERREY. Mr. President, twice in the last 3 months, Congress has sent the President legislation extending unemployment benefits for jobless workers. Unfortunately, the President blocked both of these attempts to aid those who have lost their jobs as a result of the recession.

While I regret the time it has taken for the President to finally agree with the Congress on the need for this important measure, I am pleased that he has at least consented to sign this most recent unemployment compensation package.

The economic downturn has hit hardest those workers who have been laid off and are unable to find work—not because they lack the skills or motivation to work, not because they would rather accept unemployment benefits than work, but simply because they are unable to find employment to support their families and pay their bills. Extended benefits should be available to these individuals.

While the unemployment rate has remained relatively stable since March, the number of individuals exhausting their Federal benefits has grown dramatically. Unemployment associated with the recession has resulted in 300,000 jobless workers exhausting their benefits every month. We simply cannot neglect our responsibility to respond to Americans who, through no fault of their own, need temporary assistance.

The most recent unemployment compensation package will provide up to 20 weeks of benefits to the over 3 million jobless workers and veterans in this country who have exhausted their current benefits.

President Bush believes that the recession has bottomed out and that the economy is on an upswing. He should tell that to the 42,000 working Americans who have put in applications for unemployment insurance over each of the past 4 weeks.

Although I am discouraged that it has taken this long to win approval of what seems to me to be a question of basic fairness, I am hopeful that this bill will assist hard-working American families. People should not be forced into bankruptcy because of an economic downturn. These extended benefits should help workers make ends meet until the condition of the labor market improves.•

Mr. BIDEN. The compromise unemployment benefits extension package before the Senate is a great improvement over what was originally sent from the House. It is fairer to all unemployed workers, regardless of the State they live in. The changes reflect that the hardship of workers who have lost their paying jobs is no less in one State than it is in another.

Senator ROTH deserves great credit for the improvements in this bill. The determined efforts of Senator ROTH showed that a fairer program was indeed possible, and could be accepted by the administration and Congress.

Most of all, I am pleased that months of efforts in Congress have finally paid off with an extension of unemployment benefits that are so sorely needed. Workers who have lost their jobs during this stubbornly long-lived recession are in desperate need of this assistance, and it is time the Federal Government acted to make that assistance available.

Mr. ROCKEFELLER. Mr. President, unemployed workers and their families are struggling because of the lingering recession. They need and deserve extended unemployment benefits to see them through such harsh economic times.

For months, I have fought side-by-side with my Democratic colleagues in pushing for action to extend unemployment benefits. But our efforts were blocked by President Bush, who failed to consider the needs of Americans as an emergency.

I strongly disagreed with the President's veto and blockage of previous legislative initiatives to provide extended benefits to the unemployed. Congress acted in August to provide benefits, but President Bush refused to use his authority to release benefits. In October, President Bush used his veto pen to deny benefits to the unemployed again.

In November, President Bush has finally decided to work with Congress on a compromise proposal to provide benefits to the unemployed.

I suspect that recent polls and election results from Pennsylvania have helped convince the President to work with Congress to develop a compromise on unemployment benefits. Whatever the reason, I am pleased that the President has finally agreed to extend benefits to those in need.

In West Virginia, as many as 12,300 unemployed workers could potentially qualify for the extended benefits program. These are workers who have exhausted their regular benefits, but unfortunately have not been able to find a new job yet.

The number of West Virginians qualifying for extended benefits will change. Approximately 300 West Virginians exhaust their regular unemployment benefits each week. Now instead of being cut off, West Virginians can qualify for extended benefits.

After months of fighting in the Senate, I am pleased that there is good news for West Virginians who have been struggling. This bill is not perfect, but the needs are urgent and we simply push forward to provide benefits. This compromise has been worked out painstakingly. The House should adopt it. The President should sign it into law as soon as possible. West Virginia families who have been devastated by the recession have waited too long already.

The long-term solution for unemployment must be a commitment to invest in our economy, and create good jobs. Every day, I work to protect the jobs we have in West Virginia. I am committed to strengthening our country's competitiveness so that workers in West Virginia, and across our country, have more opportunities. For now, action to extend unemployment benefits is a critical short-term effort to help families make ends meet over the next few months.

Mr. LEVIN. Mr. President, I am pleased that the Senate will be acting today to pass an extension of unemployment benefits, and I am relieved that, at last, the President has agreed to sign an unemployment bill which will provide benefits to hundreds of thousands of workers who have exhausted or will exhaust unemployment benefits.

We have been a long time in getting to this point. Too long. I would like to to think that the President finally has heard the voices of desperation throughout the country and that these have overcome the sterile statistics on the GNP that some of his advisors had used to convince him that the recession had ended. I would like to think that, although I would not be surprised that the voters of Pennsylvania might have had something to do with his turnabout as well.

I have heard those voices in Michigan, and I have been hearing them for a long time. In a very real sense, these are some of the continuing victims of the Reagan administration: an administration that burdened our economy with debt, weakened our trade policy with indecision, and decapitated our unemployment compensation system with a meat ax. When all of this was taking place, the American people were assured that even a more limited gov-

ernment would take care of the truly needy through a social safety net. Well, today we are acknowledging that the social safety net has gaping holes and many people are falling through it.

In my trips throughout Michigan I have met some of those victims. In Flint, MI, I met with Ron Eastwood, Tim Townsend, and Sharon McGough. Ron Eastwood is a construction electrician who has seen his $20,000 savings disappear to pay his bills after more than a year of unemployment. In previous recessions and slowdowns, he has managed to find work in distant areas, but not this time. He said that he feels like he has been hit over his head with a bat and that he has seen his dreams disappear.

Tim Townsend is a computer field engineer who has been out of work for 8 months. Sharon McGough has worked steadily for 15 years. Now, she has a new number to think about. She is on 52 different employment lists, hoping for a break and for a job. She told me that she prays for an extension of unemployment benefits and that it hurts to find out after all these years that the Government can disregard its own people.

In Grand Rapids, I met with three more victims of the recession. Bob Fotis has been a sheet metal worker for 26 years and is exhausting his savings. John Davis is a pipefitter with a wife and two children whose benefits ran out in June. He told me that his family can only take hard times for so long. Tim Caron told me that 150 people apply for every job that is advertised. He said:

> I fly the flag on the Fourth of July. I stand behind my country. But where is the help we need for our own people. It makes you wonder.

These people and many, many like them in Michgian will be helped by this legislation. Contrary to the bill originally endorsed by the President, this legislation on the floor today qualifies Michigan, a high unemployment State, for the top level of benefits, which is 20 weeks. It also provides benefits to tens of thousands of those in Michigan who are unemployed and who have already exhausted their benefits. They would have been left with nothing by the bill which the President originally endorsed.

I want to thank all of those who were instrumental in making this bill possible. It is not ideal. But, it is real, just as the suffering in the country is real.

Mr. WELLSTONE. Mr. President, we have before us a final agreement on a comprehensive package of extended benefits to unemployed American workers. This package of two bills will help hard-working people who need help. I urge my colleagues to support them.

I have worked in recent weeks to ensure that any benefits package enacted by the Senate provides the widest possible coverage to unemployed workers in my State, including those who have exhausted their benefits in the last 6 months, and I am grateful we have been able to build upon the House-passed version, developing a fairer and much more comprehensive package of benefits to workers in my State and across the Nation. Taken together, the two bills provide for unemployed Minnesotans a full 13 weeks of benefits and reach back to cover unemployed workers there who have exhausted their benefits in recent months.

I will vote for the first bill with the understanding that, as Majority Leader MITCHELL, Finance Committee Chairman BENTSEN, and Minority Leader DOLE have announced, the additional benefits provided in the second bill will be considered immediately by the House and sent to the White House for signature. I understand that the President has agreed to sign both bills. With this understanding, I enthusiastically endorse the overall agreement. It is time to move these bills together and get them signed into law and get extended benefit checks into the hands of unemployed workers—hopefully before Thanksgiving.

The long-term unemployed have waited much too long for these benefits, pawns in a game of political chess played by the Bush administration. For over 6 months, the administration has dithered, vetoing each attempt by this Congress to rush critical benefits to unemployed workers as the recession has deepened. But now, following the upset election of our colleague Senator WOFFORD, the administration has shown a new willingness to work out a compromise. I urge my colleagues to support this package, now paid for through a complex set of tax law changes and collection rules. And I urge the President to reconsider his persistent refusal to release these critical funds and sign both of the bills we will pass tonight: The original benefits bill and the measure, developed here in the Senate, which supplements benefits provided for in that original bill.

When I was back in Minnesota last weekend, I visited with unemployed workers—some 50 or 55 years old—who were frustrated, frightened, and anxious about prospects for the future. And let there be no mistake—this is not just a blue-collar problem. It cuts across class, income, and occupational boundaries. Many of these older workers—ironworkers, dislocated middle managers, white collar professionals, store clerks, bank tellers, bread bakers—complained that they were competing with their own children for $5 and $6 an hour jobs. During that same visit, I spoke with an unemployed, divorced woman recently forced to turn her kids back over to her former husband because she could no longer care for them.

These are not isolated stories. This is not anecdotal evidence. Every single day my offices get calls from long-term unemployed workers, desperate for jobs, and wondering in the short term if and when benefits would be extended, so they could feed their kids, heat their homes, and otherwise care for their families. For many in America, the situation is equally grim, and many are angry.

In that discussion, I found one of the things people were most frustrated and angry about was the administration's unwillingness to accept even a small package to extend unemployment benefits. Why, they ask, with $8 billion sitting in the UI trust fund—paid into the fund precisely for this purpose—was the President still refusing to release these benefits? The only answer I could offer was that he stubbornly refuses to recognize the urgency of the current recession, and the need for relief.

I have so strongly supported each successive unemployment bill because I believe they offered a first, concrete step toward enactment of a series of recession-relief measures designed to counter the painful effects of the economic downturn which continues to batter American workers. Over the last few months, the majority leader has outlined a comprehensive program of such measures, including tax relief for low and moderate income workers, and investments in our Nation's crumbling infrastructure, in health care, in expanding education and job training opportunities, and in approving the billions in construction funding included in the highway bill—any one of which, or several in combination, would provide the economic stimulus necessary to put this country back on its feet and enable us to compete in global markets.

In Pennsylvania last week, the people's cry for such programmatic initiatives was heard loud and clear: we need help now. These efforts, along with increased public investment and strengthened incentives for growth, are critical elements of such a recession-relief package.

This agreement extends Federal unemployment compensation benefits from 13 to 20 weeks past the current 26 weeks allowed, depending on the unemployment rate in each State. With this measure, approximately 1.6 million Americans who have exhausted their benefits would be eligible for additional benefits. Unemployment railroad workers would also benefit from this proposal, by provisions I and Senators KENNEDY, METZENBAUM, EXON and others insisted be included in the bill. Senate Finance Committee Chairman BENTSEN and Ways and Means Committee Chairman ROSTENKOWSKI included these provisions to provide authority for the Railroad Retirement Board to pay extended unemployment benefits to railroad workers covered by a separate system under the Railroad Unemployment Insurance Act. Following the

debacle with the Presidential Emergency Board recommendations, the strike, and the new Board's unconscionable refusal to ignore every single union objection to the original Board's findings and conclusions, the least we could do is ensure that these benefits are also extended to this special category of American workers.

There are no indicators that the current recession has bottomed out—indeed several suggest it is worsening—and there is still a serious need for congressional intervention to help those who have borne the brunt of this recession. Since we started these discussions months ago, the state of the economy has deteriorated, with no significant improvement in sight. And this is especially true in the unemployment area. Again today we saw new figures released by the Bush administration which underscore the problem: retail sales down, jobless claims up, earnings in a slump.

According to the Department of Labor, over 3 million workers will exhaust their benefits this year, with an additional 3.4 million exhausting benefits next year. In June of this year alone, the number of unemployed workers climbed to 8.7 million; 2.2 million more than in June last year. The nationwide unemployment rate has risen to 7 percent, the highest in almost 5 years.

In recent months, another 300,000 workers exhausted their 26 weeks of benefits, leaving them in a double bind, without a source of income in the midst of an ever-tightening labor market. Even though some of my colleagues claim the recovery is just around the corner—claims which I note have been muted in recent weeks—we all know unemployment is a lagging indicator. If past recessions are any indication, workers will continue to exhaust their unemployment benefits well after the recession is technically over. In the last recession, long-term unemployment did not peak until at least 6 months after the recession was over.

Finally, I remind my colleagues that while the comprehensive benefits contained in these two bills address temporarily the emergency needs of unemployed American workers, we must not lose sight of the urgent need to overhaul the underlying unemployment insurance system. During this recession only 40 percent of the unemployed have received unemployment insurance benefits. The system is not working. I urge my colleagues on the Senate Finance Committee to consider seriously proposals for genuine, thorough reform designed to reverse its deterioration.

I would like to commend Chairman BENTSEN, Majority Leader MITCHELL, Minority Leader DOLE, and Senators CONRAD, FORD, and others who worked so long and hard to develop this agreement and engineer its enactment. But this whole process has taken too long, and American workers have suffered needlessly for months, because of the President's previous intransigence. I again urge my colleagues to support these two bills, and bring this episode to a swift and decisive close. Millions of unemployed workers need extended benefits now.

Mr. SANFORD. Mr. President, I am extremely pleased that the Senate has now resolved its temporary impasse over the Federal Supplemental Compensation Act, H.R. 3575. This bill will offer extended benefits to millions of unemployed workers throughout the country who have exhausted their regular unemployment insurance coverage. The impasse was serious, because as we debated, workers went without this vitally important benefit. Therefore we heard much during the past 2 days about how we should go ahead and pass this bill as it stood, that we didn't have time for debate or change. The President said that he wanted to sign a bill as soon as possible. The minority leader stated that we must move on with this legislation right away so that we could have the checks in the mail before Thanksgiving. But under the original proposal—the one that we were being urged to rush through Congress—tens of thousands of North Carolinians would not have gotten checks—not before Thanksgiving, not after Thanksgiving, not any time. And why was that? Certainly the fault did not lie with the group of Senators claiming we must address the problems in the original legislation. We should not be blamed for wanting to craft a bill that is more beneficial to the unemployed in our States. Rather, blame for the delay in passing an unemployment insurance bill must lie with the President. The reason that tens of thousands of unemployed people in my State have not been getting benefits up until now is because President Bush has not allowed them to. First, in August, the President refused to release funding for a strong unemployment insurance bill, claiming at that time that the recession was ending. Then in October, as the recession lingered on, the President coldly vetoed yet another bill. If President Bush had accepted either one of those bills, workers in North Carolina and throughout the country would be receiving benefits by now. And they would now be making car payments, house payments, maybe doing a little Christmas shopping. But because the President would not support our two earlier bills, extended unemployment insurance had not been able to play its important role as an economic stimulus and stabilizer. Thankfully, we have finally corrected that situation.

Yesterday we were told that the President and the Republican leadership were willing to enact a bill, but that we must accept the bill as it was, with no amendments, so that we could speed the process! A group of us, however, was unwilling to accept that. We knew we could do better for the people of our States. We knew that all unemployed workers should be treated fairly, regardless of where they lived. I knew that the people of North Carolina should receive retroactive benefits. There is no reason that an unemployment insurance extension bill should cut out those individuals who have been unemployed the longest. These out-of-work Americans, unable to find jobs in today's troubled economy, are precisely those most in need of an economic shot in the arm. And all States need the economic boost of extended benefits, for a substantial period of time and reaching back to cover those who have exhausted their UI benefits earlier in the year.

We have now passed a bill which will extend UI benefits for an extra 13 weeks in North Carolina. In addition, Tarheels whose benefits expired any time since March of this year will be eligible for reachback benefits. I am proud and pleased to have been a part of crafting this extremely important legislation. This bill serves the people of North Carolina well.

The PRESIDING OFFICER. The bill, H.R. 3575, is deemed read the third time. The question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mr. CRANSTON], the Senator from Iowa [Mr. HARKIN], the Senator from Nebraska [Mr. KERREY], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Montana [Mr. BAUCUS] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. HATCH] and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

On this vote, the Senator from Utah [Mr. HATCH] is paired with the Senator from Wyoming [Mr. WALLOP]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Wyoming would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 91, nays 2, as follows:

{Rollcall Vote No. 254 Leg.}

YEAS—91

Adams	Burdick	DeConcini
Akaka	Burns	Dixon
Bentsen	Byrd	Dodd
Biden	Chafee	Dole
Bingaman	Coats	Domenici
Bond	Cochran	Durenberger
Boren	Cohen	Exon
Bradley	Craig	Ford
Breaux	D'Amato	Fowler
Bryan	Danforth	Garn
Bumpers	Daschle	Glenn

Gore	Lieberman	Roth
Gorton	Lott	Rudman
Graham	Lugar	Sanford
Gramm	Mack	Sarbanes
Grassley	McCain	Sasser
Hatfield	McConnell	Seymour
Heflin	Mikulski	Shelby
Helms	Mitchell	Simon
Hollings	Moynihan	Simpson
Inouye	Murkowski	Smith
Jeffords	Nickles	Specter
Johnston	Nunn	Stevens
Kassebaum	Packwood	Symms
Kasten	Pell	Thurmond
Kennedy	Pressler	Warner
Kerry	Pryor	Wellstone
Kohl	Reid	Wirth
Lautenberg	Riegle	Wofford
Leahy	Robb	
Levin	Rockefeller	

NAYS—2

Brown	Conrad

NOT VOTING—7

Baucus	Hatch	Wallop
Cranston	Kerrey	
Harkin	Metzenbaum	

So the bill (H.R. 3575) was passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TERMINATION OF CERTAIN PROVISIONS OF THE TRADE ACT TO CZECHOSLOVAKIA AND HUNGARY

The PRESIDING OFFICER. Under the previous order, the Finance Committee is discharged from H.R. 1724. The Senate will now proceed to its immediate consideration. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1724) to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Who yields time to the Senator from Oklahoma?

Mr. DOLE. I yield 3 minutes to the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank the Republican leader, Senator DOLE. I wish to compliment Senator DOLE and also Senator MITCHELL and others, but particularly Senator ROBB and Senator CONRAD and others, who really spoke up and talked about the inequity of the bill that we had before us, the bill that did not allow 18 or 19 States to have reachback, the bill that had many States receiving 6 weeks and other States, adjacent States, receiving 13 weeks. That bill was not fair. It was not equitable. But we fixed it. I think the legislative process has come up with a much better product, the product that we will pass in the next 15 or 20 minutes.

Mr. President, I compliment my colleagues and particularly those who had the courage to stand up before the train that was rolling down the tracks last night and to decry the fact that it was not a fair bill nor an equitable bill. I think, as a result of the efforts of many of us, we have made significant improvements. We have a bill that is much more fair to all concerned, a bill that is paid for, a bill that will be signed, a bill that will help provide needed relief to countless thousands throughout the United States.

Mr. MITCHELL. Mr. President, I yield to the Senator from North Dakota 3 minutes.

Mr. CONRAD. I thank the majority leader.

I thank the Senator from Oklahoma, who spoke up at a critical time this afternoon to help us get a fair result, and this is a far superior result than what we were presented with last night. I want to make clear that I voted "no" on the bill we just voted because it was the old formula. Now we are about to have a voice vote on the new formula, which is a dramatic improvement.

I thank also Senator FORD, of Kentucky, because, if he had not had the courage to stand up and object yesterday afternoon, we would have been presented with a fait accompli, and we would have had a much less fair result, which would have resulted in a situation in which there was reachback for some States, and 23 States would not have had it. We would have had a situation in which some people who had exhausted their unemployment benefits would have received an additional 6 weeks, some would have had an additional 20 weeks. That was not fair. The reachback provision affected 3,800 people in my State. They would not have received help even though they exhausted their benefits, even though in some States they would have had the reachback provisions, and that was not fair.

I also want to thank the two Senators from Louisiana, Senator BENNETT JOHNSTON and Senator JOHN BREAUX, who joined in the effort to make certain that there was a fair result here today, and to many others who chipped in as well, Senator BOREN, of Oklahoma, who spoke forcibly this afternoon; Senator WARNER, of Virginia; Senator GRASSLEY, of Iowa; Senator KASTEN, of Wisconsin; Senator KOHL, of Wisconsin, all of whom contributed to saying the original formula was unfair and ought to be changed; and to my friend from Minnesota, Senator WELLSTONE, who joined in the effort as well.

This was truly a team effort to get a fair result, and it could not have happened unless the leadership had been willing to hear our plea, hear our complaint, and respond to it. So I conclude by thanking the majority leader, Senator MITCHELL; the chairman of the Finance Committee, Senator BENTSEN; and the minority leader, Senator DOLE, for their patience and work today to achieve a fair result.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MITCHELL. Mr. President, I yield back the remainder of my time.

Mr. DOLE. I yield back my time.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WAIVER OF CERTAIN ENROLLMENT REQUIREMENTS—H.R. 3575

Mr. DOLE. Mr. President, I ask the pending business be laid aside so that I might send to the desk for immediate consideration a joint resolution.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 232) waiving certain enrollment requirements with respect to the bill H.R. 3575.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

The joint resolution is as follows:

S.J. RES. 232

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HAND ENROLLMENT AUTHORIZATION.

(a) WAIVER OF CERTAIN LAWS WITH RESPECT TO PRINTING OF ENROLLED BILL.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of the bill H.R. 3575 of the One Hundred Second Congress.

(b) CERTIFICATION BY COMMITTEE ON HOUSE ADMINISTRATION.—The enrollment of the bill shall be in such form as the Committee on House Administration of the House of Representatives certifies to be a true enrollment.

SEC. 2. SUBSEQUENT PREPARATION AND CERTIFICATION OF PRINTED ENROLLMENT.

(a) PREPARATION.—

(1) IN GENERAL.—Upon the enactment of the bill following its presentment to the President in the form of a hand enrollment

pursuant to the authority of section 1 of this resolution, the Clerk of the House of Representatives shall prepare a printed enrollment of the bill as in the case of a bill to which sections 106 and 107 of title 1, United States Code, apply.

(2) LIMITED STYLISTIC CORRECTIONS.—The printed enrollment prepared pursuant to paragraph (1) may, in order to conform to customary style of printed laws, include corrections in spelling, punctuation, indentation, typeface, and type size and other necessary stylistic corrections to the hand enrollment. The printed enrollment shall include notations (in the margins or as otherwise appropriate) of all such corrections.

(b) TRANSMITTAL TO PRESIDENT.—The printed enrollment prepared pursuant to subsection (a) shall be signed by the presiding officer of each House of Congress as a correct printing of the hand enrollment and shall be transmitted to the President.

(c) CERTIICATION BY PRESIDENT; LEGAL EFFECT.—Upon certification by the President that the printed enrollment transmitted pursuant to subsection (b) is a correct printing of the hand enrollment, such printed enrollment shall be considered for all purposes as the original enrollment of the bill and as valid evidence of its enactment.

(d) ARCHIVES.—The printed enrollment certified by the President under subsection (c) shall be transmitted to the Archivist of the United States, who shall preserve it with the hand enrollment. In preparing the bill for publication in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall use the printed enrollment certified by the President under subsection (c) in lieu of the hand enrollment.

(e) HAND ENROLLMENT DEFINED.—As used in this section, the term "hand enrollment" means the enrollment, as authorized by section 1, of a bill for presentment to the President in a form other than the printed form required by sections 106 and 107 of title 1, United States Code.

Mr. DOLE. I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WIRTH). Without objection, it is so ordered.

AMENDMENT NO. 1349

(Purpose: To provide modifications to the Emergency Unemployment Compensation Act of 1991)

Mr. BENTSEN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. BENTSEN], for himself, Mr. MITCHELL, Mr. DOLE, Mr. BIDEN, Mr. BOREN, Mr. BREAUX, Mr. BUMPERS, Mr. CONRAD, Mr. FORD, Mr. GRASSLEY, Mr. HEFLIN, Mr. JOHNSTON, Mr. KASTEN, Mr. KOHL, Mr. METZENBAUM, Mr. NICKLES, Mr. PACKWOOD, Mr. PRYOR, Mr. RIEGLE, Mr. ROTH, Mr. SANFORD, Mr. SARBANES, Mr. SASSER, Mr. WARNER, Mr. PRESSLER, Mr. RUDMAN, Mr. SMITH, Mr. DURENBERGER, Mr. COATS, Mr. LUGAR, and Mr. WIRTH, proposes an amendment numbered 1349.

Mr. BENTSEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following new section:

SEC. . MODIFICATION OF THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991.

(a) TWO-TIER APPLICABLE LIMIT.—

(1) Section 102(b)(2)(A) of the Emergency Unemployment Compensation Act of 1991 is amended by striking clauses (ii) and (iii) and inserting the following new clause:

"(ii) In the case of a 13-week period, the applicable limit is 13."

"(2) SPECIAL RULES.—A 20-week period shall begin in any State with the 1st week for which emergency unemployment compensation may be payable in such State under this title if, on the basis of information submitted to the Committee on Ways and Means of the House of Representatives by the Department of Labor on November 7, 1991, the requirements of subsection (c)(2) are satisfied by such State for the week which ends October 19, 1991."

(2) Section 102(d) of the Emergency Unemployment Compensation Act of 1991 is amended to read as follows:

"(d) 13-WEEK PERIOD.—For purposes of this section, the term '13-week period' means with respect to any State any period which is not a 20-week period."

(3) Section 102(f)(3)(A) of the Emergency Unemployment Compensation Act of 1991 is amended to read as follows:

"(A) IN GENERAL.—If any individual exhausted such individual's rights to regular compensation (or extended compensation) under the State law after February 28, 1991, and before the first week following November 16, 1991 (or, if later, the first week following the week in which the agreement under this Act is entered into), such individual shall be entitled to emergency unemployment compensation under this Act in the same manner as if such individual's benefit year ended no earlier than the last day of such following week."

(4) Section 102(g)(2) of the Emergency Unemployment Compensation Act of 1991 is amended to read as follows:

(5) Section 106(a) is amended by striking paragraph (4) and redesignating paragraph (5) as paragraph (4).

(6) Sections 102(f)(1)(B), 102(f)(2), 106(a)(2), and 501(b) (1) and (2) of the Emergency Unemployment Compensation Act of 1991 are each amended by striking "July 4, 1992" and inserting "June 13, 1992".

(7) Section 501(a) of the Emergency Unemployment Compensation Act of 1991 is amended by striking "July, 1992" and inserting "June, 1992".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the provisions of and the amendments made by the Emergency Unemployment Compensation Act of 1991."

Mr. BENTSEN. Mr. President, I understand all time has been yielded back on this side.

Mr. DOLE. All time is yielded back on this side.

The PRESIDING OFFICER. The Senator is correct. Is there objection to the adoption of the amendment?

Is there objection to adoption of the amendment and to its consideration as a substitute? The Chair hears none.

Mr. BENTSEN. It is not a substitute.

The PRESIDING OFFICER. There being no further debate, the question is on agreeing to the amendment.

The amendment (No. 1349) was agreed to.

Mr. BENTSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENTSEN. Mr. President, I have a list of cosponsors, and I ask unanimous consent they be considered as original cosponsors.

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

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 1724), as amended, was passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. I particularly want to thank the distinguished ranking member of the minority on the Finance Committee, who assisted us time and time again in bringing this to a final, successful conclusion.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, let me also extend my thanks to not only those mentioned by the distinguished chairman of the Finance Committee, but also members of my staff, Sheila Burke, Nina Oviedo, Bob Jones, Mary Ann Wyrsch, and other members; officials of the Labor Department; and other staff members from other Senators on our side of the aisle who were very helpful.

Also, the minority leader of the House, Congressman MICHEL; and Chairman ROSTENKOWSKI; the Speaker, BILL ARCHER, the ranking Republican on the Ways and Means Committee; and other members of the Ways and Means Committee who provided bipartisan support.

I also want to thank Mr. Darman, the OMB Director, who has been working with us throughout, and I also want to indicate that I have talked to President Bush. As I understand, the enrolled bill is now on its way by car to Camp David, where the President will sign it as soon as it arrives. So there is a chance the checks could be in the mail in some States, maybe four or five States, as early as next week.

There will be some—assuming the House will take action on the bill being sent over now on Monday or Tuesday of next week—there will be some administrative problem, but I think it will probably be resolved very quickly.

Mr. President, as indicated by the chairman of the Finance Committee, I think we have reached the right result. We offer each State a reachback to March 1. We give all States 13 weeks; that is, all except those who were in the original bill who were getting 20 weeks, and for those States who had severe unemployment, they will continue, the same States will receive the 20 weeks.

We have always advocated a two-tier system, and this certainly will save administrative costs and a lot of headaches on the part of the Labor Department, and I think they will be pleased. So the bottom line is it is a true compromise. We took from both sides. More importantly, they are both responsible packages, both paid for, and, hopefully, our unemployed can start getting their checks very soon.

I think it has been said, but as we said last night a deal is a deal. I think the record should reflect that many of our colleagues disagreed with that, and I think, had we persisted, we might have prevailed. We might have upheld the original deal, but it would have taken a great deal of work, maybe a cloture vote or two, maybe not even completing action until sometime next week.

So my view is we have reached the right result. I am not saying the policy is the best.

The Senator from Delaware argues that the unemployed citizens in his State are being unfairly treated relative to the surrounding States. However, the surrounding States have much more severe measures of unemployment.

Let us take the exhaustion rate. Delaware's rate is the third lowest in the country at 16.7 percent; Pennsylvania is 28.8 percent; New Jersey is 48.1 percent; Maryland is 34.6 percent; and New York is 43.5 percent.

By another measure, the insured unemployment rate, all surrounding States have much higher levels than Delaware's which is 2.1 percent; Pennsylvania is 3.42 percent; New Jersey is 3.58 percent; Maryland is 2.76 percent; and New York is 3.39 percent.

I am sure that the Senator is pleased that as few people in his State have exhausted benefits and that they have found additional employment. I am sure that he would not want to make the argument that these data support providing retroactive eligibility, a provision which is designed to address States more severely impacted.

North Dakota has a very strange situation that is not explained by simply looking at the statistics. Their total unemployment rate is very low compared to the national average. In September, it was only 3.5 percent while the Nation as a whole was on average close to 7 percent. Similarly their insured unemployment rate is quite low—1.1 percent—the fourth lowest in the country. This is largely the result of the decision of the State to have a very constrictive law—limiting those who qualify and how long they can collect. But the biggest factor in North Dakota is the seasonal shift in their employment patterns.

Through most of the year the number of unemployed in the State is quite low by all measures. However during the winter, unemployment rates rise, dramatically distorting the estimates of the number of exhaustees in the State.

The reachback provisions are designed to pick up people who have been unemployed for a long period of time—in the case of North Dakota—a significant percentage of the exhaustees would have already returned to work.

From a policy standpoint, there are probably things that need to be corrected in any future bills. This is a temporary bill. It is paid for. And I think, all things considered, it is the right result.

Mr. MITCHELL. Mr. President, I thank the distinguished Republican leader and share the view that he expressed. I am convinced that had we not reached this agreement, we would have prevailed on the agreement. I think it would have been difficult, time-consuming, and we certainly would not have completed action today. It would have been sometime next week, and it would have been in a circumstance in which many Senators felt that the people in their States were not treated in the most fair and responsible manner.

Therefore, notwithstanding the fact that we would have prevailed, in my judgment, had the matter been contested, I believe that the result, providing a better, more fair, and more comprehensive distribution of benefits at an earlier time in the process, compensated for by reducing the length of the program slightly at the other end, was not only a more fair but, I think, a sound policy judgment because, in my view, the time for the expenditure of these funds and their availability to the individual involved is better now than next June when we all hope the economy will be recovering, and, indeed, this may be one step—no one knows how large or small—toward that end.

So I believe it is a good end, and I have said privately to the distinguished Republican leader and will say so publicly, it could not have happened without his constructive effort. There is no doubt in my mind about that. He and I and Senator BENTSEN have spent almost the entire past 24 hours meeting and discussing this matter, and it was a genuinely constructive and good-faith effort. At several crucial points the distinguished Republican leader made the critical suggestion or decision or agreement to enable us to move forward. It was a process of evolution throughout that period of time with ideas being contributed from all sides, resulting in this package.

I believe, Mr. President, that one of the benefits of this package is that this represents the broadest level of benefits of any of the bills that have been considered up to this point.

The irony of this situation is that there has been talk about what level of benefits ought to be accorded. There have been very different legislative proposals advanced. The one approved, and I hope promptly enacted into law, in all respects represents the broadest level made available to the largest number of people in the largest number of States at the earliest time. I think, therefore, if one views this in terms of the two objectives of the unemployment insurance program, that is, as an economic stabilizer to preserve purchasing power at times of economic downturn and to provide assistance to individuals in need, this program, the ultimate result of our efforts, meets those two objectives better than any of the previous efforts offered on either side. I think it is a classic example of the product of free, vigorous, competitive debate and consideration in a democratic society does produce the best result. So I think we can all look upon this as a valuable experience.

I want to repeat my statement made earlier, in response to a question by the distinguished Republican leader, that, so far as I am concerned, I will do everything possible to encourage the swift enactment of this package and will join in resisting any effort to do anything that might cause failure of this program or to create political embarrassment for anybody. We have now come a long, hard road. It has been very difficult. We are right now at the verge of getting this job done, and I think we all have an interest in getting it done. It has been one of many efforts in which we have been engaged and I think this one has been successful.

Mr. SARBANES. Will the leader yield for a comment, while both leaders are on the floor?

Mr. DOLE. If I could just say one thing, first of all, I wanted to make certain the RECORD reflected that I appreciate the majority leader's comments, and I wanted to say that that is the way we have tried to conduct our

business, in a fair and open manner without any partisanship and the way it was done today because we had a problem on both sides. Whenever you have a formula, as I have said many times the last 24 hours, somebody is going to be on the fringe and somebody is going to feel that they were not treated fairly. I must say, as a matter of fact, some are going to get a pretty good windfall because of this latest formula, but at least, in their mind, it is fair. In the minds of the unemployed in each of those States, it is fair, and we still preserve the 20 States where they are really hit in some of the severe areas, so I think we have done the right thing.

But certainly the majority leader, in calling the meetings and extending the opportunity to make progress, was of great help, and it would not have happend without his patience. Again, I think even those who raised questions last night on both sides of the aisle certainly deserve credit. We may ourselves raise questions. They may be managing the bill the next time around, and I think they will understand.

But I think the important thing is we have had an evolution here in the last couple of months. We have had a lot of partisan rhetoric on both sides. The point is now the bill is on its way for signature. I am willing to sort of give everybody credit right now. I think there will be time for maybe partisan differences a little later. But I would like to see the second bill passed and signed, and I hope that can be done very quickly. It seems to me, if it can be done quickly enough, it might save a lot of administrative hassle for the Department of Labor.

So again I want to thank the majority leader and others who participated throughout the day.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I will not delay our adjournment this evening, but I would be remiss if I did not point out to our colleagues also and to the American people that the day has been, in my opinion, a fairly graphic demonstration of what can be accomplished when people of good will and concern on both sides of the aisle recognize a very serious inequity.

In my 17 years in the Senate, I must say, I have never felt as put upon as I did last evening when that extension of unemployment compensation benefits came over to the Senate. I, frankly, was incredulous that it was in the form it was and that it did as much damage to my State—not necessarily damage to my State, but compared to other States, Arkansas was one of the five States that took the biggest hit. And so naturally Senator PRYOR and Senators from other States, Senator FORD, from Kentucky, who is on the floor, could hardly believe that this was about to happen to our States.

We came here, all of us, to represent our States as best we could. We consider the national interest paramount to everything. Sometines our States have to take a subordinated position to the national interest. We understand that. But when you are dealing with a situation, as we were, where the whole country is suffering from the recession and an unemployed person in Arkansas is suffering just as much as an unemployed person in California, Connecticut, Mississippi, or wherever but we are being treated quite differently, it was absolutely imperative that we assert ourselves in the strongest possible way. This morning the Breaux amendment began to set things in motion.

The majority leader deserves great credit, as does the Senator from Texas, Mr. BENTSEN, for heeding our cries and starting the negotiating process, and all is well that turns out well. I simply hope that all of this goes through without a hitch, and I believe that it will. Too many people deserve credit to name all of them, but I am just pleased that my State is a beneficiary of today's negotiations, as is Alabama, Kentucky, New Hampshire. I guess we are most indebted to New Hampshire, Mr. President.

But, having said that, I want to thank everybody who had any role in curing this gross inequity without our having to try to conduct a filibuster on a bill that should go through here to alleviate an awful lot of suffering and pain across the Nation.

Mr. President, that concludes my remarks. As I say, I thank the majority leader and the minority leader and everybody else. I especially thank Senator BREAUX, from Louisiana, for crafting what was a very creative amendment this morning that set this whole thing in motion.

I yield the floor, Mr. President.

Mr. SARBANES. Mr. President, it is with a great deal of focus, now that we have at last cleared this unemployment insurance bill on which we have had problems for the last 2 days.

I want to commend the majority leader and the Republican leader for their very instructive efforts in resolving the problems that existed here as we looked at how this legislation is going to work State-by-State. I think they have come up with a really positive and constructive solution.

We ought also to recognize that the end result of all of this, and what is happening, is that the unemployment benefits will now flow—assuming the signature of the President on these two pieces of legislation—to the American people who desperately need them and that this pressing problem has been addressed.

It has been a long path to get there. I hope to address it at somewhat greater length later in the session. But I want to again thank the majority leader for his strong leadership for many months in this effort; the chairman of the Finance Committee, Senator BENTSEN, who had the jurisdiction of the committee and brought it forth.

I also want to mention my colleagues, Chairman SASSER of the Budget Committee and Chairman RIEGLE of the Banking Committee, who followed this issue very closely through these many months, along with many, many others in this body as we finally have provided unemployment benefits, something that we have done in previous recessions which we had not done in this recession, to enable millions of people across the country to meet their obligations and hopefully give them some opportunity to work their way out of this situation.

I think the majority leader.

Mr. MITCHELL. Mr. President, I thank my colleagues very much for his very valuable contribution to this. He has been one of the leaders in this effort, calling attention to the problem, suggesting solutions to the problem.

I think it is fair to say that but for Senator SARBANES' leadership there would not be an unemployment compensation bill enacted in the Senate this evening.

So he deserves the gratitude not only of the people of his State but of the people all over the country.

CABLE TV REREGULATION

Mr. MITCHELL. Mr. President, over the past several weeks, I have had several conversations with the Republican leader and many other Senators regarding S. 12, the cable television reregulation bill.

As I have stated here on the floor, and publicly in other forums, it has been my intention to bring the cable bill to the floor during this first session of the 102d Congress.

Even now, Mr. President, as we are just a few days away from completing our business this year, I would like to try to schedule the cable bill. However in my discussions with other Senators, I have been advised that several Senators would engage in extended debate and utilize all of the parliamentary tools available to them under the rules of the Senate to delay action, delay action and make it impossible for the Senate to take up the bill. And therefore it has become apparent that it would be impossible to complete action on the bill in this session.

Mr. President, it is my hope that we will shortly be able to get consent giving the majority leader authority to move directly to the cable TV bill shortly after the Senate returns for the second session of the 102d Congress. It is my intention to proceed to that bill hopefully with consent on or about January 27 of next year. That would be within a week after the Senate returns for the second session.

I have discussed this with a number of Senators, and I believe that this is a satisfactory method of handling this legislation.

Personally, I would like to bring it up this session. But it simply is not possible to complete action on it given the statements by several Senators of their intention to filibuster the bill, and to prevent the Senate from first getting to it and completing action on it.

While we certainly could get to it in this session under the rules, it would take so long to do so that I am convinced that it would be impossible to complete action on it this session under the rules. Therefore, I believe the best resolution is to get consent to authorize the majority leader to proceed to it at any time after the Senate covenes for the second session early next year, and that, if I do get that consent, I intend to proceed to it on or about January 27 of next year. If I do not get consent, then we will proceed to it in any event simply having to go through the required procedures under the rules with respect to a motion to proceed.

Mr. DOLE. Mr. President, will the majority leader yield?

Mr. MITCHELL. Yes, sir.

Mr. DOLE. I think, to say very quickly, it may be on Monday we may be able to give the majority leader the consent he has requested. I share the views he has expressed. I wish we could have brought it up this year, but it is going to take some time. We have some very strong objections from a number of Senators on both sides. But I think by Monday we may be in a position to give consent to the request.

Mr. MITCHELL. I thank the Republican leader for that statement.

Mr. HOLLINGS. Mr. President, I thank Senator MITCHELL, the majority leader, for scheduling S. 12, the cable bill, for floor consideration as soon as possible when Congress returns in January. Senator INOUYE, the chairman of the Communications Subcommittee, and Senator DANFORTH, the ranking member of the Commerce Committee, and I have worked with many Members to craft a bill that addresses the problems of rate increases and poor customer service while at the same time ensuring the continued growth of the cable industry. Consideration of this legislation is long overdue, and I look forward to the debate in January.

Mr. INOUYE. Mr. President, I rise today to commend the majority leader, Senator MITCHELL, for his efforts to reach an agreement to bring S. 12, the Cable Television Consumer Protection Act of 1991, before the full Senate as soon as Congress returns in January. This bill reflects a great deal of work and consideration by Senator DANFORTH, the author of this measure, Senator HOLLINGS, the chairman of the committee, and many other Members. I believe that this is one of the most important consumer bills before the Congress and that it is imperative that the Senate consider it promptly upon its return next year.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitting to speak therein.

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

DORENE KAY HANSON AND THE SPIRIT OF LAKE KAMPESKA

Mr. PRESSLER. Mr. President, I would like to take this opportunity to recognize Dorene Hanson of Watertown, SD. Dorene's achievements are a fine example of the vigorous spirit of voluntarism in South Dakota.

Dorene was awarded the Lake Kampeska Day Spirit Award for 1991. This award recognizes a volunteer who displays the most spirit in the celebration of Lake Kampeska Days in Watertown.

Lake Kampeska is one of the largest of many ancient glacial lakes located in the northeast corner of South Dakota. Lake Kampeska provides an excellent setting for all types of recreation. The Lake Kampeska Days celebration, which began in 1981 to promote and enhance water sports, celebrated its tenth anniversary this year.

I congratulate Dorene on her achievements and wish her the best in her future endeavors. Dorene is the daughter of Donald and Joyce Hanson of Bison, SD.

Mr. President, I request that a letter from Daniel Crouse, secretary-treasurer of the Lake Kampeska Days Committee, be printed in the RECORD.

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

SEPTEMBER 30, 1991.

DEAR SENATOR PRESSLER: South Dakota is the land of great faces—great places. One of the things that makes South Dakota a great place to visit is a three day mid-July celebration known as Lake Kampeska Days.

Watertown, South Dakota is the home to Lake Kampeska. One of many glacial formed lakes located in the northeast corner of South Dakota. Lake Kampeska provides a great place for all types of water activities. Lake Kampeska Days was originated in 1981 to promote and enhance these water sports, and to provide a place for local people to exhibit their talents. The weekend includes a sailboat regatta, volleyball tournament, Miss Lake Kampeska beauty pageant, skydiving demonstrations, jet ski races, and a one-mile swim sponsored by the American Red Cross.

Also during this three day celebration, the Lake Kampeska Day Spirit Award is given to recognize the volunteer efforts of an individual during the Lake Kampeska Days weekend. The person may be a contestant, spectator, advertiser or anyone who displays the most Kampeska Day spirit. This award began in 1989. This years Lake Kampeska Days Spirit Award was given to Dorene Kay Hanson. Dorey as we all know her, dedicated her time to producing an award winning volleyball tournaments. Her tireless efforts provided audiences with endless entertainment. Dorey, was really a life saver for us on the Lake Kampeska Days Committee. It was great to be able to turn the volleyball tournament over to someone like her and knowing that it would be done and done right!

Also Lake Kampeska Days celebrated its tenth anniversary in 1991. The event continues to expand and improve each year thanks to the support of people like Dorene Hanson. Combined with the business community and enthusiastic participation of the local service organizations, Lake Kampeska will be able to celebrate another wonderful 10 years.

Senator, thank you for your time in reading this letter. We appreciate all you have done for South Dakota and for the support of all the activities in the great state of South Dakota.

DANIEL "BUCK" CROUSE,
Secretary-Treasurer, Lake Kampeska Water Ski Club, Inc.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,435th day that Terry Anderson has been held captive in Lebanon.

EAST TIMOR RESOLUTION

Mr. PELL. Mr. President, I regret that Senator RIEGLE was inadvertently left off as an original cosponsor of Senate Concurrent Resolution 77, a resolution condemning the massacre of East Timorese civilians by the Indonesian military. Senator RIEGLE's statement on East Timor demonstrates his ardent support for human rights and the East Timorese people. I am glad to correct the RECORD to reflect this.

EXECUTIVE SESSION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider nominations:

Calendar 405. Paul H. Cooksey, to be Deputy Administrator of the Small Business Administration; and

The following nominations reported today by the Committee on the Judiciary:

David R. Hansen, to be U.S. circuit judge;

Lacey A. Collier, to be U.S. district judge;

Wayne R. Andersen, to be U.S. district judge;

Sue L. Robinson, to be U.S. district judge;

Paul R. Matia, to be U.S. district judge;

Richard Cullen, to be U.S. attorney; and

Jerry G. Cunningham, to be U.S. attorney.

I further ask unanimous consent that the Senate proceed to immediate con-

sideration, and that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

SMALL BUSINESS ADMINISTRATION

Paul H. Cooksey, of Virginia, to be Deputy Administrator of the Small Business Administration.

THE JUDICIARY

David R. Hansen, to be U.S. circuit judge;
Lacey A. Collier, to be U.S. district judge;
Wayne R. Andersen, to be U.S. district judge;
Sue L. Robinson, to be U.S. district judge;
Paul R. Matia, to be U.S. district judge;
Richard Cullen, to be U.S. attorney; and
Jerry G. Cunningham, to be U.S. attorney.

STATEMENT ON THE NOMINATION OF JUDGE DAVID R. HANSEN OF IOWA

Mr. GRASSLEY. Mr. President, it is with great pride that I support the confirmation of Judge David R. Hansen of Iowa to a newly created position on the U.S. Court of Appeals for the Eighth Circuit. Judge Hansen has established an exemplary reputation as a judge in Iowa, having served for 10 years in the Iowa district court and 5 years as a Federal trial judge in the northern district of Iowa. Many members of the Iowa bar consider him to be one of the finest Federal judges ever to have served in the State. The President has definitely chosen the best person for the job.

I am also glad that my home State is getting a second Iowan on the court of appeals, for such representation is long overdue, given Iowa's contribution to the caseload and proportion of the population in the eighth circuit. I thank my colleagues for ensuring this would be the case with last year's Judicial Improvements Act. Along with District Judge Longstaff, who was sworn in earlier this month, the hard-working Judge Hansen should be able to make a significant contribution to clearing the backlog in Iowa's Federal courts.

I thank the chairman of the committee on the Judiciary, Senator BIDEN, and the ranking member, Senator THURMOND, for their swift attention to Judge Hansen's confirmation. I wish the best for Judge Hansen and his family, and look forward to reading the thoughtful appellate opinions he will soon be authoring.

STATEMENT ON THE NOMINATION OF LACEY A. COLLIER

Mr. MACK. Mr. President, it is with pleasure that I rise to strongly support Judge Lacey Collier's nomination to the U.S. District Court in the Northern District of Florida.

After serving over 20 years in the U.S. Navy, Judge Collier attended the Florida State University School of Law. During law school, he was a member of the Florida State Law Review and served as the notes and comments editor. Judge Collier graduated with honors from law school in 1977. Subsequent to taking the Florida Bar, he was invited by the Florida Supreme Court to deliver the acceptance speech on behalf of those who took the February 1978 Florida bar examination.

From 1977–84, Judge Collier worked as an assistant State attorney in Pensacola. He has served on the State Judicial Circuit Court since his appointment in 1984. During his tenure on the circuit court, he has been active on the Florida Supreme Court Committee on Standard Jury Instructions and as a member of the faculty of Florida New Judges College.

Judge Collier enjoys widespread support in his community and has earned the respect of the local bar association. I have received more than 500 letters and phone calls highly praising Judge Collier, not only as an outstanding jurist, but also as a civic leader, devoted citizen, educator, public speaker and family man. In one letter after another, Judge Collier is described as having made "a very definite and positive impact upon his community, both as a judge and as an interested member of the community." In tribute to this fine gentleman, Judge Collier in 1989 was the recipient of the Pensacola/BIP Professional Leader of the Year award.

To assist me in identifying qualified individuals for judicial vacancies in my State, I established a judicial advisory commission to make recommendations to me. The commission highly recommended Judge Collier for my consideration. The commission found him to be a superb candidate for the U.S. district court and I wholeheartedly concur.

Last week, Judge Collier appeared before the Senate Judiciary Committee and this morning the committee voted unanimously to forward Judge Collier's name to the full Senate.

I urge the Senate to confirm Judge Collier's nomination as U.S. district judge in the Northern District of Florida.

Thank you, Mr. President.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:40 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3508. An act to amend the Public Health Service Act to revise and extend certain programs relating to the education of individuals as health professionals, and for other purposes; and

H.R. 3709. An act to waive the period of Congressional review for certain District of Columbia acts.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 161. A concurrent resolution expressing the sense of the Congress that the American public should observe the 100th anniversary of moviemaking.

ENROLLED BILL SIGNED

At 7 p.m., a message from the House of Representatives announced that the Speaker has signed the following enrolled bill:

H.R. 3575. An act to provide a program of emergency unemployment compensation, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore [Mr. BYRD].

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 3709. An act to waive the period of Congressional review for certain District of Columbia acts; to the Committee on Governmental Affairs.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The President pro tempore [Mr. BYRD] announced that on today, November 15, 1991, he had signed the following enrolled bill and joint resolution, which had previously been signed by the Speaker of the House:

S. 374. An act to settle all claims of the Aroostock Band of Micmacs resulting from the Band's omission from the Maine Indian Claims Settlement Act of 1980, and for other purposes.

H.J. Res. 215. Joint resolution acknowledging the sacrifices that military families have made on behalf of the Nation and designating November 25, 1991 as "National Military Families Recognition Day".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, which were referred as indicated:

EC-2129. A communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in my possession from April 1, 1991, through September 30, 1991; ordered to lie on the table.

EC-2130. A communication from the Under Secretary of Defense (Acquisition), transmitting, pursuant to law, selected acquisition reports for the quarter ended September 30, 1991; to the Committee on Armed Services.

EC-2131. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on alternative Peacekeeper missile test plans; to the Committee on Armed Services.

EC-2132. A communication from the President of the United States, transmitting, pursuant to law, a report on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-230. A joint resolution adopted by the legislature of the State of California; to the Committee on Agriculture, Nutrition, and Forestry.

"ASSEMBLY JOINT RESOLUTION NO. 36

"Whereas, Integrated pest management is important to the future of California's agricultural industry and the environment; and

"Whereas, Insect pests, such as the Lygus hesperus, cause great damage to the California cotton industry, at a cost of as much as $645 million a year; and

"Whereas, The application of insecticides on cotton would be reduced if biological control techniques could be implemented for pest control; and

"Whereas, An efficacious, nonchemical Lygus hesperus control program in the San Joaquin Valley will greatly enhance prospects for the biological control of cotton, seed alfalfa, and safflower insects in California and serve as a model for future pest control in complex cropping systems; and

"Whereas, The proposed New Mexico State University research project, the Integrated Management of Lygus hesperus in the San Joaquin Valley, would biologically control Lygus hesperus with augmentative releases of the Anaphes iole wasp, implement an insect evaluation system, and establish an insect control program based on the data from the evaluation study; Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California finds and declares that the Integrated Management of Lygus hesperus in the San Joaquin Valley is an essential part of the development of California's integrated pest management program and California's cotton pest control program in particular; and be it further

"Resolved, That the Legislature of the State of California finds and declares that the Integrated Management of Lygus hesperus in the San Joaquin Valley is an essential part of the development of California's integrated pest management program and California's cotton pest control program in particular; and be it further

"Resolved, That the Legislature of the State of California proclaims its full support for the United States Department of Agriculture to fund the Integrated Management of Lygus hesperus research project in the San Joaquin Valley; and be it further

"Resolved, That the Chief of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the United States Department of Agriculture, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-231. A joint resolution adopted by the legislature of the State of Illinois; to the Committee on Appropriations:

"HOUSE JOINT RESOLUTION NO. 68

"Whereas. Abraham Lincoln was one of our country's most important presidents, a great leader, idealist, and dedicated public servant; and

"Whereas. His life story, which takes him from a log cabin to the White House, embodies the American promise of opportunity and the idea of equality and inspires school children and scholars alike all over the world; and

"Whereas. The National Park Service has completed a feasibility study for an Abraham Lincoln Research and Interpretive Center to be located near the Lincoln Home Historic Site in Springfield, Illinois; and

"Whereas. The proposed Research and Interpretive Center would provide a unique facility designed to bring together many historic resources to present the comprehensive story of the life of Abraham Lincoln for students, researchers, and the general public; and

"Whereas. The U.S. Congress has been asked to appropriate funds to allow completion of planning, utilities work, site acquisition and preparation, and initial construction of the interpretive facilities, in fiscal year 1992: Therefore, be it

"Resolved, by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois, the Senate concurring herein, That we urge the United States Congress to approve the pending appropriation request to initiate development of the Abraham Lincoln Research and Interpretive Center in Springfield, Illinois; and be it further

"Resolved, That suitable copies of this preamble and resolution be presented to each member of the Illinois Congressional Delegation."

POM-232. A joint resolution adopted by the legislature of the State of Illinois; to the Committee on Banking, Housing, and Urban Affairs:

"HOUSE JOINT RESOLUTION NO. 50

"Whereas, The states have regulated banking institutions since the early days of our nation's history; and

"Whereas, The traditional authority of the states would be challenged by several proposals currently being discussed and advanced in Congress; and

"Whereas, Proposals which threaten the vitality of the dual banking system would reverse long-standing and successful relationships between the states and the national government; and

"Whereas, The dual banking system has fostered creativity and innovation at the state level which has often led to the development of banking products, services and laws which ultimately benefit citizens nationwide; and

"Whereas, These state-originated innovations include interstate banking, NOW accounts, expedited funds availability. Savings Bank Life Insurance, truth-in-savings laws, disclosure of community reinvestment ratings, electronic funds transfers, and credit card disclosure laws; and

"Whereas, State legislatures and state banking departments are best able to evaluate and respond to the needs and characteristics of local markets, businesses and communities; and

"Whereas, The dual banking system has ensured that the states have the authority and flexibility to respond to specific local needs, changes in technology and increased competition from both foreign businesses and non-banking corporations; and

"Whereas, State regulation has cultivated a responsive and desirable diversity in the size and type of financial institutions which serve the country, such as the existence of both stock and mutual institutions; and

"Whereas, The General Assembly and the Illinois Commissioner of Banks and Trust Companies have always emphasized the need to maintain a safe, sound and healthy banking industry; and

"Whereas, The State of Illinois has been, and continues to be, a leader in instituting banking laws and policies which have had a positive national impact, carefully utilizing its authority to regulate and grant powers to state-chartered banks; and

"Whereas, The Illinois Commissioner of Banks and Trust Companies regulates state-chartered banking assets in the State, overseeing state-chartered commercial banks and guaranteeing their financial integrity; and

"Whereas, The citizens, industries and businesses of the State of Illinois and the entire nation benefit from the dynamics of the dual banking system and its unique and complimentary system of state and national banks and regulators, which is similar to our system of government; and

"Whereas, Congressional proposals which hinder the dual banking system would limit these benefits; therefore, be it

"Resolved by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois, the Senate concurring herein, That the Illinois General Assembly affirms its continued support for and commitment to a strong and viable dual banking system; and be it further

"Resolved, That the Illinois General Assembly pause in its deliberations to express its strong opposition to any proposals which would weaken or eliminate the dual banking system; and be it further

"Resolved, That the Illinois General Assembly urge the Illinois Congressional Delegation and Congress as a whole to prevent or defeat any such proposals; and be it further

"Resolved, That suitable copies of this preamble and resolution be presented to each member of the Illinois Congressional Delegation."

POM-234. A joint resolution adopted by the legislature of the State of Illinois; to the Committee on Commerce, Science, and Transportation:

"HOUSE JOINT RESOLUTION NO. 20

"Whereas, Foreign investment in Illinois represents international confidence in the State's economic future; and

"Whereas, Exports represent 12.6% of the State's total output of goods and services, up from 7.2% in 1985; and

"Whereas, Foreign firms employ a large number of people in Illinois, creating employment opportunities and considerable revenue for State and local governments; and

"Whereas, Illinois' ability to attract foreign investment fell from third place among the 50 states in 1985, to sixth place in 1987; and

"Whereas, The United States Department of Commerce and the President's Trade Representative have displayed considerable negotiation skills during the General Agreement on Tariffs and Trade (GATT) talks; and

"Whereas, Success in the GATT talks will result in considerable economic growth for Illinois firms, producing greater employment opportunities in the State; and

"Whereas, Illinois is in competition with 49 other states who are committing significant amounts of time, energy, and money to attract a greater share of foreign direct investment; and

"Whereas, Competition between states for foreign investment results in excessive incentive packages being awarded to foreign firms that would have located in the United States regardless of incentives; Now, therefore, be it

"*Resolved by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois, the Senate concurring herein*, That we do hereby urge the Congress of the United States to propose a system of coordination and cooperation between the 50 states in matters relating to incentives to foreign firms; and be it further

"*Resolved*, That copies of this preamble and resolution be presented to members of the Illinois Congressional delegation."

POM-235. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science, and Transportation:

"ASSEMBLY JOINT RESOLUTION NO. 4

"Whereas, Over 7,200 miles of hazardous liquid pipeline exist in this state; and

"Whereas, The State Fire Marshal has full safety regulatory and enforcement authority over intrastate hazardous liquid pipelines; and

"Whereas, The State Fire Marshal acts as an agent for the federal Department of Transportation over hazardous liquid interstate pipelines within this state; and

"Whereas, As agent for the federal Department of Transportation, the State Fire Marshal has not been extended full enforcement authority over interstate pipelines; and

"Whereas, The pipeline rupture and fire on May 25, 1989, in San Bernardino, which killed two persons, injured dozens, and destroyed 10 homes, occurred on an interstate pipeline; and

"Whereas, Due to staffing constraints, the Office of Pipeline Safety in the federal Department of Transportation relies almost entirely on pipeline safety engineers employed by the State Fire Marshal to conduct inspections and otherwise ensure the safety of hazardous liquid pipelines within the state; and

"Whereas, Uniformity in pipeline safety regulations is important to the operation of interstate pipelines, and this uniformity is most likely to be achieved if federal pipeline safety requirements are considered sufficient by the states to prevent hazardous liquid pipeline disasters and to protect the public safety; and

"Whereas, It is important that the federal government take all appropriate action, in cooperation with state and local jurisdictions, to prevent hazardous liquid pipeline disasters and protect the public's safety; now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to amend the Hazardous Liquid Pipeline Safety Act of 1979, as amended, (49 U.S.C. Sec. 2001 and following) to authorize the federal Department of Transportation to extend to its state agents, such as the State Fire Marshal, full enforcement authority over interstate pipelines within a state; and be it further

"*Resolved*, That the Hazardous Liquid Pipeline Safety Act of 1979, as amended, be further amended to include provisions applicable to interstate hazardous liquid pipelines which achieve at least an equal level of structural integrity and operating safety as that provided for by Chapter 5.5 (commencing with Section 51010) of Part 1 of Division 1 of Title 5 of the Government Code which, among other things, requires practices such as periodic examination and inspection of intrastate pipelines; and be it further

"*Resolved*, That the Hazardous Liquid Pipeline Safety Act of 1979, as amended, be further amended to authorize the federal Department of Transportation to require that an operator of a hazardous liquid pipeline, which will be newly constructed, notify the federal department or its state agent not less than 30 days before construction begins; and be it further

"*Resolved*, That the Hazardous Liquid Pipeline Safety Act of 1979, as amended, be further amended to require that, if an existing line is to be replaced or relocated in substantially the same structural configuration and it will be located within the existing right-of-way, or within a reasonable proximity of the existing right-of-way, or within a reasonable proximity of the existing right-of-way, but this replacement or relocation does not constitute new construction, the operator shall not later than the day that construction commences, provide the federal Department of Transportation or its state agent with a route map detailing the location of the replaced or relocated hazardous liquid pipeline; and be it further

"*Resolved*, That the Hazardous Liquid Pipeline Safety Act of 1979, as amended, be further amended to authorize the federal Department of Transportation to delegate to state agents, during major pipeline emergencies where public safety is threatened, the authority to order the shutdown of a hazardous liquid interstate pipeline; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Transportation, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the State Fire Marshal."

POM-236. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

"ASSEMBLY JOINT RESOLUTION NO. 8

"Whereas, On January 13, 1991, the army of the Union of Soviet Socialist Republics launched a severe and unprovoked assault on the independent state of Lithuania; and

"Whereas, This attack has reportedly killed many Lithuanian citizens and injured over 100 persons; and

"Whereas, The use of military troops to forcibly impose the will of the Soviet central government on citizens otherwise lawfully engaged in peaceful activities is totally contrary to the basic principles and goals of perestroika, glasnost, and democracy; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the California Legislature respectfully memorializes the President and Congress of the United States to likewise condemn the brutal predawn assault on the citizens of Lithuania that occurred on January 13, 1991, and to carefully review all forms of United States assistance presently being given to the Union of Soviet Socialist Republics; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-237. A resolution adopted by the Eastern Regional Conference of the Council of State Governments supporting the development of electronic telephone directories; to the Committee on Commerce, Science, and Transportation.

POM-238. A resolution adopted by the City Council of Seattle, Washington stating that high level nuclear wastes should not be moved through the Puget Sound are by water or land transportation; to the Committee on Energy and Natural Resources.

POM-239. A resolution adopted by the Eastern Regional Conference of the Council of State Governments opposing any attempt to weaken wetlands protection; to the Committee on Environment and Public Works.

POM-240. A joint resolution adopted by the Legislature of the State of Illinois; to the Committee on Finance.

"HOUSE JOINT RESOLUTION NO. 1

"Whereas, No American should be discouraged from working; and

"Whereas, Unfortunately, one group in our society is penalized severely for attempting to be productive citizens; and

"Whereas, The Social Security earning limits discriminate against older workers between the ages of 62 and 69; and

"Whereas, A worker in this age category loses $1 to $3 in Social Security benefits for every $2 or $3 of income exceeding the federal earning limits of $7,080 or $9,720; and

"Whereas, This penalty may amount to a steep 33% marginal tax rate; and

"Whereas, Nearly one million older workers lose some or all of their Social Security benefits as a result of the earning limits; and

"Whereas, The government should be encouraging all Americans to work and add to the nation's output; and

"Whereas, Studies have shown that as many as 700,000 older Americans have left the labor force due to the earning limits; and

"Whereas, The output of goods and services would increase by as much as $15.4 billion if those Americans were working; and

"Whereas, Government revenues would also rise by $4.9 billion, exceeding the cost of providing full Social Security benefits to these workers; and

"Whereas, These older Americans are the nation's most underused resource; and

"Whereas, The Freedom to Work is a fundamental right that should be enjoyed by all Americans; and

"Whereas, The repeal of the Social Security earning limits is essential if all Americans are to enjoy the Freedom to Work; therefore, be it

"*Resolved*. By the House of Representatives of the Eighty-seventh General Assembly of

the State of Illinois, the Senate concurring herein, that the President of the United States and the United States Congress are hereby urged to repeal the Social Security earning limits by some measure such as the Older American Freedom to Work Act which is designed to encourage older Americans to be a vital part of our nation's work force; and be it further

"*Resolved*, That suitable copies of this preamble and resolution be presented to the President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois Congressional Delegation."

POM-241. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

"ASSEMBLY JOINT RESOLUTION NO. 21

"Whereas, To promote safety of life and property at sea and the protection of the marine environment, the International Standards of Training, Certification and Watchkeeping for Seafarers were established in 1978; and

"Whereas, This international convention on crew standards has been ratified by 78 nations, including all the major maritime nations in the world with the exception of the United States; and

"Whereas, Foreign flag vessels carry 95 percent of all waterborne commerce into the United States; and

"Whereas, Ratification by the United States of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers would provide the United States Coast Guard with the authority to enforce crew standards on foreign flag vessels in United States waters; now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to ratify the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as established in 1978; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the United States Secretary of Transportation, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Commandant of the United States Coast Guard."

POM-242. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

"ASSEMBLY JOINT RESOLUTION NO. 11

"Whereas, Saddam Hussein, the military dictator of Iraq, is a murderous tyrant bent on the violent conquest and domination of his Arab neighbors, who further seeks to determine the future of Israel and the Middle East as a whole; and

"Whereas, The brutal character of this man, Saddam Hussein, first became evident when, as a 14-year-old boy, he killed his first person; years later, after his rise to power, he ordered his troops to exterminate Kurdish villagers of his own nation, mercilessly slaughtering thousands of innocent civilians with poison gas; and

"Whereas, In July of 1990, Saddam Hussein, after amassing thousands of his troops on the border of his neighbor, Kuwait, assured the world that he had no designs on his neighbor; yet, only days after making those assurances, did, in fact, on August 2, 1990, ruthlessly invade this tiny, defenseless country, sending his tanks and army into the streets of Kuwait City, in order to annex his neighbor and seize vast reserves of petroleum and the property of the people of Kuwait, thereby shattering their precious right to live, work, and raise their children in peace and security; and

"Whereas, Saddam Hussein, through the troops under his command in Kuwait, is responsible for unspeakable acts of savagery, and has torn babies from their incubators and shot children in front of the eyes of their helpless parents; and

"Whereas, With 530,000 troops lodged in southern Iraq and Kuwait, Saddam Hussein posed and continues to pose an ominous threat to the Saudi Kingdom and world peace; and

"Whereas, On August 7, 1990, in response to this naked aggression and in order to prevent the further invasion which was imminent, the President of the United States ordered American troops into Saudi Arabia to establish a "Desert Shield" of defense; and

"Whereas, It became clear to virtually all of the civilized world, including Iraq's Arab neighbors, that Saddam Hussein, being in possession of chemical, biological, and other weapons of mass destruction, was also seeking nuclear capability; that, in addition to outright subjugation of any vulnerable neighbor, his clear design was to gain decisive leverage over world oil markets, thus threatening the stability of world peace and all free peoples; and

"Whereas, For the first time in history, this recognition brought about the coming together and mutual resolve of the United States, the Soviet Union, and the United Nations, which, through its Security Council, demanded the unconditional withdrawal of Iraq and the restoration of the legitimate government of Kuwait; and

"Whereas, The United Nations did further authorize the use of military force against Iraq if it refused to comply by January 15, 1991, and, in the interim, the world body did further establish a financial and trade embargo and blockade of Iraq, in an attempt to bring about the peaceful end of Iraq's occupation and aggression; and

"Whereas, President George Bush initiated reasonable means to seek the peaceful adherence of Iraq to the United Nations' resolutions, only to be rebuffed by a determined and intransigent Saddam Hussein; and

"Whereas, The Congress of the United States, after three days of open, somber debate, did, on January 12, 1991, grant to the President the authority to take any action he saw necessary, including the commitment of U.S. Forces into combat, to bring about the compliance by Iraq to the United Nations' resolutions, after the January 15 deadline has passed; and

"Whereas, On January 14, the diplomatic tether reached its end when U.N. Secretary-General Javier Perez de Cuellar could not persuade President Saddam Hussein to begin a pullout of Kuwait by January 15; and

"Whereas, On January 16, after five and one-half months of economic sanctions and diplomatic efforts, Saddam Hussein had refused to withdraw and the liberation of Kuwait had begun; with the authorization of Congress, the President ordered U.S. forces, in conjunction with our Arab and European allies, to unleash a massive bombing attack in an effort to force Iraqi armed forces from occupied Kuwait; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That we take to heart these words that were indelibly spoken two decades ago by President John F. Kennedy, that, "we will bear any burden, pay any price, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty"; and be it further

"*Resolved*, That this Legislature supports the resolute actions taken by President George Bush in pursuit of a policy crucial to the peace of the world; and be it further

"*Resolved*, That this Legislature condemns the brutal and unprovoked attacks on the State of Israel by Saddam Hussein, causing enormous suffering and death to innocent Israeli men, women, and children; and be it further

"*Resolved*, With great pride, we—the people of California—do rightfully and dutifully honor those patriotic young men and women of our armed forces who are carrying out their mission with professional excellence and exemplary bravery, so that others might be free and that world peace will be assured; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-243. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations:

ASSEMBLY JOINT RESOLUTION NO. 2

"*Whereas*, The Antarctic provides habitat for a broad diversity of fish and wildlife, including many rare and endangered species; and

"*Whereas*, Ninety percent of all the ice in the world, which contains seventy percent of all of the fresh water on Earth, is located on the Continent of Antarctica; and

"*Whereas*, The cold waters surrounding Antarctica absorb more carbon dioxide from the atmosphere than all of the rain forests combined; and

"*Whereas*, The Antarctic may well be worth far more to humanity intact, than it could ever be worth as a source of natural resources development; and

"*Whereas*, California recognizes that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord; and

"*Whereas*, California acknowledges the substantial contributions to scientific knowledge resulting from international cooperation in scientific investigation in Antarctica; and

"*Whereas*, California agrees that the continuation and development of that cooperation on the basis of freedom of scientific investigation in Antarctica is in the best interest of science and the progress of all mankind; and

"*Whereas*, The governments of Argentina, Australia, Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America signed an agreement on December 1, 1959, to support and implement the Antarctic Treaty for the purposes of preserving the Antarctic environment and its heritage; and

"Whereas, The primary purpose of the treaty is to protect the exceptionally pris-

tine Antarctic ecosystem of water, air, land, flora, and fauna; and

"Whereas, It is in the best interest of Californians to ensure that Antarctica is managed in the interest of all humankind, in a manner that conserves its unique environment, preserves its value for scientific research, and retains its character as a demilitarized, nuclear-free zone of peace, without harmful consequences to the local and global environment; and

"Whereas, There are currently 24 Antarctic Treaty Consultative (voting) Parties, and 14 NonConsultative (nonvoting) Parties; and

"Whereas, Treaty business is conducted in biennial meetings of the parties; and

"Whereas, The biennial meeting commenced in Santiago, Chile, on Sunday, November 18, 1990, continued through Friday, December 7, 1990, and considered the following protective measures: basic principles, institutions, decision making, monitoring, dispute settlement, marine pollution, waste disposal, protected areas, tourism, and environmental impact assessments; and

"Whereas, An agreement was reached to begin negotiations on a new instrument for the comprehensive protection of the Antarctic environment, and the principle of a prior environmental impact assessment before any human activity could take place was adopted; and

"Whereas, Nonagreement was reached regarding mineral activities, but a consensus to continue the various protection measures and the voluntary constraint of countries with respect to mineral activities was reached; and

"Whereas, The Consultative parties have agreed to continue negotiations on the drafting of a new international instrument for the conclusive protection of the Antarctic environment and dependent ecosystems at another meeting commencing in Madrid, Spain, on Monday, April 22, 1991, to continue through Tuesday, April 30, 1991; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the State of California memorializes the President and the Congress of the United States to direct the Secretary of State to enter into continued negotiations with the Antarctic Treaty Consultative Parties at the convention in Spain to conclusively designate Antarctica as an environmentally protected region and further recognize the region as a protected global ecological commons; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States and to the Secretary of State."

POM-244. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary:

"ASSEMBLY JOINT RESOLUTION NO. 41

"Whereas, A myriad of children are abducted from their families against their will, either by strangers or family members violating custody decrees, each year; and

"Whereas, The rising incidence of crimes against children, child abduction in particular, has left many families feeling vulnerable and afraid; and

"Whereas, On an average, 10 children have disappeared each day across the country in the last seven years; and

"Whereas, There are 1,710 active files on missing children in California; and

"Whereas, There have been over 481,000 attempted abductions and over 26,000 actual abductions nationwide since 1984; and

"Whereas, Of the children that have been abducted, 17,481 have been located alive, 225 have been located deceased, and 9,039 remain missing; and

"Whereas, In 1981, six-year-old Adam Walsh was kidnapped as he looked at toys in a Florida toy store and was later found brutally slain; now therefore, be it

"*Resolved*, by the Assembly and the Senate of the State of California, jointly, That we commit ourselves to the pursuit of policies that will protect our country's most precious resource, our children; and be it further.

"*Resolved*, That the Legislature condemns any crimes against innocent children, causing emotional or physical abuse, or death; and be it further

"*Resolved*, That the Legislature, sharing a common concern for children, recognizes National Missing Children's Day, May 25, 1991, as a day to cherish and protect children, and to pray for each and every child who has been met with harm; and be it further

"*Resolved*, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-245. A joint resolution adopted by the Legislature of the State of California; to the Committee Labor and Human Resources:

"ASSEMBLY JOINT RESOLUTION NO. 7

"Whereas, The Federal Food and Drug Administration is responsible for the safety, efficacy, and labeling of nonprescription drug products; and

"Whereas, Over the last decade, the Food and Drug Administration has permitted more prescription drugs to be switched to over-the-counter classification than in the entire previous history of United States government regulation of drug products for consumers; and

"Whereas, A number of these drugs can have serious side effects when taken incorrectly or in combination with certain other drugs; and

"Whereas, The vision-impaired and the elderly are the most susceptible to contraindication risk associated with overmedication and the combination of certain drugs; and

"Whereas, These risks can be minimized by improving the readability of drug labels, particularly the information regarding dosage and contraindication risks; and

"Whereas, The Legislature at its 1989-90 Regular Session passed, and the Governor signed, Section 26637.5 of the Health and Safety Code which encourages drug manufacturers who sell nonprescription drugs in the State of California to improve the readability of nonprescription drug labels; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California hereby proposes that the Federal Food and Drug Administration promulgate and enforce regulations which improve the readability of all nonprescription drug labels; and be it further

"*Resolved*, That the Legislature of the State of California respectfully memorializes the Congress and the President to enact legislation which would address the concerns set forth in this measure; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this measure to the President and the Vice President of the United States, the Speaker of the House of Representatives, the Chairpersons of the House and Senate Committees on Aging, and to each Senator and Representative from California in the Congress of the United States."

POM-246. A joint resolution adopted by the Legislature of the State of California; to the Committee Labor and Human Resources:

"ASSEMBLY JOINT RESOLUTION NO. 17

"Whereas, California has a longstanding policy commitment to ensure that every person wishing to benefit from higher education would have access to an education through the California Community Colleges, regardless of how he or she fares in high school; and

"Whereas, California's commitment to an accessible community college system was institutionalized in the comprehensive 1960 Master Plan for Higher Education, and has been repeatedly reaffirmed and reinvigorated in periodic reviews of the Master Plan; and

"Whereas, California law prohibits a community college from denying any student access to the institution based on the results of a standardized test; and

"Whereas, California law further establishes a student matriculation process which serves as an effective means for assessing a student's ability to benefit from higher education and providing that student with necessary guidance counseling; and

"Whereas, Public Law 101-508 and implementing regulations of the United States Department of Education require all students at colleges and universities to possess a high school diploma, or its equivalent, or pass an independently administered standardized exam approved by the department; and

"Whereas, Any college which does not comply with these regulations will lose all eligibility for federal funding under Title IV of the Higher Education Act; and

"Whereas, As a result of these regulations, nearly 136,000 first-time community college students would have to be tested annually in California, and a disproportionate number of these students come from an ethnic and economic status for whom the community colleges represent true economic opportunity; and

"Whereas, Communities of color are rapidly becoming the majority in the state and a large percentage of these are Latino, African-American, and other minorities; and

"Whereas, The high school completion rate for Latinos and African-Americans is a mere 54 percent and almost 60 percent of all Latinos in postsecondary education are enrolled at community colleges; and

"Whereas, California's 107 community colleges could lose more than $271 million in federal aid, including $151 million in direct aid to financially eligible students, if they are unable to comply with the new federal policy; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California memorializes the President and the Congress of the United States, to immediately set aside the Department of Education regulations conditioning institutional eligibility for federal postsecondary education aid upon the possession of a high school diploma or passage of a standardized test by all students at an educational institution; and be it further

"*Resolved*, That the California Legislature further memorializes the Congress to expeditiously pass, and the President to sign, legislation allowing California to maintain its commitment to ensuring access to higher

education through the community colleges free of any federally imposed admissions test; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Education, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

POM-247. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

"ASSEMBLY JOINT RESOLUTION NO. 22

"Whereas, Historically the United States was founded upon the principle that all people are created equal; and

"Whereas, In practice, discrimination against individuals based solely upon their color, religion, gender, or national origin has been an unfortunate part of this country's history; and

"Whereas, Some of the ways this discrimination has manifested itself is in the areas of housing, job opportunities, and education; and

"Whereas, For most of our country's history, it has been difficult for minorities to achieve equal opportunities and change has been slow in coming; and

"Whereas, The Constitution of the State of California explicitly states that no citizen may be granted privileges not granted to another; and

"Whereas, The citizens of the State of California are committed to the ideals of democracy and justice advanced by our Federal and State Constitutions; and

"Whereas, In 1963, the Reverend Dr. Martin Luther King, Jr. wrote from the Birmingham jail, "Injustice anywhere is a threat to justice everywhere;" and

"Whereas, The Civil Rights Act of 1964 dramatically strengthened laws preventing discrimination in employment and injustice in other areas, and was a landmark in this country's efforts to ensure equality to all citizens; and

"Whereas, In a series of recent decisions addressing employment discrimination claims under federal law, the Supreme Court of the United Sates cut back on the scope and effectiveness of civil rights protections; and

"Whereas, Existing protections and remedies under federal law are not adequate to deter unlawful discrimination or to compensate victims of discrimination; and

"Whereas, It is incumbent upon the California Legislature to request that the Congress restore the civil rights protections which were so dramatically limited by these recent Supreme Court decisions, and to strengthen the existing protections and remedies available under civil rights laws, in order to provide more effective deterrence of discrimination, and adequate compensation for the victims of discrimination; and

"Whereas, There is a bill currently moving through Congress, House Resolution 1, that is designed to restore and strengthen the civil rights laws banning discrimination in employment and to accomplish other purposes; and

"Whereas, This bill, the Civil Rights Act of 1991, would restore the prohibition against racial discrimination in the creation and enforcement of contracts, restore the burden of proof of unlawful employment practices in disparate impact cases, clarify the prohibition against impermissible consideration of race, color, religion, sex, or national origin in employment practices, facilitate prompt and orderly resolution of challenges to employment practices that carry out litigated or consent judgments or orders, grant all protected classes the same right to recover damages for intentional employment discrimination, and restore strong civil rights enforcement; now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California, jointly*, That existing protections and remedies available under federal civil rights laws should be strengthened to provide more effective deterrence and adequate compensation for victims of discrimination; and be it further

"*Resolved*, That the Legislature of the State of California respectfully requests the President and the Congress of the United States to pass House Resolution 1, the Civil Rights Act of 1991, which responds to recent decisions of the Supreme Court of the United States by restoring the civil rights protections that were limited by those decisions; and be it further

"*Resolved*, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-248. A resolution adopted by the House of Representatives of the State of Illinois; to the Committee on Labor and Human Resources:

"HOUSE RESOLUTION NO. 252

"Whereas, A $24-million federal program that helps rural hospitals is in jeopardy; and

"Whereas, Rural health care transition grants from the Department of Health and Human Services are given to help hospitals change their menu of services; and

"Whereas, Between 1980 and 1988, two hundred rural hospitals were forced to close their doors; and

"Whereas, Congress should consider tailoring the program to benefit weak rural hospitals that have a chance of survival; and

"Whereas, These grants should also be used to strengthen emergency services or to train emergency medical personnel; therefore, be it

"Resolved, by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois, That we urge Congress to support rural health care transition grants and to consider tailoring the program to help weak rural hospitals stay in business; and be it further

"Resolved, That suitable copies of this preamble and resolution be presented to the Speaker of the U.S. House of Representatives, the President of the Senate, each member of the Illinois Congressional delegation, and to the Director of the General Accounting Office."

POM-249. A resolution adopted by the House of Representatives of the State of Illinois; to the Committee on Labor and Human Resources:

"HOUSE RESOLUTION NO. 893

"Whereas, There is a demonstrated need to expand and coordinate international faculty and student exchange programs throughout the State of Illinois to ensure accessibility, especially for minority students and faculty members, at public institutions of higher education; and

"Whereas, There is a lack of coordination and poor distribution of opportunity among all student and faculty exchange programs at public institutions of higher education; and

"Whereas, The largest concentration of minorities in Illinois is located in the Chicago area, with Northeastern Illinois University being strategically positioned in the community with respect to those minority concentrations; and

"Whereas, There is a need for a central office for international faculty and student exchange programs that will guarantee their accessibility to all students and faculty, and particularly to minority students and faculty members, at public institutions of higher education; and

"Whereas, An international faculty and student exchange program with African and Caribbean nations will promote good will and harmony within, and foster understanding and the sharing of educational concepts and principles among African and Caribbean nations; and

"Whereas, It is the role of public institutions of higher education in Illinois to provide the best education possible for the citizens of this State, and a multi-cultural international student and faculty exchange program, with emphasis on Africa and the Caribbean, will be of major assistance in the effort to provide that education: Therefore be it

"*Resolved, by the House of Representatives of the Eighty-Seventh General Assembly of the State of Illinois*, That Northeastern Illinois University. Center Inner City studies is strongly encouraged to establish an international faculty and student exchange program with various African and Caribbean nations; and be it further

"*Resolved*. That the Illinois Board of Higher Education support, through its resources, the development of the African and Caribbean Exchange Program in efforts to seek funding support from the federal government and private philanthropic organizations; and be it further

"*Resolved*. That the President and Faculty Senate of Northeastern Illinois University assume responsibility for reallocating and developing resources as necessary to support and implement the African and Caribbean Exchange Program; and be it further

"*Resolved*. That suitable copies of this resolution be presented to each member of the Illinois congressional delegation, to the members of the Illinois Board of Higher Education and to the Presidents of all public institutions of higher education in this State."

POM-250. A resolution adopted by the Senate of the State of Michigan; to the Select Committee on POW/MIA Affairs:

"SENATE RESOLUTION NO. 218

"Whereas, In the apparent move toward full diplomatic and trade relations with the nation of Vietnam, it is essential for our government officials not to lose sight of the fact that, for thousands of American families, our war in Indochina has never ended. A total of almost 2,300 Americans are still listed as missing or unaccounted for in this region; and

"Whereas, The recent publication of a snapshot that may be a picture of three United States servicemen who have been missing for as many as twenty-five years has rekindled speculation that there are, indeed, many Americans still held prisoner in the region. The photo, while much uncertainty surrounds it, raises many legitimate questions, including speculation as to how seriously the cause of identifying and locating POW/MIAs has been pursued; and

"Whereas, Just as the United States is united in its gratitude and respect for the men and women who now have returned from

the Persian Gulf, our country must remain united on the issue of accounting for every American lost in our war with Vietnam. For the thousands of Americans who continue the nighmare of uncertainty each day, we owe nothing less than our full and committed effort; now, therefore, be it

"*Resolved by the Senate*, That we hereby memorialize the Congress of the United States not to establish full relations with Vietnam until there is a true accounting of all POW/MIAs from the war in Indochina; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the President of the United States Senate, and Speaker of the United States House of Representatives, and the members of the Michigan Congressional delegation."

POM-251. A joint resolution adopted by the Legislature of the State of Colorado; to the Committee on Rules and Administration:

"SENATE JOINT RESOLUTION 91S2-2

"Whereas, The Smithsonian Institution has expressed interest in expanding the National Air and Space Museum; and

"Whereas, A number of sites have been suggested as possible locations for the Smithsonian National Air and Space Museum Extension; and

"Whereas, H.R. 3281, the "National Air and Space Museum Expansion Site Selection Act of 1991", has been introduced in the United States House of Representatives; and

"Whereas, Companion legislation will soon be introduced in the United States Senate; and

"Whereas, This legislation sets forth a fair and equitable site selection process through which all potential sites, including but not limited to Washington, D.C., may be proposed and considered on their merits according to criteria relevant to the needs of the public and the efficient operation of such a facility; and

"Whereas, Denver's Stapleton International Airport has many inherent advantages over other suggested sites and is particularly well suited to serve as the site of the National Air and Space Museum Extension; and

"Whereas, Stapleton International Airport could form the basis for a highly competitive proposal under any objective set of criteria; and

"Whereas, Locating the National Air and Space Museum Extension at Stapleton would save the taxpayers of the United States well in excess of one hundred million dollars; and

"Whereas, Locating a branch of the Smithsonian Museum in the western United States would enable millions of new visitors to experience, first-hand, the treasures of the Smithsonian; and

"Whereas, The Smithsonian National Air and Space Museum Extension would provide an unparalleled educational resource for the people of Colorado and of the western United States in general; and

"Whereas, The Smithsonian National Air and Space Museum Extension would attract over a million out-of-state visitors per year, many of whom would take advantage of their visit to tour Colorado and other western states; and

"Whereas, Stapleton International Airport is at present the only site in the western United States under consideration; now, therefore,

"*Be It Resolved by the Senate of the Fifty-eighth General Assembly of the State of Colorado, the House of Representatives concurring herein*:

"(1) That the General Assembly supports the establishment of a fair and equitable process for the selection of a site for the Smithsonian National Air and Space Museum Extension.

"(2) That the General Assembly urges the adoption of H.R. 3281 and its companion legislation in the Senate.

"(3) That the General Assembly applauds and supports efforts to secure the location of the Smithsonian National Air and Space Museum Extension at Stapleton International Airport, and urges the Regents of the Smithsonian Institution to give this uniquely qualified site their favorable consideration.

"(4) That upon the passage of H.R. 3281 and its companion legislation, the General Assembly will work with the City of Denver, the county of Adams, the administrators of Stapleton International Airport, Air and Space West, Inc., and other persons and entities, both public and private, to assist them in their efforts to prepare a competitive and comprehensive proposal for consideration under this legislation.

"*Be It Further Resolved*, That copies of this resolution be transmitted to Governor Roy Romer, to the Regents of the Smithsonian Institution, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the chair of each of the committees considering H.R. 3281 and its companion legislation, to the Mayor of the City and County of Denver, to Air and Space West, Inc., and to the congressional delegation representing the State of Colorado in the Congress of the United States."

POM-252. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs:

"ASSEMBLY JOINT RESOLUTION NO. 15

"Whereas, Over 470,000 American men and women have been uprooted from their families and peacetime careers to sacrifice their time and risk their lives for their country; and

"Whereas, People of different philosophies and views on the United States government's military policies undertaken in the Persian Gulf nevertheless, unite in respect for the sacrifices suffered by America's men and women serving in Operation Desert Storm; and

"Whereas, Those sacrifices also were borne stateside by military dependents whose reservist parents were called to active duty, and who were forced to leave behind their children, often with inadequate child care; and

"Whereas, The veterans returning from Operation Desert Storm deserve the appreciation of their government in the form of improved opportunities in housing, education, and health care; and

"Whereas, The veterans of this war deserve not only praise today, but the benefits of important services now, and when they return home from battle; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California proclaims its commitment to honor the individual men and women who will return as veterans of Operation Desert Storm; and be it further

"*Resolved*, That the Legislature hereby states its commitment to pursue, and urges the Congress of the United States to consider enacting, a series of benefits to aid those California residents serving in support of Operation Desert Storm, including, but not limited to:

"(1) Provision of child care for military reservists and national guard members while called to active duty away from home.

"(2) Eligibility for the CAL-VET home loan program.

"(3) Conformity with recently passed federal law by exempting military pay from state income taxation.

"(4) Creation of a system to assure adequate health care and counseling for returning veterans.

"(5) Waiver of tuition and fees at state colleges and universities for those returning veterans who desire educational advancement; and be it further,

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.J. Res. 157. A joint resolution making technical corrections and correcting enrollment errors in certain acts making appropriations for the fiscal year ending September 30, 1991, and for other purposes (Rept. No. 102-216).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with amendments:

S. 1179. A bill to stimulate the production of geologic-map information in the United States through the cooperation of Federal, State, and academic participants (Rept. No. 102-217).

S. 1187. A bill to amend the Stock Raising Homestead Act to provide certain procedures for entry onto Stock Raising Homestead Act lands, and for other purposes (Rept. No. 102-218).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

William Pelham Barr, of Virginia, to be Attorney General.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. BIDEN, from the Committee on the Judiciary:

Richard Cullen, of Virginia, to be U.S. attorney for the Eastern District of Virginia for the term of 4 years;

Jerry G. Cunningham, of Tennessee, to be U.S. attorney for the Eastern District of Tennessee for the term of 4 years;

David R. Hansen, of Iowa, to be U.S. circuit judge for the Eighth District;

Paul R. Matia, of Ohio, to be U.S. district judge for the Northern District of Ohio;

Lacey A. Collier, of Florida, to be U.S. district judge for the Northern District of Florida.

Wayne R. Anderson, of Illinois, to be U.S. District Judge for the Northern District of Illinois; and

Sue L. Robinson, of Delaware, to be U.S. district judge for the District of Delaware.

By Mr. PELL, from the Committee on Foreign Relations:

Treaty Doc. 102-7. The Convention for the Prohibition on Fishing With Long Driftnets in the South Pacific (Exec. Rept. No. 102-20).

Treaty Doc. 102-4. Amendment to the Montreal Protocol on Substances that Deplete the Ozone (Exec. Rept. No. 102-21).

TEXTS OF REPORTED RESOLUTIONS OF ADVICE AND CONSENT TO RATIFICATION

Resolved (two thirds of the Senators present and concurring therein) That the Senate advise and consent to the ratification of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, done at Wellington on November 24, 1989 (the "Wellington Convention"), and Protocol I, done at Noumea on October 20, 1990, to the Wellington Convention, subject to the following understandings:

1. That the United States signed the Convention in its own name and on its own behalf because a portion of its exclusive economic zone is located within the Convention Area. It is the United States understanding that upon becoming a party to the Convention the United States will be obligated to prohibit driftnet fishing in all areas of its exclusive economic zone within the Convention Area, and to prohibit all United States nationals and vessels documented under United States laws from fishing with driftnets in the Convention Area.

2. That Article 3 provides for measures consistent with international law to restrict driftnet fishing activities by vessels within areas under a party's fisheries jurisdiction. It is the United States understanding that the measures in Article 3 will only be applied when consistent with navigation and other international transit rights under customary international law and as reflected in the 1982 United Nations Convention on the Law of the Sea.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of an Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted at London on June 29, 1990, by the Second Meeting of the Parties to the Montreal Protocol.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BINGAMAN (for himself, Mr. GORE and Mr. HATFIELD):

S. 1974. A bill to establish a program to increase the level of science and technology cooperation between the United States and Latin America; to the Committee on Foreign Relations.

By Mr. SPECTER:

S. 1975. A bill to establish a dislocated workers educational training demonstration program; to the Committee on Labor and Human Resources.

By Mr. INOUYE (for himself, Mr. AKAKA and Mr. SIMON):

S. 1976. A bill to amend the Immigration and Nationality Act to provide for prompt parole into the United States of aliens in order to attend the funeral of an immediate blood relative in the United States and to deny parole status to aliens who are excludable from admission into the United States; to the Committee on the Judiciary.

By Mr. McCAIN (for himself, Mr. HOLLINGS and Mr. DANFORTH):

S. 1977. A bill to amend the Federal Aviation Act of 1958 to permit the Secretary of Transportation to authorize certain foreign investment in United States air carriers in excess of 25 percent; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAFEE:

S. 1978. A bill to amend title XVIII of the Social Security Act to remove the payment limitation imposed under such title with respect to the furnishing of psychiatric services in a nursing facility; to the Committee on Finance.

By Mr. McCONNELL:

S. 1979. A bill to provide greater certainty in the availability and cost of liability insurance, to eliminate the abuses of the tort system, and for other purposes; to the Committee on the Judiciary.

By Mr. McCAIN (for himself, Mr. DANFORTH and Mr. HOLLINGS):

S. 1980. A bill to amend the Federal Aviation Act of 1958 to permit the Secretary of Transportation to authorize certain foreign investment in United States air carriers in excess of 25 percent.

By Mr. DOLE:

S.J. Res. 232. A joint resolution waiving certain enrollment requirements with respect to the bill H.R. 3575; considered and passed.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. GORE, and Mr. HATFIELD):

S. 1974. A bill to establish a program to increase the level of science and technology cooperation between the United States and Latin America; to the Committee on Foreign Relations.

INTER-AMERICAN SCIENTIFIC COOPERATION ACT

• Mr. BINGAMAN. Mr. President, today I rise to introduce the Inter-American Scientific Cooperation Act of 1991. This legislation is aimed at increasing our scientific and technological ties with nations of Latin America. The United States is a world leader in science and technology. In order to maintain and strengthen our leadership, the United States needs to reevaluate our current process for science and technology cooperation. Unfortunately, cooperative efforts between the United States and one of our most important partners, Latin America, have declined in the past 20 years. This bill seeks to reverse this trend by establishing a strong alliance in joint research and education between Latin America and the United States.

Recently, our relationship with Latin American nations has been highlighted by debates over fast-track status for United States-Mexico free trade negotiations, and over a Western Hemisphere free trade zone. We need to develop a foreign policy with our Latin American neighbors which is consistent and which is desirous of supporting and developing common interests in science and technology. Our economic competitiveness has been declining and we need new international markets for our exports. It is good policy for us to forge scientific and technological partnerships with Latin America now, as a basis for establishing economic markets later.

This bill seeks to establish a strong alliance in joint research and education between Latin America and the United States. The rapid rate of advancement in science and technology has made it difficult for Latin American countries to keep abreast of these global changes.

We are a part of a global, changing economy and the impact of this economy on such areas as the global environment is only too slowly, too painfully being recognized. For example, we are only beginning to understand the potential climactic consequences of acid rain and global warming. These are not isolated national problems but problems that are international in scope and will need cooperative efforts between developed and underdeveloped nations as we attempt to overcome them. This bill is a step toward reinvigorating cooperation between the United States and Latin America.

As the Latin American nations strive to increase the standard of living for their people and as we strive to become more economically competitive with other industrialized nations in Europe and Asia the need for cooperation between the nations of Latin America and the United States becomes evident. The United States would not only aid Latin America but would also benefit from expanded trade and investment relations. Unique natural environments and conditions in Latin America also make Latin America a critical area for research opportunities for U.S. scientists.

As a result of the political and economic turmoil in Latin America in recent years, these nations have had an extremely difficult time in developing their scientific and technological resources. In addition, a new generation of advanced technologies, microelectronics, biotechnologies, new materials, and new energy technologies, present a new set of challenges and problems for science and technology activities all over the world. Hence, the rapid rate of advancement has made it difficult for Latin American countries to keep abreast of the latest global scientific developments.

Cooperation between Latin America and the United States has declined. As a result, Latin America has looked to Europe and Japan for scientific and technological training. This trend, in conjunction with the increased emphasis on science and technology in the national development plans of many Latin America nations, will mean a loss of United States influence if we do not act to reassert our interest in this area. Such a reawakening of United

States-Latin American cooperation is not only possible but imperative. The bill I am introducing today is but one step, albeit an important step, in establishing the proper relation for cooperation.

Increased science and technical cooperation would not only aid Latin America but would also benefit the United States. Unique natural environments and conditions make Latin America a critical area for research opportunities for U.S. scientists. For example, to thoroughly investigate such topics as the deforestation of the Amazon Basin and its contribution to global climate change and species diversity, U.S. scientists need stable working relationships with Latin American scientists and access to these environments.

The new inter-American scientific cooperation program within the NSF would consist of several elements. The first is an expansion of funds. At present, NSF funds joint research projects between the United States and Latin America through its international division, with funding under $1 million. This bill would expand the scope of joint research activities with an authorization of $10 million in fiscal year 1992 and up to $10 million in fiscal year 1993.

The bill would also increase the number of Latin American exchange students eligible to study in the United States. Since the peak year of 1982, enrollment of Latin American students in the United States has dropped by 31 percent; Latin American students tend to elect to study in Europe and in Japan. This trend has been fostered by several factors including the Latin American debt crisis, devaluation of currencies, decline of oil revenues, rise in the cost of education in the United States, improvement in indigenous opportunities, and increased opportunities in other Latin American countries, Europe and, Japan.

In order to reverse these trends, the bill establishes the Inter-American Scientific Educational Development Exchange to provide graduate and postdoctoral fellowships, both for Latin Americans studying in the United States and for United States students who wish to study in Latin America. There will be an exchange of information and technical assistance between the scientists and engineers of both countries interested in establishing data bases and computer linkages.

These exchanges are investments in our political future. As part of the future leadership in their homelands, these students will play key roles in determining the political and economic alliances that the region will make in the next century. This type of communication link is critical for strengthening the Latin American scientific infrastructure.

This act encourages the use of debt for science exchanges to finance cooperative scientific research projects. A United States-Mexico Binational Science Endowment is authorized under this act. The endowment is established exclusively for scientific and educational purposes. The endowment will be funded through debt for science exchanges, as well as, direct governmental or nongovernmental contributions.

Mr. President, the viability of the U.S. economy is inescapably linked to the world economy; America no longer occupies the position of dominance it once did. A successful Latin America will be fundamental to world economic growth and thus to our own. No other nation has closer ties to and greater interest in Latin America than the United States. Increased cooperation in science and technology is an important way for the United States to help Latin American nations grow and prosper. It is my sincere hope that my colleagues will support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1974

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 "Inter-American Scientific Cooperation Act of 1991".

SEC. 2. FINDINGS AND DEFINITIONS.

(a) FINDINGS.—The Congress finds that—

(1) Latin America shares a wide range of scientific and technological concerns with the United States, and the diversity of Latin American countries and their needs in science and technology are significant;

(2) the need for science and technology cooperation with Latin America has increased significantly since the 1970's, but mechanisms for cooperation have decreased since many countries in Latin America graduated from programs sponsored by the Agency for International Development;

(3) Latin American scientists and engineers have increasingly looked to Europe and Japan for advanced training and research, and this trend, in conjunction with the emphasis on science and technology in Latin American national development plans and the increase in science and technology cooperation among Latin American nations, may result in a loss of mutually beneficial commerce and scientific cooperation between Latin America and the United States;

(4) investment by the United States in the Latin American science and technology infrastructure and participation of United States scientists and engineers in short-term and long-term assignments in Latin America can further improve relations between the United States and Latin America, and bring many benefits to the United States, including scientific access, enhanced trade and investment relations, and the opportunity to contribute to economic growth and democratization in the hemisphere;

(5) science and technology cooperation with the United States and advanced training and research in the United States can bring many benefits to Latin America, for example, in developing Latin American countries cooperation can contribute to the strengthening of basic science and technology infrastructure, and in industrially advanced Latin American countries, cooperation can increase opportunities in many scientific disciplines and in the frontier scientific fields;

(6) considerable progress in science and technology cooperation can be made with relatively modest investments;

(7) a Free Trade Agreement with Mexico should be accompanied by the creation of new opportunities and mechanisms for scientific cooperation and research on issues of mutual interest to the United States and Mexico;

(8) the return to democracy in a number of Latin American countries provides renewed vigor for freedom of scientific inquiry, cooperation, and progress, as well as a focus for the reversal of the decline in science and technology cooperation between the United States and Latin America.

(b) DEFINITIONS.—For the purpose of this Act—

(1) the term "debt-for-science exchange" means the cancellation of a portion of a Latin American nation's debt to a United States commercial bank through secondary market purchase of this debt at discounted rates by a non-Federal organization, in exchange for contribution of an agreed-upon proportion of this canceled debt's original value by the debtor nation to a specified scientific research program or endowment;

(2) the term "Director" means the Director of the National Science Foundation;

(3) the term "Latin America" means Mexico, the Caribbean basin, Central America, and South America; and

(4) the term "Program" means the Inter-American Scientific Cooperation Program established under section 3.

SEC. 3. ESTABLISHMENT OF THE PROGRAM.

The National Science Foundation shall establish an Inter-American Scientific Cooperation Program aimed at increasing the level of science and technology cooperation between the United States and Latin America. The National Science Foundation, in establishing this Program, shall identify and cooperate with private and governmental funding bodies, both in Latin America and in the United States. The Program shall include the following elements:

(1) ENCOURAGEMENT AND FUNDING.—Encouragement and funding of project development interchanges and joint research projects between United States and Latin American scientists and engineers. Interchanges and joint projects funded by the National Science Foundation shall, whenever possible, include cost sharing from sources within the Latin American countries whose citizens participate in such interchanges and projects. The Director shall determine the amount of cost sharing which is required.

(2) INTER-AMERICAN SCIENTIFIC EDUCATIONAL DEVELOPMENT EXCHANGE.—(A) Establishment in accordance with section 13 of the National Science Foundation Act of 1950 (42 U.S.C. 1872) of an Inter-American Scientific Educational Development Exchange (hereafter in this paragraph referred to as the "Exchange"). The Exchange's activities shall include—

(i) graduate and postdoctoral fellowships in science and technology for Latin Americans to study in the United States and for United States citizens to study in Latin America;

(ii) collection and dissemination of information to Latin Americans on other avenues for advanced study in science and technology in the United States; and

(iii) United States assistance to Latin American institutions, at the institutions' request, for development of courses, seminars, and curriculum in science and technology.

(B) In awarding fellowships under this paragraph, the Exchange shall give priority to candidates who are professionally active scientists or engineers and whose institutions give assurance that a position will be available to such individuals after completion of the fellowship. Fellowships for Latin Americans shall, whenever possible, include cost sharing from sources within the country of origin of the recipient. The amount of cost sharing required shall be determined by the Director.

(3) INFORMATION AND TECHNICAL ASSISTANCE.—Exchanging information and technical assistance between United States and Latin American scientists and engineers interested in establishing data bases and computer linkages.

(4) EQUIPMENT.—Providing information to enable the routing of scientific equipment between the United States and Latin America, including information with respect to matching equipment with need, identifying technical maintenance requirements, and meeting customs regulations.

(5) RESEARCH PROGRAMS.—Promotion of research programs which utilize unique natural environments or existing or potential centers of scientific research excellence in Latin America.

SEC. 4. UNITED STATES-LATIN AMERICAN DEBT-FOR-SCIENCE EXCHANGES.

(a) IN GENERAL.—The Program shall encourage the use of debt-for-science exchanges to finance cooperative scientific research projects. The Director shall act, in accordance with section 13 of the National Science Foundation Act of 1950 (42 U.S.C. 1872), and in cooperation with other Federal agencies and appropriate non-Federal organizations, to make funds available to non-Federal organizations, including colleges and universities, for such debt-for-science exchanges.

(b) DEBTOR NATION CONTRIBUTION.—Availability of such funds shall be contingent upon indication by the debtor nation of intent to contribute, in local currency, dollars, or both, no less than 75 percent of the full face value of the purchased discounted debt, or an amount at least 20 percent greater than the generally prevailing purchase price of the debt at current market conditions, for support of—

(1) cooperative projects, as described in section 3; or

(2) binational or multinational endowments for the long-term support of cooperative research projects with the United States, including the endowment established under section 5.

(c) NON-FEDERAL MATCHING FUNDS REQUIREMENT.—Federal grants made under this section shall be equally matched by non-Federal contributions.

SEC. 5. UNITED STATES-MEXICO BINATIONAL SCIENCE ENDOWMENT.

(a) ESTABLISHMENT OF THE ENDOWMENT.—

(1) IN GENERAL.—The Director, in consultation with the Director of the Office of Science and Technology Policy, shall appoint a 5-member Board of Governors (hereafter in this section referred to as the "Board") as the United States representatives of a United States-Mexico Binational Science Endowment (hereafter in this section referred to as the "Endowment"). The United States appointees to the Board shall possess considerable expertise in areas of United States-Mexico cooperation in science and technology, and not more than 2 appointees shall be full-time employees of the United States Government. The Director, or his designee, shall serve as an additional, ex officio member of the Board. The President shall direct the Director to work with appropriate representatives of the Government of Mexico to arrive at mutually agreeable binational membership, structure, and operation of the Board.

(2) STRUCTURE AND OPERATION.—The structure and operation of the Endowment shall be determined exclusively by the Board, consistent with subsection (b).

(b) TERMS OF THE ENDOWMENT.—

(1) IN GENERAL.—The Endowment shall be an independent, nongovernmental, nonadvocacy, not-for-profit organization, organized and operated exclusively for scientific and educational purposes.

(2) DESIGN.—The Endowment shall be designed to receive funds from debt-for-science exchanges, as well as direct governmental or nongovernmental contributions, in dollars or Mexican pesos, and shall support, from the interest income generated on such funds, scientific research or educational projects conducted cooperatively by United States and Mexican scientists or educators, of potential benefit to both nations.

(3) CHARTER.—The Board shall adopt a charter for the operation of the Endowment, which should include provisions—

(A) to protect the Endowment's principal from loss of value due to inflation;

(B) to define the range of scientific and educational activities to be funded by the Endowment;

(C) to define criteria for application, merit review, and awarding of funds from the Endowment which encompass, at a minimum, consideration of scientific merit, strength of collaborative arrangements, and potential benefit to both the United States and Mexico; and

(D) to keep administrative costs to a minimum.

SEC. 6. REPORT.

(a) IN GENERAL.—Each year at the time of submission to the Congress of the President's budget, the Director shall submit to the Congress a report which—

(1) details activities conducted pursuant to this Act during the preceding fiscal year;

(2) includes a description of how activities of the Program relate to other ongoing and prospective National Science Foundation activities in Latin America;

(3) describes plans for the current and upcoming fiscal years' activities;

(4) recommends priorities for cooperation in terms of scientific disciplines and geographic regions; and

(5) recommends necessary legislative or administrative changes in the Program.

(b) SPECIAL RULE.—Every two years, the report described in subsection (a) shall include a description, analysis, and compilation of funding data for all federally funded research and development activities carried out in, or in cooperation with, Latin American nations.

SEC. 7. FUNDING.

(a) IN GENERAL.—The Director is authorized to make available not more than $10,000,000 of the funds authorized to be appropriated pursuant to section 101 of the National Science Foundation Authorization Act of 1988 for each of the fiscal years 1992 and 1993 to carry out this Act.

(b) DEBT-FOR-SCIENCE EXCHANGES.—The President is authorized and encouraged to make available $5,000,000 of the amounts appropriated under part I of the Foreign Assistance Act of 1961 for fiscal year 1992 to carry out the Program for the purpose of funding debt-for-science exchanges described in section 4 of this Act as part of a United States contribution to the Endowment described in section 5(b)(2) of this Act.●

By Mr. SPECTER:

S. 1975. A bill to establish a dislocated workers educational training demonstration project; to the Committee on Labor and Human Resources.

DISLOCATED WORKERS EDUCATIONAL TRAINING DEMONSTRATION PROGRAM

Mr. SPECTER. Mr. President, the future of any country that depends on the will of its people is damaged whenever large numbers of its citizens are unemployed. Unemployment wastes lives and deprives men and women of their full share in the American dream. On the other hand, how well we develop and employ valuable human resources determines how much we can accomplish as a nation.

Sadly, more than 86,000 workers in my home State of Pennsylvania lost their jobs last year as a result of either plant closures or general reductions in the work force.

We cannot accept this situation.

Our first imperative as a nation should be to help those individuals, in Pennsylvania and the rest of the country, reenter the work force.

Unfortunately, the Federal Dislocated Workers Assistance Program operated through the Job Training Partnership Act was able to assist less than one-tenth of the 86,000 workers in need of retraining.

I am now introducing legislation that will establish a new program to help retrain dislocated workers. This legislation, which is modeled after a program currently operating at the Community College of Allegheny County in Pittsburgh, would encourage institutions of higher education to address this problem. Under the program, $50 million would be authorized to demonstrate effective and innovative approaches to preparing dislocated workers for reentry into the work force.

Instructional programs would be fashioned to suit the individual goals, background, aptitude, and skills of the participants. Programs would incorporate both credit and noncredit courses. Participants could enroll in credit courses that lead to 1-year certificate or 2-year associate degree programs, noncredit offerings would include academic skills improvement, job skills training, and career and personal development.

To the extent possible, each participant's tuition, fees, and books would be paid for by Federal and State student aid. The remaining costs would be covered by a Federal/State matching grant.

Participants who qualify for unemployment compensation benefits or public assistance would be eligible to

continue to receive these forms of assistance while enrolled in the program.

I look to this legislation to support new training ventures—ones that will demonstrate the potential of retraining as a way to keep the labor force adaptable and, above all, to get our people back to work.

I urge my colleagues to join me in sponsoring this important measure.

By Mr. INOUYE (for himself, Mr. AKAKA, and Mr. SIMON):

S. 1976. A bill to amend the Immigration and Nationality Act to provide for prompt parole into the United States of aliens in order to attend the funeral of an immediate blood relative in the United States and to deny parole status to aliens who are excludable from admission into the United States; to the Committee on the Judiciary.

PROMPT PAROLE OF ALIENS IN ORDER TO ATTEND THE FUNERAL OF A BLOOD RELATIVE

• Mr. INOUYE. Mr. President, today, I introduce a bill, along with Senators AKAKA and SIMON, which amends the Immigration and Nationality Act to allow the prompt parole of aliens into the United States for the purpose of attending the funeral of an immediate blood relative.

The proposed measure is similar to H.R. 3345, but includes a provision that addresses potential abuse. Under the provisions of this bill, an alien is required to provide a certified copy of the death certificate of the relative. The parole period shall not exceed 30 days except under circumstances specified by the Attorney General. In addition, the bill denies parole status to aliens who are excludable from admission into the United States. Further, the Attorney General is required to report to Congress any violations or abuses of the immigration law resulting from the parole of aliens into the United States.

While current statutes provide for the administrative parole of aliens into the United States to attend funerals of immediate family members, oftentimes, aliens from certain countries are without justification delayed or denied timely entry by embassy officials. To remedy this injustice, this bill mandates expeditious entry into the United States to any alien who can prove the death of an immediate blood relative with a death certificate. Accordingly, I urge my colleagues to support this bill.•

By Mr. MCCAIN (for himself, Mr. HOLLINGS, and Mr. DANFORTH):

S. 1977. A bill to amend the Federal Aviation Act of 1958 to permit the Secretary of Transportation to authorize certain foreign investment on United States air carriers in excess of 25 percent; to the Committee on Commerce, Science, and Transportation.

FOREIGN INVESTMENT IN AIR CARRIERS

• Mr. MCCAIN. Mr. President, at midnight Wednesday, Midway Airlines grounded its planes. As a result of the souring of a proposed merger with Northwest, Midway ran out of cash and was forced to shut down. The loss of Midway, one of the two remaining post-deregulation carriers, means that we are now that much farther away from fulfilling the promise of airline deregulation.

When Congress passed the Airline Deregulation Act in 1978, the American consumer was promised that free competition and open entry would provide better service and lower fares. For the first few years of deregulation, new airlines flourished, and the promise was fulfilled. Since the mid-1980's, however, we have seen increasing concentration in the industry, rising barriers to entry, and a lessening of competition.

Consider the litany of airlines that are no longer here or are in financial straits: Braniff and Eastern are out of business; today, it appears that Midway will join them; Pan Am has been broken apart and is a mere shell of its former glory; and Continental, TWA, and America West are all seeking reorganization under court protection.

Mr. President, we must attempt to help the airline industry remain competitive and prevent the failure of airline deregulation. The legislation which I am proposing today, a modification in the permissible level of foreign investment in U.S. airlines, will help troubled carriers survive and provide procompetitive benefits to air travelers.

Secretary Skinner has identified the need for capital as the No. 1 problem facing the airline industry today. The effects of the gulf war and the recession have combined to burden the industry with record losses and cut off additional capital to all but the strongest carriers. Given the financial problems in the airline industry, some have suggested that the Government bail out failing carriers. I cannot agree with that. Instead, I am proposing a modification in the law governing foreign investment to increase the permissible level of foreign investment from 25 percent to 49 percent. This change will open up the ability of airlines to obtain investment capital not only from domestic sources but also internationally.

Frankly, Mr. President, America West, an airline very important to Arizona, can benefit from increased access to foreign capital. America West, founded in 1982, is the embodiment of what airline deregulation is about. With its low costs and motivated employees, America West has raised the level of competition throughout the entire airline industry. The loss of America West would mean more concentration, higher fares, and fewer travel options.

In addition, America West plays a key role in Arizona's economy. It is one of the largest private employers in the State, with nearly 10,000 employees. America West also provides the State with world-class air service and connections, contribution to Arizona's business environment.

Mr. President, I do not come easily to the proposal to allow increased foreign investment in our domestic aviation industry. It is troubling to me to come to the conclusion that the future of the U.S. aviation industry—historically, the world's leader—depends on foreign investment for survival. Yet, the alternative, more failed airlines, lost jobs, and less competition, is unacceptable.

To ensure that any foreign investment does not harm U.S. interests or the long term future of the domestic airline industry, this legislation includes several protections. First, while the legislation allows up to 49 percent foreign investment in a U.S. airline, no single foreign investor may own more than 25 percent of the investment. Second, the Secretary of Transportation must approve any total level of foreign investment above the current statutory limit of 25 percent. Before approving such higher levels of investment, the Secretary must determine that: Reciprocal investment rights are available for U.S. citizens; no foreign person involved in the transaction is substantially owned or controlled by a foreign government; competition in the domestic airline industry will be enhanced by the transaction; and the foreign investment will not adversely affect the national security interests of the United States or unfairly disadvantage U.S. aircraft manufacturers.

Mr. President, if we want to salvage airline deregulation, now is the time to act. This proposed change in the foreign investment statute will not correct all of the problems of airline deregulation. The legislation will, however, provide additional capability for distressed airlines, including America West, to survive the current period and fulfill the promise of deregulation.•

By Mr. CHAFEE:

S. 1978. A bill to amend title XVIII of the Social Security Act to remove the payment limitation imposed under such title with respect to the furnishing of psychiatric services in a nursing facility; to the Committee on Finance.

REMOVAL OF PAYMENT LIMITATION FOR PSYCHIATRIC SERVICES IN A NURSING FACILITY

• Mr. CHAFEE. Mr. President, today I am introducing the Medicare Mental Health Improvement Act. This legislation will assure that Medicare beneficiaries, who reside in nursing homes, will get needed mental health care. Problems with untreated, or inappropriately treated, mental illnesses and behavioral problems are far too common in our nursing homes today.

Due to inequities in Medicare payment for mental health treatment, patients who reside in nursing homes

have limited access to psychiatric and psychological services. All too often, when nursing home residents need mental health counseling and treatment, the common response of the attending physician is to prescribe psychoactive drugs. These medications often have unpleasant side effects such as leaving patients confused and causing them to loose their sense of balance. As a result, patients often fall and must be treated for serious physical injuries.

How can we improve access to these services? Under current law, Medicare treats physicians' services to nursing home patients as outpatient care. While most Medicare outpatient services require patients to pay for 20 percent of the charge, patients must pay for 50 percent of outpatient mental health services. For many Medicare patients, particularly those who live in nursing homes, this requirement is a major financial burden, which worsens if they need followup treatment. For others, who may have serious mental illness, the copayment is uncollectible, and further discourages providers from treating nursing home residents.

The legislation that I introduce today would simply bring Medicare payments for outpatient mental health services for nursing home residents in line with reimbursement for other types of outpatient services. Under my proposal, copayments for mental health services for nursing home residents would be reduced from 50 to 20 percent.

Specialized consultation and treatment for mental illnesses has been proven to help, dramatically, patients who suffer from depression, and illness affecting one in three nursing home residents. This treatment can minimize the need for patient restraints and psychoactive drugs. Benefits of this treatment include more precise diagnosis, careful review of drug regimens, and better identification and treatment of depression. Patients will benefit from careful consideration of nondrug options for treatment, training for nursing home staff on how to better handle behavioral disturbances, and assistance to families to better understand the problem and assist in decisionmaking. One may also see resulting cost-savings for the Federal Government through decreased hospital admissions resulting from the use of inappropriate drugs.

In short, treatment can result in better quality of life and well-being for nursing home patients, staff, and their families. I urge my colleagues to join with me in cosponsoring this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

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

S. 1978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF PAYMENT LIMITATION FOR PSYCHIATRIC SERVICES FURNISHED IN A NURSING FACILITY.

(a) IN GENERAL.—Section 1833(c) of the Social Security Act (42 U.S.C. 13951(c)) is amended—

(1) by striking "(c) Notwithstanding" and inserting "(c)(1) Subject to paragraph (2), notwithstanding"; and

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

"(2) With respect to expenses incurred in any calendar year in connection with the treatment of disorders described in paragraph (1) in a skilled nursing facility there shall be considered as incurred expenses for purposes of subsections (a) and (b), 80 percent of such expenses.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective with respect to items and services furnished on or after January 1, 1992.•

By Mr. MCCONNELL:

S. 1979. A bill to provide greater certainty in the availability and cost of liability insurance, to eliminate the abuses of the tort system, and for other purposes; to the Committee on the Judiciary.

LAWSUIT REFORM ACT

• Mr. MCCONNELL. Mr. President, I rise today to propose a tax cut. A tax cut that requires no offset to conform with the Budget Act. A tax cut that will not increase the deficit, in fact, I submit that it will ultimately reduce it by stimulating economic growth.

Mr. President, I am speaking of the lawyer's tax—the liability crisis.

The lawyer's tax is insidious. It is added to virtually every product sold in this country. It is a regressive tax. It is 95 percent of the cost of a child vaccine—95 percent. It is one-third the cost of stepladder. It is $300 added to the cost of having a baby delivered.

The lawyer's tax is the stealth tax. Americans do not see it every month in their paycheck stubs. They do not fill out a 1040 form every year to make sure they paid enough, or to get a refund. There is no refund.

But the tax is there, Mr. President, and it's hitting our Nation hard. Direct litigation costs and higher insurance premiums cost this country $80 billion every year. The total cost of the lawyer's tax, including costs incurred trying to avoid it, is $300 billion every year—$300 billion.

It is no wonder that America has 70 percent of the world's lawyers—it is one industry that is thriving. Too bad we can't export it.

Mr. President, no other country wants this industry. It spreads like a plague, killing innovation, productivity, and the ability to compete in the world marketplace. The lawyer's tax is a terrible drag on the U.S. economy. A study commissioned by the Department of Commerce found that many foreign competitors have product liability insurance costs that are 20 to 50 times lower than American companies.

A survey conducted by the conference board representing 3,600 organizations in more than 50 nations concluded that because of liability concerns: 47 percent of U.S. manufacturers have withdrawn products from the market; and 25 percent have discontinued some form of product research.

A University of Texas study of the lawyer's tax found that it reduced the U.S. gross national product 10 percent below its potential during the last decade.

I have spoken of the trade deficit-lawyer surplus. The University of Texas study illustrates this phenomenon—a startling finding that economic growth is inversely related to the number of lawyers. At one end of the scale, high economic growth, are countries such as Japan, Hong Kong, and Singapore. At the lower end of growth are the countries where lawyers account for nearly 5 percent of white-collar workers: Chile, Uruguay, and the United States.

Japan, who some feel is conquering us economically, is not doing it with lawyers. They are beating us with engineers and scientists. Japan has 116 scientists and engineers for every lawyer. The United States has five scientists and engineers for every lawyer. The U.S. scientists and engineers are having to load up on liability insurance to protect themselves from that lawyer.

Mr. President, I have heard eloquent speeches decrying unemployment in this country. Here's a chance to do something constructive about it. We can make our country more competitive in the world marketplace by cutting the U.S. lawyer tax through comprehensive tort reform. Decrease the lawyer's tax, increase competitiveness, and increase jobs. That's economic growth.

Mr. President, here's how my lawyer's tax cut, the Lawsuit Reform Act of 1991, works:

First, it abolishes the doctrine of joint and several liability, so that a defendant's share of the damages is proportional with his share of responsibility for causing the harm;

Second, it requires the loser of any civil action covered by the bill to pay the legal costs of the winner, up to a reasonable limit, unless the loser is legally indigent;

Third, it prohibits a person from suing others if the person was under the influence of illegal drugs or alcohol and this condition was over 50 percent responsible for their injury;

Fourth, it provides that awards for damages in product liability suits will be offset by payments from workers' compensation by payments from workers' compensation programs, and allows for a right of subrogation; and

Fifth, it limits the statutory liability of local governments under 42 U.S.C.

1983 except in bona fide constitutional rights cases; and

Sixth, it promotes alternative means of dispute resolution.

These are not the end all-be all of tort reform. They are six reasonable provisions which embody basic fairness.

Trial lawyers will vigorously dispute this, of course. They will be particularly critical of the loser-pays provision, a commonsense law found in virtually all the European countries that we will be competing against as part of the EEC after 1992. As L. Gordon Crovitz noted in an article for the Wall Street Journal last month:

The reform most threatening to contingency-fee lawyers would have the U.S. join the rest of the world with the loser-pays rule in most federal lawsuits. Under this system, the party that loses a lawsuit—plaintiff or defendant—would have to pay the other side's lawyer. This might make it harder for lawyers to find plaintiffs willing to part with a large fraction of their award as a contingency fee, especially in cases where the liability is clear and the only question is how large damages will be.

This method of financing cases could also make defendants less likely to settle bad cases just to avoid crippling legal costs. Instead of paying lawyermail in so-called strike suits to get rid of an abusive lawsuit, defendants could go to trial, win and get their legal costs reimbursed.

Walter K. Olson, a senior fellow at the Manhattan Institute, is a renowned scholar on this issue and observes that: "America is the only major country that denies to the winner of a lawsuit the right to collect legal fees from the loser." Mr. Olson also discusses at length an issue this bill does not address: contingency fees. He states, "In virtually every other country, society has deemed that lawyers, like doctors, should be shielded from the temptations of the contingency fee."

Mr. President, there is an argument to be made for limiting contingency fees. This bill does not do it. This bill does not cap damages. This bill does not do a lot of things that are a bigger threat to trial lawyers than the reforms I have proposed.

Mr. President, I offered a modest amendment to the civil rights bill to ensure that victims of discrimination are not gouged by plaintiffs lawyers. I sought to limit plaintiff attorney fees to 20 percent of the total judgment in cases brought under that bill. One-fifth of the cut, under my amendment, could have gone to lawyers. Opponents said that was not enough, lawyers would not take these cases because they would not be sufficiently lucrative.

I made the point that there is no shortage of lawyers in this country. Our Nation is crawling with lawyers, nearly 800,000 and counting. The lawyer-density in the United States is phenomenal compared to our principal trading partners. Japan has 11 lawyers per 100,000 population; Britain, 82; Germany, 111; and the United States has 281 lawyers per 100,000 population.

Cutting the lawyer's tax is not easy. However, it is a worthy endeavor and I intend to pursue it. Walter Olson conveys well the gravity of the liability issue and the rationale for reform:

Lawyers are delegated certain quasi-governmental powers to invoke compulsory process. In particular, they can initiate lawsuits that impose huge unrecompensed costs on what frequently turn out to be innocent opponents. As we know from the case of pollution, the opportunity to impose costs on other people is likely to be overused unless it is regulated or priced in some way. In no way does it violate individual rights to demand of those who seek to wield this coercive power that they submit in exchange to certain rules to prevent its overuse.

Mr. President, not surprisingly, the Association of Trial Lawyers of America [ATLA] disagrees. I have repeatedly introduced comprehensive tort reform legislation to restore balance to our civil justice system. I first introduced the Lawsuit Reform Act, including the loser-pays provision, more than 2 years ago. These efforts have landed me on ATLA's most wanted list, a distinction of which I am quite proud.

Mr. President, I have no illusion over the reception this bill will receive in some quarters. The trial lawyer lobby is single-minded, and well-funded. No Federal tort reform, period. To that end, ATLA's PAC poured $1.5 million directly into congressional races last year. ATLA's indirect contributions, soft money, are difficult to ascertain but I suspect they were considerable. They certainly were in my 1990 race.

ALTA went to the extreme of breaking the law in my last race, funneling $100,000 into the Kentucky Democratic Party to buy ads against me. Basically, ATLA put a contract out on me—and anyone else who opposes their self-serving monopoly.

What so offends ATLA is that I have worked to restore balance and reason to the civil justice system. I have worked to abolish joint and several liability, penalize frivolous suits, and provide less expensive and faster ways to resolve legal disputes. This is what ATLA finds so offensive. Clearly, in this instance, the special interest of ATLA does not coincide with the public interest to put sanity back into the civil justice system.

Fortunately, Mr. President, not everyone shares or serves ATLA's agenda. The Lawsuit Reform Act is the creation of a broad-based coalition consisting of volunteer organizations, health care providers, education associations, local governments, law enforcement organizations, professional groups, and small businesses. These groups share a common affliction—a civil justice system run amok.

The Lawsuit Reform Act protects both the victims of wrongful injuries—who have a right to fair compensation—and the victims of wrongful lawsuits. While I would like to do more, these six provisions would go a long way toward restoring balance and reason to our Nation's civil justice system. A civil justice system that currently is crushing America's volunteer spirit, driving up health care costs, reducing educational opportunities, cutting essential services of local governments, and making America less competitive in the world marketplace.

The civil justice system—the lawyer's tax—is costing America jobs. It is costing consumers billions. And it is robbing Americans of products that, although better than existing products, do not have an established legal history and therefore are too risky to put on the marketplace.

So-called consumer advocates will say all these lawsuits are necessary to project Americans from shoddy products. They will say all these lawsuits have made America a safer place.

Mr. President, plaintiffs receive only 43 percent of the total judgments and awards. Lawyers and courts get the majority of the money. This system does not serve plaintiffs, defendants, or consumers. It serves lawyers.

These self-proclaimed consumer advocates have based much of their opposition to tort reform on a contention that lawsuits make this country safer. There is evidence that they are wrong, that the liability craze is actually making our country less safe. Earlier this year, a team of scientists, engineers, physicians, and lawyers examined the impact of U.S. liability laws on safety and innovation. Their report, "The Liability Maze," was issued by the Brookings Institution. The report found little statistical evidence that lawsuits had actually led to the development of safer products. In fact, it said we may be less safe.

Most pharmaceutical firms have stopped making vaccines, because of liability. Thirteen American companies were working on contraceptive devices 20 years ago, now only one takes the liability risk. Some companies even have stopped AIDS research, because of the liability risk.

Having decimated America's general aviation industry. Having ravaged the pharmaceutical industry, and obstetricians, some lawyers have taken on another threat to the American way of life: Milli Vanilli.

Milli Vanilli—the lip-synching duo that sold millions of albums and garnered a Grammy Award. It was a situation tailor-made for late-night talk shows hosts. Now, it appears it was a jackpot for America's class action lawyers as well. They are going to get their piece out of this "Entertainment Tonight" headliner—possibly hundreds of thousands of dollars out of it.

A number of greedy class-action lawyers across this country have solicited teenage clients through their offices and friends, any child who had purchased a Milli Vanilli album. These children were told that they could get

a couple weeks allowance worth out of the suit if they were plaintiffs. While the child plaintiffs get a few bucks, their lawyers stand to make thousands.

Walter Olson, a previously mentioned expert on the liability system told a reporter for the Wall Street Journal in regard to this situation: "The whole legal pretense is that these cases arose from spontaneous consumer grievances * * *" but, in fact, "the lawyers are doing what they accuse the record company of doing—getting people to lip-synch for them."

Mr. President, while the courts spend time and resources trying to sort the Milli Vanilli class-action mess out, needy plaintiffs suffering debilitating injuries who have legitimate cases are forced to wait in line. That's not justice, it's a travesty.

It is a travesty that a special interest group can so effectively block any reform to restore balance and reason to our Nation's civil justice system. The civil justice system has changed in recent years—for the worse. It is time we put it back on course. David Gergen wrote to this effect in U.S. News & World Report a couple of months ago:

> Over the past quarter century, however, courts and state legislatures have rewritten the rules so that a lawsuit is no longer an option of last resort but a weapon of choice, a reach for the jackpot. Plaintiffs collected only for out-of-pocket costs and only when the other party was negligent: now they often sue for every emotional pain and gouge anyone with a deep pocket, regardless of culpability. The system demeans everyone it touches. Plaintiff attorneys assert they are just protecting the rights of their clients. But even legitimate claims—and to be sure, there are many—serve mainly to enrich the lawyers.

The liability system—the lawyer's tax—does not serve plaintiffs. It does not serve consumers. It serves lawyers. If we persist in doing nothing to address gross abuses of the system; if we continue to let a powerful special interest group dictate our agenda; then we will have done a disservice to the American people.

The Lawsuit Reform Act protects victims of wrongful injuries as well as victims of wrongful lawsuits. It will speed up justice by weeding out frivolous suits and inject some sanity, reason and balance to our Nation's civil justice system.

Mr. President, this bill is long overdue.●

ADDITIONAL COSPONSORS

S. 308

At the request of Mr. MITCHELL, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 308, a bill to amend the Internal Revenue Code of 1986 to permanently extend the low-income housing credit.

S. 474

At the request of Mr. DECONCINI, the name of the Senator from Washington [Mr. ADAMS] was added as a cosponsor of S. 474, a bill to prohibit sports gambling under State law.

S. 1597

At the request of Mr. HATFIELD, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 1597, a bill to amend the Public Health Service Act to provide grants to entities in rural areas that design and implement innovative approaches to improve the availability and quality of health care in such rural areas, and for other purposes.

S. 1623

At the request of Mr. DECONCINI, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1623, a bill to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to prohibit certain copyright infringement actions, and for other purposes.

S. 1627

At the request of Mr. FORD, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1627, a bill to amend section 615 of title 38, United States Code, to require the Secretary of Veterans Affairs to permit persons who receive care at medical facilities of the Department of Veterans Affairs to have access to and to consume tobacco products.

S. 1725

At the request of Mr. DIXON, the name of the Senator from Georgia [Mr. FOWLER] was added as a cosponsor of S. 1725, a bill to authorize the minting and issuance of coins in commemoration of the quincentenary of the first voyage to the New World by Christopher Columbus and to establish the Christopher Columbus Quincentenary Scholarship Foundation and an Endowment Fund, and for related purposes.

S. 1736

At the request of Mr. SASSER, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1736, a bill to amend title XVIII of the Social Security Act to provide for improved quality and cost control mechanisms to ensure the proper and prudent purchasing of durable medical equipment and supplies for which payment is made under the Medicare Program, and for other purposes.

S. 1793

At the request of Mr. D'AMATO, the names of the Senator from Maine [Mr. COHEN], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 1793, a bill to restrict United States assistance for Serbia or any part of Yugoslavia controlled by Serbia until certain conditions are met, and for other purposes.

S. 1810

At the request of Mr. ROCKEFELLER, the names of the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Kentucky [Mr. FORD], the Senator from Maryland [Mr. SARBANES], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 1810, a bill to amend title XVIII of the Social Security Act to provide for corrections with respect to the implementation of reform of payments to physicians under the Medicare Program, and for other purposes.

S. 1813

At the request of Mr. DOLE, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1813, a bill to amend the Higher Education Act of 1965 to improve access to post secondary education for students with disabilities.

S. 1829

At the request of Mr. D'AMATO, the names of the Senator from Alaska [Mr. STEVENS] and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1829, a bill to expand the exclusion of service of election officials or election workers from social security coverage.

S. 1842

At the request of Mr. DASCHLE, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1842, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 1862

At the request of Mr. GRAHAM, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 1862, a bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

S. 1886

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Tennessee [Mr. GORE], the Senator from Tennessee [Mr. SASSER], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 1886, a bill to delay until September 30, 1992, the issuance of any regulations by the Secretary of Health and Human Services changing the treatment of voluntary contributions and provider-specific taxes by States as a source of a State's expenditures for which Federal financial participation is available under the medicaid program and to maintain the treatment of intergovernmental transfers as such a source.

S. 1894

At the request of Mr. ROTH, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1894, a bill to amend the Trade Act of 1974 to provide trade adjustment assistance during the implementation and phase-in of the North American Free Trade Agreement, and for other purposes.

S. 1920

At the request of Mr. KASTEN, the names of the Senator from Idaho [Mr. CRAIG], and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 1920, a bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable tax credit for children, to provide tax incentives for economic growth, and for other purposes.

S. 1930

At the request of Mr. GORTON, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1930, a bill to amend title 10, United States Code, to revise certain time limitations for the awarding of medals and other decorations, to revise the time limitation applicable to requests for corrections of military records, and for other purposes.

S. 1966

At the request of Mr. BIDEN, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 1966, a bill to establish a national background check procedure to ensure that persons working as child care providers do not have a criminal history of child abuse, to initiate the reporting of all State and Federal child abuse crimes, to establish minimum guidelines for States to follow in conducting background checks and provide protection from inaccurate information for persons subjected to background checks, and for other purposes.

SENATE JOINT RESOLUTION 173

At the request of Mr. DOLE, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from Utah [Mr. GARN], the Senator from Utah [Mr. HATCH], the Senator from Connecticut [Mr. DODD], the Senator from Wisconsin [Mr. KASTEN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Nevada [Mr. REID], the Senator from Wyoming [Mr. SIMPSON], the Senator from Virginia [Mr. WARNER], the Senator from Michigan [Mr. LEVIN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Missouri [Mr. DANFORTH], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Arizona [Mr. DECONCINI], the Senator from New York [Mr. D'AMATO], the Senator from Iowa [Mr. GRASSLEY], the Senator from Hawaii [Mr. INOUYE], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Ohio [Mr. GLENN], the Senator from Georgia [Mr. FOWLER], the Senator from Wisconsin [Mr. KOHL], the Senator from Alabama [Mr. SHELBY], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of Senate Joint Resolution 173, a joint resolution designating 1991 as the 25th Anniversary Year of the formation of the President's Committee on Mental Retardation.

SENATE JOINT RESOLUTION 198

At the request of Mr. AKAKA, the names of the Senator from Oregon [Mr. HATFIELD], the Senator from Maryland [Ms. MIKULSKI], the Senator from Maine [Mr. MITCHELL], the Senator from North Carolina [Mr. SANFORD], the Senator from California [Mr. SEYMOUR], the Senator from Nevada [Mr. BRYAN], the Senator from North Dakota [Mr. CONRAD], the Senator from Virginia [Mr. ROBB], and the Senator from Kentucky [Mr. FORD] were added as cosponsors of Senate Joint Resolution 198, a joint resolution to recognize contributions Federal civilian employees provided during the attack on Pearl Harbor and during World War II.

SENATE JOINT RESOLUTION 210

At the request of Mrs. KASSEBAUM, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from New York [Mr. D'AMATO], the Senator from South Dakota [Mr. PRESSLER], the Senator from Kansas [Mr. DOLE], the Senator from North Dakota [Mr. CONRAD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Alabama [Mr. HEFLIN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. MOYNIHAN], the Senator from Indiana [Mr. LUGAR], the Senator from Arkansas [Mr. PRYOR], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Illinois [Mr. SIMON], the Senator from North Carolina [Mr. SANFORD], the Senator from Florida [Mr. GRAHAM], the Senator from California [Mr. CRANSTON], the Senator from Indiana [Mr. COATS], the Senator from Louisiana [Mr. JOHNSTON], the Senator from South Dakota [Mr. DASCHLE], the Senator from New Jersey [Mr. BRADLEY], the Senator from Alabama [Mr. SHELBY], the Senator from Utah [Mr. HATCH], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Arkansas [Mr. BUMPERS], the Senator from Michigan [Mr. LEVIN], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of Senate Joint Resolution 210, a joint resolution to designate March 12, 1992, as "Girl Scouts of the United States of America 80th Anniversary Day."

SENATE JOINT RESOLUTION 226

At the request of Mr. DODD, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from Montana [Mr. BURNS], the Senator from Vermont [Mr. JEFFORDS], and the Senator from Kansas [Mr. DOLE] were added as cosponsors of Senate Joint Resolution 226, a joint resolution designating the week of January 4, 1992, through January 10, 1992, as "Braille Literacy Week."

SENATE JOINT RESOLUTION 228

At the request of Mr. D'AMATO, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of Senate Joint Resolution 228, a joint resolution to designate the week beginning February 23, 1992, as "National Manufacturing Week".

SENATE CONCURRENT RESOLUTION 17

At the request of Mr. HATCH, the names of the Senator from Tennessee [Mr. GORE], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of Senate Concurrent Resolution 17, a concurrent resolution expressing the sense of Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE CONCURRENT RESOLUTION 57

At the request of Mr. BOREN, the names of the Senator from Alabama [Mr. SHELBY], the Senator from North Dakota [Mr. CONRAD], the Senator from North Carolina [Mr. SANFORD], the Senator from Nebraska [Mr. EXON], the Senator from South Dakota [Mr. DASCHLE], the Senator from Connecticut [Mr. DODD], the Senator from New Mexico [Mr. BINGAMAN], and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of Senate Concurrent Resolution 57, a concurrent resolution to establish a Joint Committee on the Organization of Congress.

SENATE CONCURRENT RESOLUTION 77

At the request of Mr. PELL, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from Delaware [Mr. BIDEN], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Hawaii [Mr. AKAKA], and the Senator from New York [Mr. D'AMATO] were added as cosponsors of Senate Concurrent Resolution 77, a concurrent resolution condemning the massacre of East Timorese civilians by the Indonesia military.

SENATE RESOLUTION 66

At the request of Mrs. KASSEBAUM, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of Senate Resolution 66, a resolution to amend the rules of the Senate to improve legislative efficiency, and for other purposes.

SENATE RESOLUTION 213

At the request of Mr. GORE, the names of the Senator from Illinois [Mr. DIXON], and the Senator from Kansas [Mr. DOLE] were added as cosponsors of Senate Resolution 213, a resolution expressing the sense of the Senate regarding United States policy toward Yugoslavia.

SENATE RESOLUTION 220

At the request of Mr. D'AMATO, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of Senate Resolution 220, a resolution expressing the sense of the Senate that the President of the United States should pursue by any and all means necessary to apprehend for trial Lamen Khalifa Fhimah and Abdel Basset Ali Megrahi as charged in the Justice Department indictment for their roles in the destruction of Pan Am Flight 103 and the murder of 189 Americans aboard.

AMENDMENT NO. 1347

At the request of Mr. DODD the names of the Senator from New Mexico

[Mr. DOMENICI], the Senator from Rhode Island [Mr. PELL], the Senator from Massachusetts [Mr. KERRY], and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of Amendment No. 1347 intended to be proposed to S. 543, a bill to reform Federal deposit insurance, protect the deposit insurance funds, and improve supervision and regulation of and disclosure relating to federally insured depository institutions.

AMENDMENTS SUBMITTED

EMERGENCY UNEMPLOYMENT COMPENSATION

SMITH (AND RUDMAN) AMENDMENT NO. 1348

Mr. SMITH (for himself and Mr. RUDMAN) proposed an amendment to the bill (H.R. 3575) to provide a program of emergency unemployment compensation, and for other purposes, as follows:

On page 9, line 20, strike the period and insert in lieu thereof a comma and the following:

"or

"(C) if the average rate of total unemployment in such State for the period consisting of the most recent 6-calendar month period (for which data are published before the close of such week) is at least 7 percent. Notwithstanding any other provision of law, the discretionary spending limits under section 601(a)(2) of the Congressional Budget Act of 1974 (as adjusted under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985) are decreased by decreasing the discretionary spending limit with respect to fiscal years 1992, 1993, 1994, and 1995 for the international category (under section 601(a)(2)(C)(ii) of such Act) in such amounts in new budget authority and outlays as the Director of the Congressional Budget Office determines to be necessary to offset the provisions of this amendment; provided, that none of the reductions required under this section shall be achieved through reduction of—

"(1) domestic discretionary spending; or

"(2) assistance to the Camp David Accord countries, in recognition of the fragile, ongoing efforts to achieve peace in the Middle East.".

TERMINATION OF CERTAIN PROVISIONS OF THE TRADE ACT WITH RESPECT TO CZECHOSLOVAKIA AND HUNGARY

BENTSEN (AND OTHERS) AMENDMENT NO. 1349

Mr. BENTSEN (for himself Mr. MITCHELL, Mr. DOLE, Mr. BIDEN, Mr. BOREN, Mr. BREAUX, Mr. BUMPERS, Mr. CONRAD, Mr. FORD, Mr. GRASSLEY, Mr. HEFLIN, Mr. JOHNSTON, Mr. KASTEN, Mr. KOHL, Mr. METZENBAUM, Mr. PACKWOOD, Mr. NICKLES, Mr. PRYOR, Mr. RIEGLE, Mr. ROTH, Mr. SANFORD, Mr. SARBANES, Mr. SASSER, Mr. WARNER, Mr. PRESSLER, Mr. RUDMAN, Mr. SMITH, Mr. DURENBERGER, Mr. COATS, Mr. LUGAR, and Mr. WIRTH) proposed an amendment to the bill (H.R. 1724) to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary, as follows:

At the appropriate place insert the following new section:

SEC. . MODIFICATION OF THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991.

(a) TWO-TIER APPLICABLE LIMIT.—

(1) Section 102(b)(2)(A) of the Emergency Unemployment Compensation Act of 1991 is amended by striking clauses (ii) and (iii) and inserting the following new clause:

"(ii) In the case of a 13-week period, the applicable limit is 13."

(2) Section 102(d) of the Emergency Unemployment Compensation Act 1991 is amended to read as follows:

"(d) 13-WEEK PERIOD.—For purposes of this section, the term '13-week period' means with respect to any State any period which is not a 20-week period."

(3) Section 102(f)(3)(A) of the Emergency Unemployment Compensation Act of 1991 is amended to read as follows:

"(A) IN GENERAL.—If any individual exhausted such individual's rights to regular compensation (or extended compensation) under the State law after February 28, 1991, and before the first week following November 16, 1991 (or, if later, the first week following the week in which the agreement under this Act is entered into), such individual shall be entitled to emergency unemployment compensation under this Act in the same manner as if such individual's benefit year ended no earlier than the last day of such following week."

(4) Section 102(g)(2) of the Emergency Unemployment Compensation Act of 1991 is amended to read as follows:

"(2) SPECIAL RULES.—A 20-week period shall begin in any State with the 1st week for which emergency unemployment compensation may be payable in such State under this title if, on the basis of information submitted to the Committee on Ways and Means of the House of Representatives by the Department of Labor on November 7, 1991, the requirements of subsection (c)(2) are satisfied by such State for the week which ends October 19, 1991."

(5) Section 106(a) is amended by striking paragraph (4) and redesignating paragraph (5) as paragraph (4).

(6) Sections 102(f)(1)(B), 102(f)(2), 106(a)(2), and 501(b) (1) and (2) of the Emergency Unemployment Compensation Act of 1991 are each amended by striking "July 4, 1992" and inserting "June 13, 1992".

(7) Section 501(a) of the Emergency Unemployment Compensation Act of 1991 is amended by striking "July, 1992" and inserting "June, 1992".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the provisions of and the amendments made by the Emergency Unemployment Compensation Act of 1991."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on November 15, 1991, at 9:30 a.m. on global change research: ozone depletion and its impact.

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

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Friday, November 15, 1991, at 10 a.m. to hold an executive business meeting.

The meeting agenda follows:

U.S. ATTORNEY GENERAL

William P. Barr, of Virginia, to be Attorney General of the United States.

U.S. CIRCUIT JUDGES

David R. Hansen, of Iowa, to be U.S. circuit judge for the Eighth Circuit.

U.S. DISTRICT JUDGES

Lacey A. Collier, of Florida, to be U.S. circuit judge for the Northern District of Florida.

Wayne R. Andersen, of Illinois, to be U.S. district judge for the Northern District of Illinois.

Sue L. Robinson, of Delaware, to be U.S. district judge for the District of Delaware.

Paul R. Matia, of Ohio, to be U.S. district judge for the Northern District of Ohio.

U.S. ATTORNEYS

Richard Cullen, of Virginia, to be U.S. attorney for the Eastern District of Virginia.

Jerry G. Cunningham, of Tennessee, to be U.S. attorney for the Eastern District of Tennessee.

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

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet on November 15, 1991, beginning at 9:15 a.m, in 485 Russell Senate Office Building, to consider for report to the Senate, S. 1869, the San Carlos Indian Irrigation Project Divestiture Act of 1991, and to meet on S. 1607, the Northern Cheyenne Reserved Water Rights.

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

SELECT COMMITTEE ON POW/MIA AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent for the Senate Select Committee on POW/MIA Affairs to meet Friday, November 15, 1991, at 9:30 a.m. in room 216 of the Hart Senate Office Building to continue to examine the Government's process of investigation of POW/MIAs which is currently in place.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Friday, November 15, at 10 a.m., for a hearing on the subject: Secrecy or sunshine? Presidential regulatory review.

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

ADDITIONAL STATEMENTS

E. FAY JONES

• Mr. BUMPERS. Mr. President, I rise today to acknowledge a recent article in the New York Times which pays tribute to one of the finest architects of our time, E. Fay Jones. Jones is a native Arkansan and continues to reside there. It is an honor and privilege to celebrate the accomplishments of such talented and distinguished man as Fay Jones.

The American Institute of Architects recently voted Jones' work, Thorncrown Chapel, located in Eureka Springs, AR, the best American building since 1980. This designation was no surprise to those of us who have been fortunate enough to visit Thorncrown Chapel. Jones' works are distinguished by his respect for nature, and his ability to design homes and buildings that harmonize with their natural environment is unsurpassed. He is a true artist.

Jones is renowned as a great architect throughout the United States, and his works can be seen all over the country. I would like to thank him for his work as a professor at the University of Arkansas and the many stunning creations enjoyed by the people of Arkansas. We are deeply grateful for his remarkable contributions to the State and the country.

Mr. President, I ask that the text of the New York Times article, entitled "A Wright Disciple Now Rivals the Master Himself," be printed in the RECORD.

The article follows:

WRIGHT DISCIPLE NOW RIVALS THE MASTER HIMSELF

(By Mimi Read)

FAYETTEVILLE, ARK.—Eleven years ago, an architect named E. Fay Jones designed a nondenominational chapel, set in the woods near Eureka Springs, Ark. It was to be a $150,000 abstract Gothic cathedral, a forest within a forest, with glass walls open to nature. So as not to disturb the birds and trees, Mr. Jones chose only materials that could be carried along a narrow hillside pathway to the construction site.

Mr. Jones and his wife, Gus, even came up with the name for the spiky little shrine: Thorncrown Chapel.

"I got a little despondent when they were finishing up," Mr. Jones said. "I thought, 'This little thing is turning out pretty nice, but nobody's ever going to see it.'"

He need not have worried.

Three weeks ago, the American Institute of Architects announced the results of a survey: of all the buildings constructed in the United States since 1980, architects across the nation overwhelmingly chose Thorncrown as the best one.

This news was surprising to Mr. Jones, who forgot to fill out his ballot. But by now he has grown used to such heady accolades. In 1990, he won the A.I.A. Gold Medal for the body of his work, putting him in the august company of such other recipients as Frank Lloyd Wright, Walter Gropius and Mies van der Rohe.

And despite its isolation, Thorncrown has become a tourist attraction that causes several hundred people a day to cry, gasp, lift their cameras or lapse into prolonged reveries. One old woman stayed only about 10 seconds before she burst into tears and peeled out in her white Cadillac.

"That was record time," Mr. Jones said.

Mr. Jones, 70 years old, is a genial and strikingly unassuming architect whose work is rooted in the spirit of Frank Lloyd Wright. He has long based his practice here in Fayetteville, a tranquil university town in northwestern Arkansas full of scholars, writers and Razorback fans. He wears professorial tweed jackets, and sensible rubber-soled shoes. In temperament he is a poet, more or less the opposite of those capering, celebrated architects who fill their buildings with private jokes and ironies.

A chapel may have gained him worldwide stature, but his reputation is nothing new to Arkansas people, who for decades have sought his services. Since he opened his small office in 1953, Mr. Jones has designed more than 200 single-family dwellings, mostly open-plan houses that fit themselves into the landscape and minimize the distinction between indoors and outdoors.

Unlike the insistent residential creations of many celebrated architects, Mr. Jones's houses have a kind of softness or humanness about them, and people actually seem to like living in them. Made of emphatically natural materials like brick, wood and fieldstone, with the moss and mold still clinging, they feel richly ornamental, but the ornament either emanates from the materials or is simple, repetitive, geometric and somehow functional.

Many feature prominent open hearths and anchoring, heavyset chimneys. Most have long runs of glass, generous clerestory windows and skylights piercing their low gabled roofs. Light floods them. Views pour in.

"I never want to leave this place, because there's always something mystical happening," said the writer Ellen Gilchrist, who recently bought one of Mr. Jones's earliest houses, a low-slung, sheltering structure folded into the side of a hill in Fayetteville.

"It's stamped with Fay's mind," Ms. Gilchrist said, "but mostly it's open to the big creation."

In her case, the big creation has also made its way indoors. On a recent evening, she stood around in a tennis dress, feeding the dozen or so carp that flash and swim in a tiny creek running through her living room. The creek abuts a loosely mortared, low stone retaining wall that helps fasten the 2,400-square-foot house to its site. When designing the house back in 1957, Mr. Jones had worried that rain and ground water would seep through the stone, but instead of fighting nature, he invited it in and carved it a channel.

"A house ought to condition in a positive way," Mr. Jones explained. "It should have a buoying effort. And if it somehow aligns itself with the attributes of nature, it might allow the residents to align themselves with those same natural forces of life."

This post-and-beam therapy seems to work better than most. In 1984, an illustrator named Larry Davenport commissioned Mr. Jones to design a 3,300-square-foot house and studio near Evergreen, Colo., a suburb of Denver. With a budget of $400,000, Mr. Jones created a lofty, cathedral-like aerie with a roof like a swooping mountain bird. Inside, under a dramatically cross-braced ceiling much like Thorncrown's, walls of glass open to snowcapped mountains.

"At first it was so beautiful that I couldn't work," Mr. Davenport said. "Then I got used to it. My drawings have definitely improved since I moved in here."

E. Fay Jones (the E. stands for Euine—pronounced EWE-un—an archaic Welsh equivalent of John) grew up in El Dorado, in southern Arkansas near the Louisiana border. As a boy, he spent a lot of time building tree houses out of scrap lumber and salvaged highway signs. His final, fanciest tree house sat perched on a great oak; it has a screened porch, Venetian blinds, a cantilevered balcony and a brick fireplace.

In 1939, while still in high school, he went to a Saturday matinee that included a short film about Wright's Johnson Wax building in Racine, Wis.

"It knocked me out," Mr. Jones said. "You've got to remember, this was in Arkansas, during the Depression. And here was this thing with curvilinear walls, Pyrex tubing and light pouring over these futuristic forms. I knew then I wanted to be an architect, and I wanted to meet the fellow who could think all that up."

Mr. Jones studied architecture at the University of Arkansas and Rice University. As a student, he once literally bumped into Wright in a hotel hallway in Houston. In town to pick up his own A.I.A. Gold Medal, the old man was dressed in a cape and porkpie hat and was busy comparing some ornamental perforations in the ceiling to venereal disease, Mr. Jones recalled.

But it was not until 1953, when Mr. Jones was already and instructor in architecture, that he met Wright again and was invited to spend four months as an apprentice at Taliesin; Wright's educational compound in Spring Green, Wis.

Since then, Mr. Jones has grounded his work in Wright's principles of organic architecture, which have to do with a delicate harmony between building and site, the honest use of materials and the relationship of each small part to the whole.

It is not a slapped-on style but rather a deeply thoughtful, process-oriented philosophy, wherein a house grows out of its environment, the client's needs and feelings about materials and all the little puzzles that nature tosses in.

"Fay's houses evolved out of Wright's influence, but they have gone beyond it," said Robert Ivy Jr., an architect and critic whose book on Mr. Jones's architecture, "Fay Jones: Architect," will be released by the A.I.A. Press next spring. "Fay draws from the history of architecture in a way that Wright did not."

Roy and Norma Reed's house in rural Hogeye, Ark., for instance, could never have been designed by Wright, Mr. Ivy said. It is too vertical, too referential, its structure too nakedly revealed. Shaped to echo the lofty barns and tractor sheds that dot the surrounding countryside, the 2,300-square-foot house, built in 1979, evolved from the couple's desire for a small, energy-efficient country place "that would be at home with a certain amount of squalor, like muddy boots," said Mr. Reed, a writer and journalism professor at the University of Arkansas.

Clad in cedar shakes, the dominant roof is stuffed with insulation and hangs protectively over the house, like an animal's winter coat. Although this is a passive-solar house, it is a subtle machine, without the dogmatic quality usually associated with

such structures. Heating is accomplished with one Jotul wood stove, set on an altar of fieldstone at the heart of the living room.

Like his mentor, Mr. Jones customizes down to the last detail and often builds the furniture for his houses to reinforce what he calls "a family of pattern or form."

He likes to lift a geometric motif from the structure and repeat it on wastebaskets, chairs, light fixtures and even linens and cocktail napkins, if a client will go that far.

Over the years, he has assembled a stable of woodworkers and other artisans to execute his designs. Two years ago, when he designed a sleek, citified brick and cherry house for Don and Millie Nelms in Fayetteville, he even set up a woodworking shop on the construction site; the same men who built the house made accouterments like sofas, desks, chairs and hanging lanterns.

Mr. Jones's style of building houses is not likely to catch on. It takes too long. It is too dependent on his strange ability to call forth meticulous, artistic performances from woodworkers getting hourly wages or from a welder whose main line is putting trailer hitches on cars.

As a teacher at the University of Arkansas for 37 years, Mr. Jones had to keep up with all the trends and fads in architecture that have come along since Wright turned the world upside down, but they never swayed him. As far as he is concerned, nothing as deep and satisfying as Wright's principles has ever come down the pike.

"There's no sure-fire way of producing timeless architecture," Mr. Jones said. "But it's certainly not likely to happen when one is responding to subjective shims and momentary fascinations. I guess I don't give a lot of thought to how it's being done in Los Angeles."•

OLDER AMERICANS ACT

• Mr. PRESSLER. Mr. President, I was pleased yesterday to join my colleagues, Senators ADAMS and COCHRAN, in cosponsoring the amendments to reauthorize the Older Americans Act. This was a crucial step in maintaining a quality standard of living for many older Americans.

There are nearly 120,000 senior citizens in my home State of South Dakota. The programs offered under the Older Americans Act have a direct impact on these individuals. The Meals on Wheels, Green Thumb, transportation and other programs have proven their merit.

The needs of senior citizens continue to change. I am pleased that the reauthorization package approved by the Senate addressed some of these changes. This package required the Commissioner on Aging to study ways to improve services in rural areas, it adds additional outreach services to those afflicted with Alzheimer's Disease, and their caretakers and adds services to provide counseling on social security and pension plans. These are the real needs of real people and I am pleased that we addressed these issues.

Senior citizens today are facing challenges and hardships that they never before have had to address. These challenges certainly include health care and insurance costs. However, an often overlooked challenge is the fact that many senior citizens are forced to be on their own without the day-to-day support of children or other family members who may be living across the country. This has made it very difficult for seniors and their family members to make decisions about long-term care, to obtain help while remaining in their home and participate in some nutrition programs.

I have long been interested in methods of improving access to information and services for older Americans. Our elderly population is rapidly increasing. Because of this, it is essential to improve not only the number and quality of services for older Americans, but also the access to these important services. By doing so, we can ensure that a greater number of individuals are served.

The Labor Committee accepted an amendment I authored which would establish a national toll free informational service. Important new developments in communications technology, such as optic fiber, have had a very positive impact on society and have greatly improved our communications systems in America. It is especially important to get this technology out to rural areas, where individuals, and particularly older individuals, have limited access to many important services.

I feel that the creation of a network of toll-free numbers for information services under the Older Americans Act would greatly improve access to services. Because I believe that States should have the greatest amount of flexibility possible in distributing funding for information services, I explored the option of a demonstration project. Joyce Berry, the U.S. Commissioner on Aging, recently initiated a project called Eldercare Locator. Eldercare Locator is a toll-free information hotline for senior citizens that can provide callers with information on housing, transportation, elder abuse, legal questions, home-delivered meals, social activities, day care and home health care services. This service can be utilized by either the senior citizen or a family member who is trying to obtain help.

Eldercare is a 3 year demonstration project, which will be completed in 1993. This toll-free number has been used by both older individuals themselves and by family members who wish to arrange housing or other services for an elderly relative in another city or State.

As indicated by the Administration on Aging's National Eldercare Campaign, the Commissioner supports efforts to improve access in the area of information and referral services for older Americans. I also have letters of support for my amendment from the Alzheimer's Association and the National Association of Area Agencies on Aging, which is working with Commissioner Berry on the current demonstration project. I would like to insert these letters in the RECORD following my remarks.

My amendment would ensure the continuation of a national toll-free number for information and referral services for older Americans.

I would also like to commend Hank Brown of Colorado on the leadership he has demonstrated in ensuring that the Medicare toll free lines are maintained. In South Dakota there are 108,000 Medicare beneficiaries. It is crucial that these senior citizens have a place to call for information on how to file a Medicare claim and report problems. A recent GAO study indicated that nearly 50 percent of the Medicare fraud and abuse cases that were reported to Medicare were not properly investigated. We need to maintain these lines and to improve them to reduce fraud and provide a crucial service to senior citizens.

I was also pleased to join Senator MCCAIN in cosponsoring an amendment which repealed the Social Security earnings test. Earlier this year I had joined in sponsoring the Freedom to Work Act. Senior citizens need to be allowed to continue working and not be penalized. When times are tough most Americans have the option of earning some extra cash and not being penalized. Senior citizens should not be penalized for earning extra cash to help make ends meet.

The Older Americans Act was a positive statement to senior citizens. The message is clear. We value your contributions and want to work with you in securing a quality standard of living.

The letters follow:

ALZHEIMER'S ASSOCIATION,
October 8, 1991.

Hon. LARRY PRESSLER,
U.S. Senate, Washington, DC.

DEAR SENATOR PRESSLER: On behalf of the Alzheimer's Association I would like to express our support for your proposed amendment to the Older Americans Act to establish a nationwide telephone access service to link older persons, families and caregivers to services funded through the Act.

Currently, the Alzheimer's Association operates such a telephone service that links victims of Alzheimer's and their families to our extensive chapter network and to services in the communities in 49 states. This service has proven to be enormously beneficial to those affected by this devastating disease. There is every reason to believe, therefore, that such a system that links people to the broader range of aging services will also be successful.

The Alzheimer's Association stands ready to assist the Administration on Aging and the aging network in implementing this system. In particular, we offer our chapter network, through out nationwide telephone service, as a resource to which callers can be referred for the full range of information and assistance Alzheimer's disease and related disorders.

Sincerely,

STEPHEN MCCONNELL,
Senior Vice President, Public Policy.

NATIONAL ASSOCIATION OF AREA AGENCIES ON AGING,
October 7, 1991.

Hon. LARRY PRESSLER,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR PRESSLER: On behalf of the National Association of Area Agencies on Aging, I am writing to support your proposed amendment to Substitute Bill S. 243 to establish a new demonstration program under Title IV of the Older Americans Act. Specifically, the proposed amendment will address Information and Referral Systems Development Projects.

NAAAA is supporting this proposed amendment as Information and Referral services are often the key for older persons and their caregivers to access Older Americans Act and other community services. Information and Referral services are often the first contact between the older individual and the public and voluntary services and resources that help maintain them in their home and community.

NAAAA believes Information and Referral services are so crucial that it has started, with AoA support, a national toll-free telephone number such that, when fully implemented, any individual will be able to access services anywhere in the U.S. This will allow families to help their elderly members arranges services long distance or an older individual locate needed services locally. Your proposed amendment will help sustain this important telephone link beyond the initial grant period, as well as provide crucial technical assistance and training to state and area agencies on aging and service providers.

Senator Pressler, NAAAA strongly support your proposed amendments to S. 243 and your efforts on behalf of this nation's elders.

Sincerely,

SUE WARD,
President.●

THE ARIZONA GOVERNOR'S YOUTH COMMISSION AGAINST CRIME

● Mr. DECONCINI. Mr. President, I recognize and salute the young people from Arizona who are participating in the Governor's Youth Commission Against Crime. Most recently they drafted a Youth Bill of Rights. This document proclaims the rights of all youth throughout Arizona to be safe from the dangers of alcohol and other drugs and it encourages them to say no to their use. They have presented their Youth Bill of Rights to Governor Symington and hope to see the Arizona legislature issue it as a joint resolution in their next session.

The young people printed their "Youth Bill of Rights" in bookmark form and are distributing them through the schools. The bookmark will serve as a visual reminder that alcohol and other drugs are dangerous and should be avoided.

The Governor's Youth Commission Against Drugs is a worthwhile endeavor and I congratulate the young people who are working hard to help themselves and their peers avoid the pitfalls and harmful effects of alcohol and drug abuse. Many times a message like this is better received when delivered by a peer. They can count on my continued support and interest in any of their efforts directed toward discouraging young people from ever trying drugs.●

MAGIC JOHNSON

● Mr. LEVIN. Mr. President, It was back in the winter of 1976 that an East Lansing sports writer, after watching many amazing performances by a young high school basketball star, gave this star the nickname—"Magic." From that day on it was always Earvin "Magic" Johnson, Jr.,—or—simply Magic.

Within 4 short years, Magic would lead his respective teams to a high school State championship, an NCAA National Basketball Championship, and an NBA finals championship. He went on to revitalize a struggling sport, create dreams for millions of kids and adults, and become a phenomenon throughout the world.

From his 1979 showdown with Larry Bird in the NCAA finals—a game which still holds the record for the most watched NCAA championship game ever—to his show downs with Julius Irving, Isiah Thomas, and Michael Jordan, no one prevailed more than Magic and no one handled himself better. He was the amazing athlete and consummate professional and he did it all with a smile.

He holds the alltime NBA record for assists. That accomplishment says so much about the man named Earvin Johnson, Jr. He was known on the court as Magic, not because of his ability to score or his ability to dunk the ball, but because of his ability to pass the ball, to set up a teammate, to give some one else the spotlight. He patented "no look passes" and "alley oop tosses." He made stars and champions of all those around him.

So, I guess it was not so surprising to see the remarkable way in which Earvin Johnson, Jr., handled the shocking news that he had contracted the HIV-virus. In the most tragic moment of his life, he once again thought of others. He chose not to run in shame, but rather to stand in the face of conflict, confront the challenges of this disease, and help others. He vows to be a spokesperson for the fight against the HIV-virus and the AIDS disease, and to advocate safe sex. And he vows to carry this message directly to the millions of people who adore him.

Acquired Immune Deficiency Syndrome [AIDS] is a grave public health threat. It is estimated that by 1992, the total number of persons diagnosed as having AIDS is expected to reach a minimum of 300,000 in the United States. The answers seem to lie in education, research, and treatment, in educating our young people about safe sex and responsible decision making, in researching causes and cures, and in treating those already afflicted with cost-effective medication and dignified care.

It has often been said that Magic made the players round him better. Maybe now Earvin Johnson, Jr., can begin to make each of us better. Maybe he can make us better address this disease which threatens all of us.

Today, I salute one of the State of Michigan's greatest athletes. This is a proud man, an accomplished man, who needs not the pity of anyone but who seeks to strengthen the courage of everyone to begin to address the seriousness of this disease.●

POSTAL RATE CASE

● Mr. STEVENS. Mr. President, after 20 months, the American public is now paying postal rates that are, in fact, final rates. It has taken over 20 months—nearly 2 years—to complete this most recent postal rate case. The U.S. Postal Service and the rates it charges are extremely important. They affect the well-being of everyone in this Nation, and are especially important to our Nation's economy.

Most observers, including those in the Postal Service, believe that something must be done to reduce the time and cost involved in the ratemaking process. I could not agree more. Thus, I have introduced legislation, cosponsored by the chairman of the Post Office Subcommittee, Senator DAVID PRYOR, which will reduce both the time and cost of future rate cases.

One of the major concerns with rate cases has been the length of time it takes to come to a final decision after the Rate Commission renders its initial recommendation. In this most recent rate case, that recommendation was rendered on January 4—10 months before a final decision was reached.

I have asked the Postal Rate Commission why it took an additional 10 months after the initial rate case decision to finally put the case to rest. The Rate Commission has responded with a rather lengthy report. This report is important to us, particularly in light of the legislation we expect from the House, as well as pending legislation in the Senate on this very subject.

Mr. President, I ask to print at the end of my remarks correspondence between the Postal Rate Commission and myself on this matter.

The material follows:

OCTOBER 28, 1991.

The Hon. GEORGE W. HALEY,
Chairman, Postal Rate Commission, Washington, DC.

DEAR CHAIRMAN HALEY: As you know, I have introduced four pieces of legislation aimed at reducing the time, and thus, the cost of establishing postal rates. A key piece of this legislative package, S. 949, would provide final ratemaking authority for the Postal Rate Commission. I can think of no better example of the need for such legislation as this most recent rate case. It has been over ten months since the regular ten month ratemaking period allowed by the law expired. I certainly understand the Commis-

sion's preoccupation with the evidentiary hearings required by law and analyzing the large body of Postal Service and intervenor data. However, that part of the process came to an end with the Commission's recommendations of January 4, 1991.

However, it is now October 28th. The rate case has yet to be completed. I know that some of the delay involves the Board of Governors. But most of the delay lies at the feet of the Rate Commission. I would be very much interested in knowing what happened after January 4, 1991, that required two additional lengthy decisions and a total of over ten months effort.

I would therefore appreciate your providing for me, as soon as possible, a written explanation of the procedures the Commission followed, including a discussion of the steps it took; the issues the Postal Service, the Governors, or any other parties raised (and whether they were new issues); a description of the new data, if any, which the Commission used; any material changes it made in its original decision; and any other facts you believe relevant and helpful to understand the reasons for this long delay. I would particularly like to have, as part of the explanation, a chronological chart or table that displays clearly the significant events in the proceedings since January 4, 1991.

Thank you for your assistance in this inquiry.

Cordially,

TED STEVENS.

POSTAL RATE COMMISSION,
Washington, DC, November 12, 1991.

Hon. TED STEVENS,
U.S. Senate, Washington, DC.

DEAR SENATOR STEVENS: This letter is in response to your request of October 28, 1991, for an account of why the remand phase of the recently-concluded Docket R90-1 rate case took the time it did. I would like to place a certain degree of emphasis—as, indeed, your letter does—on the distinction between the remand and the initial phase of the case which led to our first decision on January 4, 1991. That phase, which covered the 45 days of trial-type hearings in which we heard 130 witnesses, was finished within the statutory time limit of 10 months. It resulted in our recommending the rates which (except to the extent new classifications were rejected) the Governors have now determined not to modify, and which will be in effect, presumably, for at least another two years.

A sometimes-overlooked consequence is that the Postal Service was able to implement rate increases on February 3, 1991, the day it had chosen in advance, and has been collecting the additional revenue ever since. Those rates are sufficient to produce breakeven as defined and required by the Act.

To respond as clearly as possible to your inquiry, we have prepared two attachments. Attachment A is a three-column chart of events during the remand phase. The left column presents the dates on which they occurred; the middle column notes the significant actions of the Governors and substantive filings by the parties (including the Postal Service); and the right column lists actions taken by the Commission. Attachment A thus indicates which events preceded, or precipitated, which other events, and the intervals between them.

Attachment B is a narrative which fleshes out the chronological skeleton presented in Attachment A. In particular, we have tried, at each stage, to answer your request for a description of:

The steps we took;

The issues the Governors or the parties raised, with an indication of whether or not they were novel issues;

The new data we used; and

The changes we made to our January 4 decision.

At the outset, a short narrative summary may be helpful. When the Governors returned the January 4 decision for reconsideration, expressing some doubts that it would produce a test year (FY 1992) breakeven result, we proposed to explain our decision further, in the interest of promptness, without further adversarial proceedings.

Parties, however, demanded at least an opportunity to comment. Our Order No. 877 of February 5 allowed the rest of that month for comments and reply comments. Over 100 issues were raised—many of them by the Postal Service itself.

There followed a period of intense review and recalculation. The Governors had identified an outdated economic forecast in our decision, which we updated. Most of the period before issuance of Order No. 883, however, was consumed in considering the arguments offered in the comments and reply comments we had received. Order No. 883, in essence, indicated the recommendations we were inclined to make, but also gave parties challenging the record support for some of our determinations an opportunity to provide rebuttal evidence. No offers of evidence were received, however; and so on May 24, we issued our second recommended decision.

The Governors rejected this on July 1, pointing to three remaining areas of disagreement (discussed in detail in Attachment B). However, they also raised the new question of FY 1991 operating results, which they (and the Service, a few days later) argued were so depressed as to provide an additional reason for more revenue in the test year. None of these data were on the record in the case. At the time, only three quarters of FY 1991 had elapsed, and data for the third quarter were not available. (The Commission and the Governors, under §§3624 and 3625 of the Act, must act on the basis of the evidentiary record.)

Shortly after receiving the resubmission, we asked for comment on the question of extending the record to cover FY 1991. Additionally, we asked the Service to tell us, if it wished to extend the case in that way, to indicate what evidence it would provide of FY 1991 results and their bearing on the test year. The Service did not give a clear answer to the first question, and filed no response at all on the second; comments from other parties opposed extending the case.

At approximately the same time, the Commission noted the use in another pending case of previously unavailable billing determinant data. We asked the Service to provide these billing determinant data for FY 1990 because, as we had explained in the May decision, this data would be needed to effect an adjustment urged by the Governors. These data were supplied in several batches in August and September, and on the day the last set arrived (September 16) we issued a notice detailing our proposed use of them and seeking comment from the parties. No opposition to their use was filed. The Postal Service filed a comment raising one new, but relatively minor, revenue issue. The final filing concerning this matter was made on September 27, and the Commission's third decision was issued a week later, on October 4.

This brief summary covers only the major steps and cannot do more than suggest the large amount of detail work that was required to provide adequate opportunities for public participation, dispose of all the issue raised, and insure the requisite level of accuracy in the Commission's results. Much of this detail is set out in Attachment B. In that document, we have also tried to suggest the importance of what may appear to be extremely fine technical points. For example, changing the technique of constructing fixed weight indices for volume estimation, while admittedly a somewhat arcane point, resulted in a $145 million increase in total Postal Service net revenue.

We appreciate the opportunity to clarify the course of the remand proceedings in Docket R90-1. Please let us know if we can be of any further help.

Sincerely,

GEORGE W. HALEY,
Chairman.

ATTACHMENT A.—CHRONOLOGY OF EVENTS DOCKET NO. R90-1 AFTER JAN. 4, 1991

Date	Actions of Governors and parties	Actions of Postal Rate Commission
Jan. 4		Opinion and recommended decision.
Jan. 10–22		Supply workpapers.
Jan. 22	Governors issue 3 decisions on docket No. R90-1; allow rates under protest and send main decision to PRC for reconsideration.	
Jan. 25		Order No. 876; PRC will proceed directly to issue further decision.
Feb. 1	Mail Order Assn. of America, Direct Marketing Assn., Third Class Mail Assn., Mail Advertising Service Assn. Int., and Envelope Manufacturers Assn. of America requesting reconsideration of Order No. 876 and opportunity to comment; Council of Public Utility Mailers motion to file comments.	
Feb. 5	Postal Service Memorandum on Reconsideration raising new issues.	Order No. 877 allowing comments on Feb. 20 and reply comments on Feb. 27.
Feb. 15	Nat'l Newspaper Assn., et al. (Mail Order Assn. of America, Times Mirror Co., Third Class Mail Assn., Direct Marketing Assn.) motion to enlarge scope of reconsideration.	
Feb. 19–26	Comments (most of which raised new issues) of Advo-System, Inc., Council of Public Utility Mailers, National Retail Federation, American Public Power Assn., American Gas Assn., American Bankers Assn., American Newspaper Publishers Assn., Assn. of Alternative Postal Systems, Brooklyn Union Gas Co., Magazine Publishers Assn., Mail Order Assn. of America, Mail Order Assn. of America, et al. (with Third Class Mail Assn., Direct Marketing Assn., Envelope Manufacturers Assn. of America, Mail Advertising Service Assn. Int.), Major Mailers, Nashua Corp. and District Photo, Inc., Nat'l Assn. of Presort Mailers, New York State Consumer Protection Board, Parcel Shippers Assn., Time Warner, United Parcel Service.	

ATTACHMENT A.—CHRONOLOGY OF EVENTS DOCKET NO. R90–1 AFTER JAN. 4, 1991—Continued

Date	Actions of Governors and parties	Actions of Postal Rate Commission
Feb. 22	Postal Service Motion to extend time to respond to Nat'l Newspaper Assn. et al. motion.	
Feb. 26		Presiding Officer's Ruling No. 97 granting extension of time to Postal Service.
Feb. 27 to Mar. 1	Reply Comments Advo-System, Inc., American Business Press, Brooklyn Union Gas Co. and American Bankers Assn., Dow Jones, Mail Order Assn. of America, Shorter-Run Printers, Third Class Mail Assn., Time Warner, Postal Service, Office of the Consumer Advocate, New York State Consumer Protection Board.	
May 6		Order No. 883 responding to the over 100 new issues, raised by the parties, including the Postal Service, and their interrelationship.
May 20	Notices pursuant to Order No. 883 by American Newspaper Publishers Assn., Mail Order Assn. of America, Advo-System, Inc., Direct Marketing Assn. Harte-Hanks Shoppers, Third Class Mail Assn., United Parcel Service, Postal Service.	
May 24		Opinion and recommended decision upon reconsideration.
July 3	Governors decision to reject PRC further recommended decision and resubmit the Postal Service request.	
July 10	Postal Service resubmits its request.	
July 22		Order No. 893 establishing procedural framework for further PRC action; PRC request for clarification.
July 26	Postal Service response to PRC request for clarification.	
Aug. 2		Presiding Officer's information request No. 1 on resubmission, requesting 1990 billing determinant data similar to that provided in docket No. MC91–1.
Aug. 8 to Sept. 16	Responses of Postal Service to information request No. 1.	
Sept. 16		Presiding Officer's notice of FY 1990 billing determinants.
Sept. 25	Postal Service response to notice concerning billing determinants.	
Sept. 26		Presiding Officer's information request No. 2.
Sept. 27	Postal Service response to information request No. 2, correcting Sept. 25 response.	
Oct. 4		Opinion and recommended decision upon further reconsideration.
Nov. 4	Governors announce rejection of PRC recommended decision upon further reconsideration.	

ATTACHMENT B

January 22, 1991: The Governors issued three decisions: one accepted the bulk of the recommendations under protest and returned them for reconsideration; the second rejected some new classifications recommended by the Commission (e.g., a 125-piece walk-sequence discount for letters and flats in first and third classes and a limited discount for second-class mail submitted on pallets); and the third accepted under protest the recommended Public's Automation Rate (a pre-barcode discount for qualifying First-Class letters, single-piece as well as bulk[1]) and indicated that the Governors would seek judicial review.

PRC Order 876, January 25, 1991; related motion practice and comments: This order was designed to maximize expedition, and gave notice that the Commission saw "no need for any further adversary proceedings" and that it intended "to proceed directly to analyze the Governors' points and to evolve and transmit a further recommended decision." Order No. 876 at 2. Within a few days, some of the parties asked leave to file comments; and the Service, on February 5, filed an extensive memorandum supporting reconsideration in which it raised numerous issues not mentioned by the Governors. That same day we provided an opportunity to file comments (by February 20, 1991) and reply comments (by February 27, 1991). Fifteen comments were received, followed by 9 reply comments.[2]

At the same time, National Newspaper Association had moved (February 15, 1991) to expand the scope of the remand case to cover to new variant of the 125-piece walk-sequence discount recommendation that the Governors had rejected. The Service asked for additional time to respond to this request, and opposed it in a February 26 filing. It was disposed of in Order No. 883, discussed below.

Analysis of Governors' points and parties' comments: Following receipt of the final reply comments (February 28, 1991), the Commission was faced with a substantial amount of additional analytical work. As noted subsequently in Order No. 883 at ii, the Governors' decision and the comment period had generated over 100 new issues, all of which had to be disposed of before a new recommended decision could issue.

In addition to the procedures just outlined, the month of February had been devoted to beginning the explanations the Governors had requested. It was also necessary to correct an error the Governors had detected[3] and some minor mistakes the Commission uncovered in conducting its review. This work continued until all the parties' comments were filed, at which point it became necessary to provide explanations with respect to the issues raised by them. Providing the explanations the Governors had asked for required the development of a large number of financial scenarios. Each such case entailed development of test year costs, volumes, and revenues for all the classes and subclasses of mail and special services. This work was the principal task accomplished in March and April.

Order No. 883 (May 6, 1991): Order No. 883 responded to the questions thus far raised. It was an order, rather than a completed recommended decision, because one of its functions was to respond to certain parties that had complained in their comments about a supposed lack of record support for some of the Commission's costing determinations (especially those involving carrier street time, but also the reassessment of attributability of certain extraordinary air transportation costs). The Commission explained that these determinations were made in a substantively and procedurally proper way, but also extended to these parties an opportunity to provide contrary evidence.[4] The explanations provided in Order No. 883 largely account for its unusual bulk (214 pages).

No party offered to provide evidence on the issues identified as potentially suitable for such treatment in Order No. 883. Accordingly, once the time for such offers had expired, the Commission promptly issued its second recommended decision.

The second recommended decision (May 24, 1991): Since much of the explanatory writing had already been finished and presented to the parties in Order No. 883, the May 24 opinion proper was fairly brief. The reprinted text of Order No. 883 was incorporated as a part of it. Relying on the explanations and corrections made in the opinion, the Commission recomputed projected test year results and found that the rate previously recommended would enable the Service to break even and enjoy a $30 million surplus. Therefore, it recommended no change in the originally-recommended (January 4) rates.

Governors' rejection: On July 1, 1991, the Governors decided to reject the May 24 decision, and directed the Service to resubmit it once more. The formal resubmission was filed, with a substantial supporting memorandum, on July 10, although the Commission began to evaluate the Governors' own decision as soon as it was received.

It was in the July documents issued by the Governors and the Service that the nature and consequences of the FY 1991 operating results were first raised as an issue.[5] The Postal Service in particular implied that its revenue requirement had to be adjusted using these data (among other things) in order to insure breakeven in the test year. Postal Service Resubmission at 28–30.

Providing appropriate procedural mechanisms for potential use of FY 1991 data (July 22–August 9, 1991): The Commission realized that increasing rates on the basis of partial (eventually three quarters) of FY 1991 data that had never been commented upon by the parties or made the subject of at least an opportunity for on-the-record hearings would risk judicial reversal of the entire effort.[6] Accordingly, it issued Order No. 893 (July 22, 1991) and a contemporaneous request for clarification from the Postal Service. The latter document asked the Postal Service to state clearly whether it did or did not wish the record of the case extended to encompass available FY 1991 data. Order 893 provided for parties' comments on the potential extension of the record and requested the Service—if it wished the record so enlarged—to provide a description of the evidence it would offer to enable this to be done.

The Postal Service's response to the clarification request did not state an unambiguous position, but was principally devoted instead to a discussion of different senses that might be attached to the concept of "the record" and a complaint that they had not always been kept distinct.[7] On the date set for it to indicate what evidence it would offer, it made no filing at all. Other parties (American Bankers Association, Major Mailers Association and the Brooklyn Union Gas Company) filed objections to the idea of extending the record.

The question of billing determinant data: Simultaneously with the evolution of the "FY 1991 data" problem, it had become evident that the Postal Service had available billing determinant data for FY 1990. To explain the relevance of this data requires a brief reprise of some earlier events in the remand phase.

One of the objections made at an early stage (Memorandum of United States Postal Service in support of Reconsideration, February 5, 1991 at 10–11) was that, while the Commission had adjusted costs and volumes

for actual FY 1990 results and used the resulting figures in its January 4 decision, it had made no similar adjustment for FY 1990 revenue per piece. The Postal Service argued that, in light of apparent declines in revenue per piece, this asymmetry led the Commission to overestimate total revenue and thus to provide too small a rate increase. Order No. 883 pointed out that no such adjustment could have been made in the January 4 decision, since (i) no billing determinant data for FY 1990 were then available, and (ii) such data are necessary for an accurate estimate of revenue.[8] Therefore, on August 2, 1991, Presiding Officer's Information Request No. 1 on Resubmission asked for the billing determinant data. The Postal Service provided them in a series of filings received between August 8 and September 16, 1991. The Commission proceeded to apply them to the estimation of revenue per piece.[9] On the same day that the last batch of billing determinant data arrived, the Presiding Officer issued a notice that the Commission expected to make use of them for estimated revenue, in the manner it had earlier described, and offered parties an opportunity to comment or file objection.

Use of billing determinants; the proposed international mail adjustment: No party objected to the proposed use of the billing determinants. The Postal Service filed a comment which, while not objecting, suggested a more sweeping revenue adjustment and in support thereof offered an affidavit from one of its experts pointing to an apparent $322 million shortfall in *international* mail revenue for 1990. The implication of the proposal was that domestic rates[10] should be adjusted accordingly. The Presiding Officer, the following day, requested workpapers supporting the affiant's exhibit. The Service promptly (September 27) supplied them, including a correction of the claimed international mail shortfall from $322 million to about $114 million. The matter was disposed of in the third and final recommended decision, the Commission finding that the proposed adjustment was not required.

The third opinion and recommended decision (October 4, 1991): With relatively little delay as a result of the international mail proposal just outlined, the Commission issued its final opinion and recommended decision on October 4. In this decision it acceded to the Service's arguments on the methods of calculating fixed weight indices, noting that the question was one of choosing a technical convention, that it could best be settled by rulemaking proceedings, and that for the present it was acceptable to let the choice be governed by revenue considerations. This action implied the need to recover another $145 million in test year net revenue.

As it had indicated it would do if billing determinants were available, the Commission adjusted the FY 1990 revenue per piece. For the test year, this meant an additional $200 million of net revenue had to be recovered from rates and fees.

The third area of disagreement had been our treatment of three subjectively determined net trends which the Service's volume estimation witness had imposed on his econometric results. The Commission had decided in its January 4 opinion that these adjustments were unsupported; since the witness's estimating procedures could stand independently of these judgments, they were removed from the estimates. This change was explained fully in each of our three decisions: in the January decision because it underlay our volume and hence revenue estimates, and in the May and October decisions because the Governors and the Service had argued against it following the January and May decisions. Disagreements of this kind unfortunately occur in many judicial and quasijudicial contexts when a party questions the judgment made by the trier of fact—in this case, the Commission—on the basis of expert evidence. The division of authority in chapter 36 of the Act, allowing as it does for repeated remands, may tend to protract such disputes when they arise in postal ratemaking.

The Commission recommended recovering $333 million[11] in additional net revenue through modest increases in a wide range of mail classes. About half of it ($150 million) was to come from First-Class, via a one-cent increase in the extra-ounce rate (24¢ in place of 23¢). Other classes were raised less that three percent (most, in fact, less than one percent).[12]

Final action by the Governors: On November 4–5 the Governors rejected the October 4 decision. This left in place the January rates insofar as they had been accepted under protest. They then voted on a proposal to modify the October decision—presumably with a view to the much-discussed 30-cent First-Class letter stamp—but as the vote was six for and three against, the modification failed of passage.

[1] The Service had proposed such a discount for bulk entry only.

[2] Some of these documents were filed jointly on behalf of a group of parties.

[3] The Commission had used the Data Resources, Inc. (DRI) economic forecast for October 1990 rather than that for November 1990 in updating the basic numbers to reflect 1990 occurrences. This error was acknowledged and corrected in Order No. 883.

[4] Section 556 of the Administrative Procedure Act, which the Commission is required to follow, provides that some matters of fact may be officially noticed provided that parties are given a chance to show the contrary.

[5] The first quarter of FY 1991 ended on December 14, 1990. The Commission was then, of course, at work on its first opinion and recommended decision; the record in the case had closed on December 10, 1990. No FY 1991 data were of record in the proceeding then, and none were formally submitted for the record at any subsequent time.

[6] Both the Commission, in making a recommended decision, and the Governors, should they decide to modify such a decision, are bound to act in accordance with the record. 39 U.S.C. §§3624(a), 3625(d).

[7] The Commission observed, in its third opinion, that any such confusion might have been made harmless by providing the material in the unambiguously "of record" form of prepared testimony and exhibits. Opinion and Recommended Decision Upon Further Reconsideration, para. 258.

[8] More specifically: the Service had impliedly suggested simply dividing subclass revenue by subclass pieces. However, this procedure entails a serious risk of mis-designing the new rates since it provides no guidance on what elements have led to a change in revenue per piece. Revenue per piece is affected by such variables as the weight of pieces, the distance they are mailed (in zone-rated classes or classes where drop-shipping discounts are used), the prevailing degree of presortation, etc. Billing determinants do disclose these elements. If revenue per piece is built up using billing determinants, rather than obtained by dividing pieces into revenue, rate design can proceed with reasonable assurance that the new rates are correctly designed to recover the planned revenue. This distinction was explained in Order No. 883.

[9] In a few instances, there were apparent errors in the data; these were corrected through correspondence with Postal Service staff and the corrected data were used in the analysis.

[10] The Commission does not recommend rates for international mail, which are set unilaterally by the Service using a form of rulemaking procedure.

[11] The Commission's May opinion had a net surplus of $30 million. The two adjustments referred to resulted in a $315 million net revenue deficiency ($200 million plus $145 million less $30 million). Rates producing net revenues of $333 million resulted in a net surplus of $18 million.

[12] Exceptions were necessary where attributable cost could not be recovered, as required by 39 U.S.C. §3622 (b)(3), without a larger increase. The abnormal-seeming 27 percent increase in October recommendations; in January most nonprofit categories were raised 27–28 percent and library rate only two percent. The total increases recommended for these classes, reckoning in both sets of recommendations, were thus quite comparable—and were, of course, dictated by the statutory rule [§3626(a)] that nonprofit mail pay no more and no less than attributable cost.●

CONDEMNING THE MASSACRE UNDERTAKEN BY THE SERBIAN DICTATOR

● Mr. D'AMATO. Mr. President, I rise today to condemn the massacre being undertaken by Serbian dictator Slobodan Milosevic against the innocent citizens of Dubrovnik and urge immediate United States humanitarian aid to the innocent civilians suffering under the wrath of a dictator bent on destruction.

Milosevic's war has already led to the death of thousands of innocent Croatians. Over half a million people have been rendered homeless. At least 124 churches have been destroyed. There has been an absolute rape and pillage of the people of Croatia taking place for some time now. And now, Dubrovnik and its helpless citizens are being wiped away by a killing machine.

The killer Milosevic has kept the ancient Adriatic port city of Dubrovnik under siege for 42 days. Innocent civilians are trapped without water, electricity, food, and medical supplies. They suffer bombing from Milosevic's band of assassins daily. It is reprehensible.

Targets have included hotels full of refugees, apartment buildings that are home to innocent mothers and young children, and centuries-old buildings, including holy sites like the Franciscan and Dominican monasteries.

The senseless destruction of the jewel of the Adriatic shocks the world. A city with such historic significance, destroyed on the whim of a dictator bent on destruction. Dubrovnik has no military significance; even the Serbians admit this. Yet they chose to tear down history to, as they say; "teach the Croatians a lesson."

The global community has, to this point, abandoned Dubrovnik. Even the United States, due to the abysmal policy of the State Department, has failed to respond as a great nation should. I stand here today urging the Congress to help those who cannot help themselves.

Mr. President, the United States cannot simply stand by and watch innocent citizens die at the hands of ruthless killers. We must again demonstrate the leadership that only the United States can provide.

I urge all of my colleagues to support whatever efforts are necessary to bring humanitarian aid to the suffering citizens of Dubrovnik.

Already several convoys of assistance have been blocked by the Serbians.

Two relief workers have been killed, others have been detained.

It is obvious that the Serbian leadership has no regard for human life, no respect for human suffering, and no fear of the world community. It is time that the United States flexed some muscle and used whatever resources we have available to bring humanitarian assistance to the suffering men, women, and children of Dubrovnik.●

TRIBUTE TO JUDY MANN

Mr. DURENBERGER. Mr. President, I rise today to commend Judy Mann, journalist whose column appears in the Washington Post and other publications. Her thoughtful articles consistently draw readers' attention to the vital issues concerning today's family.

As we work to wrap up the legislative business of this session of the 102d Congress, the issues Ms. Mann raises in her column today, entitled by the Washington Post "Pro-Family, Pro-Business," are a reminder of our efforts to pass meaningful Family and Medical Leave legislation. It is a fascinating chronicle of how, on their own initiative, some businesses attend to the needs of their employees and their families.

Mr. President, I ask to include Judy Mann's article in the RECORD and commend it to my colleagues.

The article follows:

[From the Washington Post, Nov. 15, 1991]

PRO-FAMILY, PRO-BUSINESS

(By Judy Mann)

How family-friendly is your employer? Until now, there has been no objective way of measuring that, either among industries or within an industry.

But as men and women increasingly come to understand that they will be combining work and families during a significant part of their careers, they are likely to make this an important question in deciding where to work.

The Families and Work Institute in New York City has developed a Family-Friendly Index to help companies assess how they meet their employees work and family concerns and how they stack up against other companies competing for the same talent. In New York yesterday, the institute also released a list of the four friendliest companies that describes some of the innovative programs they have developed.

The top four companies, which enjoy good economic health, developed their work-family agenda with the same strategic planning emphasis that drives other business goals. The initiatives are part of a business strategy that will result in a desirable work culture, and the companies are committed to hiring the best available experts to design and implement them.

These exemplary companies are IBM Corp., which employs 4,000 people at its plant in Manassas; Johnson & Johnson; Aetna Life & Casualty Co.; and Corning Inc.

Each was selected for "an enduring commitment to the subject of work and family life," according to the report.

The Work and Family Institute, with two grants from the Ford Foundation, surveyed 188 companies for the Corporate Reference Guide to Work and Family Programs and graded them according to stages of development.

Pre-Stage I companies, 33 percent of the total, had few policies and few clues about the issues. Stage I companies, 46 percent of those studied, had some programs, but saw this as a women's issue that was driven by child-care concerns.

Stage II companies, 19 percent of the total, had developed an integrated and packaged response to workers' concerns.

Stage III companies, the most advanced, had gone so far as to address sexual equity and to get involved in efforts to improve family and work life for the broader community.

Johnson & Johnson, for example, has a pilot program that will address the business education needs of a group of Head Start center directors.

Corning put emphasis on affirmative action for women and minorities as far back as 1983, but not much happened. Female and minority workers started complaining. A survey taken in 1984 and 1985 revealed that those two groups were significantly less satisfied than white males were. In the professional grades, women were leaving at a rate of 13.1 percent a year and blacks were leaving at a rate of 15.3 percent a year. White male attrition was 7.8 percent a year.

Corning's management figured out that this higher attrition rate among women and minorities was costing the company about $3.5 million a year in recruiting, hiring and training costs.

The company, using the same approach it used for other business initiatives, set up two teams to correct the problem. The teams consisted of managers and employees at different levels. Their mission was to identify barriers to advancement and recommend strategies for removing them. Those teams are now permanent and Corning has instituted a coaching program for providing mentors for women and blacks and set goals for their advancement, which it is meeting or exceeding. Corning has also developed a career counseling program with three professionals who are paid by the company.

Companies were also graded on their innovative programs. Ohio Bell, for example, has a TeenLine that offers counseling to parents on how to handle everything from homework conflicts to eating disorders and discipline.

Johnson & Johnson has developed a comprehensive health and wellness program designed to help its employees live longer and better, and to reduce health-care costs. It targets not only such obvious health areas as smoking and diet, but also stress management.

The company has found in several studies that absenteeism is down 18 percent as a result of its programs, which breaks down to half a workweek per employee per year. Hospitalization costs for Johnson & Johnson employees have increased at a one-third the rate of costs at similar companies without such a program. "In 1989," the corporate reference guide notes, "Johnson & Johnson saved more than $150 net per employee in health care cost containment as a result" of the program.

This major study of U.S. corporations provides the most comprehensive guide yet of what enlightened companies are doing, and the best evidence so far that family-friendly policies are good for business.●

THREE CHEERS FOR BRAZIL'S PRESIDENT COLLOR DE MELLO

● Mr. CRANSTON. Mr. President, if we are to live in a new world order, it is important we take care of our planet. As the cold war recedes into unhappy memory, challenges every bit as vital—and every bit as threatening to our existence—remain. Many of these issues concern the environment and ideologies of development at any price.

For that reason, I wish to express my delight and satisfaction for an initiative of enormous import that was announced today in Brazil by President Fernando Collor de Mello.

In a dramatic step designed to protect the hemisphere's largest still isolated indigenous group and the lands where they live, Collor signed a decree legally protecting 36,000 square miles of tropical forest for the Yanomami Indians.

This is truly a moment of great joy. It is a historical moment whose significance can only grow in time. It is a milestone in the protection of human rights of an endangered few and the environment belonging to an entire planet.

The Yanomami land has in the last decade been the victim of invasions by thousands of gold and tin miners. By 1987, more than 45,000 miners inhabited Yanomami territory. They brought with them epidemic diseases that threatened the existence of the 10,000 remaining Yanomamis and led to the destruction of vast expanses of the rain forest.

Faced with this onslaught, environmental and human rights groups called on the Government to demarcate legally the land constitutionally guaranteed to the Yanomamis. Only by reaffirming their rights, it was recognized, could access to Indian lands be controlled and monitored.

The steps taken by President Collor today deserve praise for their vision and for their courage. Arrayed against those who sought to protect the forests and those who live in them were a powerful coalition of special interests.

Miners, local political leaders and ultra-nationalist military officers charged demarcation efforts were part of vast international conspiracy against Brazilian sovereignty.

In June, I met with President Collor to express my concern that such pressures might derail efforts to protect Yanomami land. Several days earlier, I, together with seven of my colleagues, also wrote to President Bush to ask that he raise the issue with the Brazilian President.

After my meeting with him, I was left with an impression of a determined, modern democractic leader who knew what was right and was determined to do right. Therefore, I say to him today: "Muito bem feito, senhor Presidente." Very well done.●

HARRIETT B. MACHT HONORED

● Mr. ROTH. Mr. President, on November 16, at a National Panhellenic Con-

ference here in Washington, a wonderful woman—Harriett B. Macht—from my State of Delaware, will be installed for a 2-year term as chairman of that organization, which oversees 26 national sororities on college campuses.

In her position as chairman, Harriett Macht will represent 2.5 million student and alumnae members of Greek women's organizations. I would like to use this occasion to congratulate Harriett and to comment on the rich heritage of those who are active in our Nation's Panhellenic community.

Not only do the sororities that are represented by the National Panhellenic Conference engage in philanthropy, as well as other community activities, but the Panhellenic community itself is rich in both spirit and example of the qualities that have made America great. I believe this spirit is encapsulated in the great funeral oration Pericles delivered in the winter of 431 B.C. I can imagine him standing on the steps of Athens, honoring the valiant who had died defending that great city, and giving those brave residents—as well as those of us today who still cherish democracy—that code that must bind us.

On that occasion, Pericles said:

It is called democracy because power does not rest with the few, but with the many, and in law, as it touches individuals, all are equal, while in regard to the public estimation in which each man is held in any field, his advancement depends not on mere rotation, but rather on his true worth; nor does poverty dim his reputation or prevent him from assisting the state, if he has the capacity. * * * Our belief is not primarily in munitions and concealment, but in our own spirit in action. * * * We are seekers of beauty, but avoid extravagance—of learning, but without unmanliness. For us wealth is an aim for its value in use and not as an empty boast, and the disgrace of poverty rests not in the admission of it, but more in the failure to avoid its practice. * * * We do not win friendship from benefit received, but from service rendered.

These are the ties that bind good people. These are the objectives good people share. That is why I am proud of women like Harriett Macht. She is a stalwart example of what people can do in a land of promise. She is an example of people who give more than they take, who set out to break their own records, to build upon their yesterdays with their todays. She is an example of people who work to help our community get ahead of itself and to leave a better life for our children.

I congratulate Harriett on this fine occasion. Likewise, I salute the wonderful work being done by the National Panhellenic Conference and wish them all the best as they continue to touch lives well into tommorrow.●

DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS

● Mr. ADAMS. Mr. President, I expect the dire emergency supplemental appropriations bill which the Senate Appropriations Committee passed today, to transcend partisan political disputes, budget battles, and other controversies and quickly become law. The domestic emergency relief funds are essential to help decent, hard-working American families get back on their feet, free from the threat of physical danger and the lack of basic necessities.

There is already enough suffering. FEMA has had to forego funding essential dike repair and other flood mitigation projects in Washington State. A dairy farmer in Snohomish, WA, wrote me that all his farmland in the river valley was ravaged by the November 1990 flood. Two large breaks existing in the Snohomish River dike could have caused more floods at any time. Milk prices were so low, he could not afford another flood.

Luckily, an administrative exception allowed FEMA to pay for this repair, but dangerous unrepaired flood control facilities still exist in that area.

Recently, wildfires ravaged the eastern portion of Washington State. The supplemental appropriations bill specifically earmarks funds for the wildfire disaster. Just the other day, the President signed a major disaster declaration for the Spokane region. Funding is needed now.

The bill also provides emergency funds for needy children and their mothers. The Women, Infants and Children Program [WIC] will receive an additional $100 million for the Special Supplemental Food Program. This is a nutrition program aimed at expectant mothers and their children. It has been noted that for every dollar spent on the prenatal component of WIC, the savings in Medicaid costs range from $2.84 to $3.90 for newborns alone.

I urge Congress to quickly pass and the President sign this important legislation.●

THE SYMPTOMS AND THE CAUSES OF FLAWED FISCAL AND TRADE POLICIES

● Mr. SIMON. Mr. President, I have strongly supported each earlier attempt we have made to provide an extension of unemployment insurance benefits, including reachback provisions, to the millions of jobless Americans and their families who are being hurt the most in this recession. I'm pleased that the President is now willing to sign the compromise legislation we have voted on today. It took too long to get to this point, but the Congress and the President have finally been willing to mute their differences on this issue.

This emergency legislation will give jobless families in Illinois and across the Nation a chance to get back on their feet. This will restore hope and stamina to countless families who have had little hope until now.

All States are suffering during this recession and from the flawed fiscal policies this Government continues to pursue, seemingly without regard for the short- and long-term consequences. In Illinois, the recession and our harmful trade and fiscal policies have contributed to significant losses at Caterpillar, to the decision of Illinois-based Zenith to move its last United States assembly plant to Mexico, and to the demise this week of Midway Airlines.

The majority leader, Mr. MITCHELL, and the Republican leader, Mr. DOLE, have done great service to the Nation in this final stage of this difficult process. Chairman DAN ROSTENKOWSKI, who played the crucial role in engineering a benefits package that the President would be willing to sign, deserves great credit for this final result. Another lawmaker whose efforts have stood out in this process is the junior Senator from North Dakota, KENT CONRAD. Once again, he has been a bulldog for his North Dakota constituents. Without his persistence and constructive and masterful legislative efforts, thousands of North Dakotans would not be about to receive extensions of their benefits.

With the enactment of this emergency extension of unemployment insurance benefits, we will have addressed one of the symptoms of these harmful policies. Next, we must finally begin addressing the causes. This Senator will continue to press for action on these remedies. I want to put my colleagues on notice that one of these is ready for Senate debate in the near future. It is the constitutional amendment that I have introduced, and that the Judiciary Committee has approved in a vote of 11–3, to require balanced Federal budgets as the rule, instead of as the exception.●

PROBLEMS FACED BY THE PEOPLE OF ZAIRE

● Mr. SIMON. Mr. President, I have spoken on the floor of the problems faced by the people of Zaire, in part because of our long support of President Mobutu, whose dictatorial and corrupt regime has denied basic human rights to the people of that vast nation. I want the United States to stand more clearly for human rights everywhere, including Zaire.

In the process of my work as chairman of the Subcommittee on Africa of the Foreign Relations Committee, I have had the opportunity to get acquainted with Dr. William T. Close, who for 16 years was the personal physician to President Mobutu, and also happens to be the father of the acclaimed actress, Glenn Close.

Dr. Close has a strong sense of urgency about the situation, the strong belief that if a transitional government does not come quickly, there will be

massive bloodshed in Zaire. There may be chaos even if he leaves, but there is a greater chance to move things in a constructive direction quickly if Mobutu leaves, and we join France and Belgium in urging a change, a position we have yet to take.

Over the years we have given Mobutu more than $1 billion in aid, another unfortunate example where the United States has helped a dictator, ultimately without help to anyone, including the United States.

I ask unanimous consent, Mr. President, to insert into the RECORD, a statement I issued on November 12 on the Zaire situation, and the recording of a phone call between Dr. Close and Faustin Birindwa, one of the opposition leaders in Zaire.

And then at the end, Mr. Presdent, I ask to insert a statement from Dr. Close on what needs to be done to resolve the crisis in Zaire.

The material follows:

STATEMENT OF SENATOR PAUL SIMON, CHAIRMAN, SUBCOMMITTEE ON AFRICAN AFFAIRS, COMMITTEE ON FOREIGN RELATIONS, NOVEMBER 12, 1991

It is clear that the situation in Zaire is deteriorating and that more decisive action must take place to avoid massive economic, political, and social chaos.

I have today communicated to the Administration that we must immediately request of President Mobutu that a sovereign national conference of a limited number of people be convened at once under the auspices of someone acknowledged to be independent, such as Bishop Mosongo; that within 10 days that conference should establish an interim government to prepare for national elections; that immediately upon the establishment of the interim government, President Mobutu should resign, and for a period of at least six months leave the country; and that the United States should urge the nations of France, Belgium, and Senegal to send in a limited number of troops to assure stability during the transition period.

TRANSCRIPT OF CONVERSATION BETWEEN WILLIAM T. CLOSE (WTC) AND FAUSTIN BIRINDWA (FB) ON NOVEMBER 13, 1991

FB: You must note that Monseigneur Mosango was attacked last night at his home by commandos from the (Special Presidental Detachment). You must please inform our friends at the White House and at the State Department of this incident. This is inadmissible.

WTC: Is he wounded?

FB: Thank goodness the guards at his home fought like angels, but one of the guards was gravely wounded. During the attack, Monseigneur was able to call friends from his room including the Embassies. It is unthinkable that when we are all looking for a neutral party to head the conference that such intimidating tactics are taking place.

WTC: These commandos came from where do you think?

FB: A commando dressed in a military uniform matching the uniform of the DSP can only come from one place. There are not two guesses as to where they come from. We do not have any uniformed military guards or personnel in Sacred Union.

WTC: Do you think that the National Conference will proceed on schedule?

FB: Yes. I tell you about this incident only to point out the intimidating tactics being used by the President. But this is not going to stop our progress, and we are going to keep up our struggle to install a democratic government. I implore you to advise the proper authorities in your government because the President of the Sacred Union [The United Opposition Forces] Mr. Ileo, is very concerned that this fact be diffused to the various governments who are friends of Zaire.

WTC: We will spread the word of this terrible incident immediately to the right party in the US Government.

FB: I was asked immediately to pass this information to the Voice of America representative who unfortunately has already left Zaire after having interviewed me yesterday and the day before. Incidentally the Voice of America did a wonderful job in reporting the truth about Zaire.

WTC: In your opinion, do you think the Conference will be productive?

FB: This Conference will be productive if it is preceded by a tri-partite sub-committee headed by a neutral moderator whose main purpose is to establish the basic rules and modus operandi of the Conference. I will read to you the decision made by the Sacred Union on November 6th and communicated to the press on November 12th. I will read to you its exact contents in a minute.

WTC: When is this Conference starting?

FB: As far as we know, it is scheduled to begin on Friday, November 15th provided that the pre-conference committee is able to meet in order to establish the guidelines. This sub-committee is the only one who will decide if the Conference will take place, when and under what condition.

WTC: What do you think Mobutu will do to sabotage this Conference?

FB: He cannot do much more at this time because all the guidelines and the measures taken up to now for this Conference are there to sabotage it. In the present Conference you have a few hundred members under strict orders of the President and you have an association of clapping women whose sole role is to clap when signals are given to them by a Mobutu supporter. These elements have nothing really to do with the Conference, yet these people have suddenly become members of the Conference. They applaud to confuse the minds of the people who are there to do some serious work to advance changes in the Constitution and our democratic process. The present count of attendees at the Conference is 2,800 people of which 1,000 are already associated directly with Mobutu. Two-thirds of the people are there only to create confusion and disorganize the Conference. If you recall, at on time we had stopped the conference because there were more than 5,000 people in the auditorium and it was complete chaos: no productive work could be accomplished. Molumba from the Sacred Union has requested that this Conference be reduced to a smaller number of serious people who will perform the sovereign task of changing the country's direction toward democratic rule. Some associations have been established that have no legal basis. They were created only so that they could participate in the Conference and be manipulated and guided by the President. Even active military personnel were injected into the Conference. Some of these active military personnel have been appointed president of the illegal associations. These people were not only put there to sabotage the Conference but also to transmit ideas and recommendations which are actually dictated by the President.

WTC: Do you think that the Army is still involved in the Conference and will it continue to be involved?

FB: I do not think since even our request for a sub-committee to hold a meeting prior to the Conference the people designated to be in the sub-committee were in the majority of military personnel. I will give you the composition of these parties: The government of Mongul Diaka has provided us with the makeup of the subcommittee to attend the meetings prior to the opening of the Conference.

In addition to the Sacred Union's 10 people and the president's party of 10, there are an additional 8 people that no one knows.

WTC: It appears that it is a re-run of the same comic opera.

FB: Absolutely. With reference to the Societe Civile [a front for Mobutu], they put 3 delegates per region, therefore, 3 times 10 equals 30 plus 10 for Kinshasa which makes a total of 40. For Kinshasa, the head of the people if you remember the Dr. Ndombe has been replaced by a woman and I do not have to describe to you who she is and you can imagine with whom she has been (ex-mistress of Mobutu). In addition to that, she happens to be the wife of one of the top people of the civilian guard (guarde civile). This means that we are starting the Conference at the same point where we abandoned it last time because of these same problems. We have insisted that the sub-committee be only 10 people from the Sacred Union and 10 people from the Forces Democratiques which are the supporters of the President plus some other neutral people who will be there in order to mediate the talks. The participation of some of the people of the other regions and sub-regions is acceptable provided that they are led by a neutral party. This is what I want you to make the US Government and the State Department understand that this is why we cannot accept that Diaka presides over the Conference. I will now give you a reading from our press release dated November 6th which is also accompanied by a letter written to Diaka as President of his party and not as Prime Minister since we in the democratic union do not recognize the new government.

"Common declaration of the opposition party. Civil association, government functionaries and all other social organizations reunited in an exceptional meeting on November 6, 1991. We the Sacred Union have taken the following decisions:

1. Regarding the work on the Sovereign Conference: Following the actions taken on July 18, 1991 we unite ourselves into one front in order to seek from Joseph Mobutu a meeting of a National Conference having a sovereign status. The Sacred Union will not attend a non-sovereign Conference or a Conference that will be against the will of the people in which all the decisions are not imperative and all the decisions made by this Conference will be imposed upon everyone.

2. Reconfirm our wishes of the Sacred Union to take part in the pre-convention meeting prior to the sovereign national Conference. In order to expedite the work, the Sacred Union wishes that a sub-committee be formed immediately in order to prepare the rules and the guidelines of this sovereign national Conference. This sub-committee should include the following: (a) Societe Civile; (b) Sacred Union; and (c) The committee must be presided over by a pious and credible arm of the Roman Catholic Church.

3. Concerning the eventual presidential elections which may be organized in a few months under the initiative of President Mobutu. The Union reaffirms its previous position that there will be no presidential election until after the Sovereign Conference has

established its fundamental guidelines of how to guide the Third Republic.

The new Constitution must be established and distributed to all the citizens of Zaire to be voted upon in a national referendum. The presidential election can only be held after regional elections have taken place.

4. The Sacred Union has decided that all the members of the phantom government elected on the 28th and 31st of October 1991 headed by Diaka should exclude themselves from the participation in the national Conference.

Signed in Kinshasa by:

For the Sacred Union the active president, Joseph Ileo.

From DPSC, members of the political bureau, Charles Mbwano Simba—Second Vice President of Eupherie (Nguza Karli Bond party).

Tambwe—Kengo's party representative.

Kamanda Wa Kamanda (a one-time Prime Minister).

For the Franc Commun des nationalistes—Jean-Claude Billet Billet or Kalu.

Permanent members of the Sacred Union:

Faustin Birindwa, Roger Kisanga, Zachary Kowa and Jean Cote".

FB: I will now read to you the letter which we have sent to Diaka as president of his party.

"This letter is dated November 12, 1991 at 7 p.m. Kinshasa time. Please note that this is addressed to President Mongul Diaka as head of his party and not as Prime Minister Diaka.

"Since July 18, 1991 the Sacred Union has fought for a national Conference which is truly sovereign in order that decisions can be immediately implemented and applicable to everyone. Please note the following steps which have been taken by the Sacred Union to establish a commission to try to clean up all possible ambiguities which until now have handicapped the work of the national Conference. The Sacred Union recognizes the need for an immediate consultation between parties to establish guidelines for this sovereign national Conference. This committee should be a tri-party which would be the Sacred Union, the Union Democratic Forces in association with other forces such as the Civil Society in order to harmonize their points of view before the commencement of the Conference itself begins and also to create a favorable atmosphere for this Conference. In order to achieve this objective this committee will be presided over by a moderator of an institution that has the respect of everyone; for instance the Catholic Church. It is in this light that we respond to your letter addressed to President Joseph Ileo dated November 10th.

"Sincerely yours,

"Faustin Birindwa of UDPS for technical sector of the Sacred Union.

"People from Eupherie (Nguza Karly-Bond's party).

"From UDI (Kengo's party).

"Ileo."

A copy of this letter and the above press release were given to the Embassies of Belgium, France and the United States. We must also consider the work that is being done by the Parliament at the present time as I explained to you yesterday. The Parliament voted last night to reject the Diaka government and a letter to that effect was sent to the President.

WTC: If the US Government makes the statement that Mobutu was a friend of the US, but that the US no longer supports the Mobutu administration what will happen?

FB: The reaction of the people will be positive—we expect the entire population to be dancing with joy in the street. This is exactly what the people wish, however we cannot ask this of the US because it is up to the US to judge how and when it would make such a statement.

WTC: Rephrasing the same question just posed, if the US comes up with a statement saying "Mobutu was our ally for a long time but because of the situation as it now is in Zaire and because Mobutu is interfering with the establishment of a democratic government we will retract our moral support etc., etc. and we do not emphasize what he ought to do. After all, it is the right of the US to choose who it wishes to befriend. At that point, what would happen?

FB: This is exactly what the population is awaiting. After the Senate and the Congress meetings, we are awaiting such a declaration from the US.

WTC: Thank you very much, this is very clear.

POINTS TO HELP IN THE SOLUTION OF THE ZAIRIAN CRISIS, NOVEMBER 14, 1991

(By Dr. William T. Close)

1. The situation at this moment in Zaire is at the boiling point: the major sources of revenue for the country have ceased to operate, all foreign experts needed for the generation of power and revenue have left the country, the Zaire stood yesterday at 44,000 and today at 57,000 per US dollar, fuel supplies run out next week with none in the pipeline, food is critically scarce, banks are closed, etc, etc.

2. The US Government needs to dissociate itself from Mobutu. This message must come from the White House since all are aware of the longstanding personal relationship between President Bush and Mobutu—a relationship which Mobutu has distorted and exploited. Messages from the State Department, though useful, are not as clearly understood by the Zairians as are messages from the White House.

3. The US Government should clearly state that it would support the establishment of a transitional government.

4. The present composition of the National Conference is self defeating (please refer to attached). The US recommends and would support the restructuring of the Conference to represent major political forces in Zaire, to be chaired by a neutral, generally acceptable Church leader. [Bishop Mosengo's compound was entered two nights ago by 4 Presidential commandos. The Bishop's bodyguards fought, and one was severely wounded before the commandos turned tail.]

5. The US Government urges President Mobutu to end his term of office on December 5th as provided by the Constitution, and further recommends that Mobutu absent himself from Zaire until present changes are well under way.

6. The US Government strongly opposes any Zairian military intervention in the process of democratization and commits itself to supporting an international peacekeeping force if so requested by the legitimate government or by a legitimate National Conference.

7. The US needs to support, along with European countries, an economic reform program instituted by a transitional government. The reform program needs to be monitored by outside experts from the World Bank or IMF. As most recently in Zambia, the US Government would encourage national elections under neutral supervision (National Endowment for Democracy).●

MEASURE REFERRED TO THE JUDICIARY COMMITTEE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Executive Communication 1757, a communication from the Assistant Attorney General transmitting proposed amendments to the International Claims Settlement Act, and that it then be referred to the Judiciary Committee.

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

COMMEMORATING 100TH ANNIVERSARY OF FILMMAKING

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 161, a concurrent resolution commemorating the 100th anniversary of filmmaking, received today from the House; that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

So the concurrent resolution (H. Con. Res. 161) was agreed to.

PROGRAM OF MARRIAGE AND FAMILY COUNSELING FOR CERTAIN VETERANS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 238, S. 1553, a bill to provide family counseling for veterans of the Persian Gulf war.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 1553) to establish a program of marriage and family counseling for certain veterans of the Persian Gulf War and spouses and families of such veterans.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. PROGRAM FOR FURNISHING MARRIAGE AND FAMILY COUNSELING.

(a) REQUIREMENT.—Subject to the availability of funds appropriated pursuant to the authorization in section 3, the Secretary of Veterans Affairs shall conduct a program to furnish to the person referred to in subsection (b) the marriage and family counseling services referred to in subsection (c). The Secretary shall commence the program not later than 30 days after the date of the enactment of this Act. The authority to conduct the program shall expire at the end of September 30, 1994.

(b) PERSONS ELIGIBLE FOR COUNSELING.—The persons eligible to receive marriage and family counseling services under the program are—

(1) veterans who were awarded a campaign medal for active-duty service during the Persian Gulf War and the spouses, children, and parents of such veterans; and

(2) members of the reserve components who were called or ordered to active duty during the Persian Gulf War and the spouses, children, and parents of such members.

(c) COUNSELING SERVICES.—Under the program, the Secretary may provide marriage and family counseling that the Secretary determines, based on an assessment by a mental-health professional employed by the Department and designated by the Secretary (or, in an area where no such professional is available, a mental-health professional designated by the Secretary and performing services under a contract or fee arrangement with the Secretary) is necessary for the amelioration of psychological, marital, or familial difficulties that result from the active duty service referred to in subsection (b) (1) or (2).

(d) MANNER OF FURNISHING SERVICES.—(1) The Secretary shall furnish the marriage and family counseling services under the program as follows:

(A) By personnel of the Department of Veterans Affairs who are qualified to provide such counseling services.

(B) By appropriately certified marriage and family counselors employed by the Department.

(C) By qualified mental health professionals pursuant to contracts with the Department.

(2) The Secretary shall establish the qualifications required of personnel under subparagraphs (A) and (C) of paragraph (1) and shall prescribe the training, experience, and certification required of appropriately certified marriage and family counselors under subparagraph (B) of such paragraph.

(3) The Secretary may employ counselors to provide marriage and family counseling under paragraph (1)(B) and shall pay such counselors at the rates prevailing for such counseling among non-Department health-care professionals with similar training, experience, and certification in the locality in which such counselors provide such counseling, as determined by the Secretary.

(e) CONTRACT COUNSELING SERVICES.—(1) Subject to paragraphs (2) and (4), a mental health professional referred to in subsection (d)(1)(C) may furnish marriage and family counseling services to a person under the program as follows:

(A) For a period of not more than 15 days beginning on the date of this commencement of the furnishing of such services to the person.

(B) For a 90-day period beginning on such date if—

(i) the mental health professional submits to the Secretary a treatment plan with respect to the person not later than 15 days after such date; and

(ii) the plan and assessment made under subsection (a) are approved by an appropriate mental health professional of the Department designated for that purpose by the Chief Medical Director.

(C) For an additional 90-day period beginning on the date of the expiration of the 90-day period referred to in subparagraph (B) (or any subsequent 90-day period) if—

(i) not more than 30 days before the expiration of the 90-day period referred to in subparagraph (B) (or any subsequent 90-day period), the mental health professional submits to the Secretary a revised treatment plan containing a justification of the need of the person for additional counseling services; and

(ii) the plan is approved in accordance with the provisions of subparagraph (B)(ii).

(2)(A) A mental health professional referred to in paragraph (1) who assesses the need of any person for services for the purposes of subsection (c) may not furnish counseling services to that person.

(B) The Secretary may waive the prohibition referred to in subparagraph (A) for locations (as determined by the Secretary) in which the Secretary is unable to obtain the assessment referred to in that subparagraph from a mental health professional other than the mental health professional with whom the Secretary enters into contracts under subsection (d)(1)(C) for the furnishing of counseling services.

(3) The Secretary shall reimburse mental health professionals for the reasonable cost (as determined by the Secretary) of furnishing counseling services under paragraph (1). In the event of the disapproval of a treatment plan of a person submitted by a mental health professional under paragraph (1)(B)(i), the Secretary shall reimburse the mental health professional for the reasonable cost (as so determined) of furnishing counseling services to the person for the period beginning on the date of the commencement of such services and ending on the date of the disapproval.

(4) The Secretary may authorize the furnishing of counseling in an individual case for a period shorter than the 90-day period specified in subparagraph (B) or (C) of paragraph (1) and, upon further consideration, extend the shorter period to the full 90 days.

(5)(A) For the purposes of this subsection, the term "treatment plan", with respect to a person entitled to counseling services under the program, must include—

(i) an assessment by the mental health professional submitting the plan of the counseling needs of the person described in the plan on the date of the submittal of the plan; and

(ii) a description of the counseling services to be furnished to the person by the mental health professional during the 90-day period covered by the plan, including the number of counseling sessions proposed as part of such services.

(B) The Secretary shall prescribe an appropriate form for the treatment plan.

(f) COST RECOVERY.—For the purposes of section 1729 of title 38, United States Code, marriage and family counseling services furnished under the program shall be deemed to be care and services furnished by the Department under chapter 17 of such title, and the United States shall be entitled to recover or collect the reasonable cost of such services in accordance with that section.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the terms "veteran", "child", "parent", "active duty," "reserve component", "spouse", and "Persian Gulf War" have the meanings given such terms in section 101(2), (4), (5), (21), (27), (31), and (33) of title 38, United States Code, respectively.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $1,000,000 for fiscal year 1991 and $10,000,000 for each of fiscal years 1992, 1993, and 1994 to carry out this Act. Funds authorized to be appropriated under this section shall be considered to be emergency requirements for the purposes of section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(i)), but may be obligated for the program conducted pursuant to section 1 only if the President designates an appropriation under this section as an emergency requirement pursuant to such section 251(b)(2)(D)(i).

SEC. 4. REPORTS.

(a) INTERIM REPORT.—Not later than January 1, 1993, the Secretary shall submit to Congress a report on the program conducted pursuant to section 1. The report shall contain information regarding the persons furnished counseling services under the program, including—

(1) the number of such persons, stated as a total number and separately for each eligibility status referred to in section 1(b);

(2) the age and gender of such persons;

(3) the manner in which such persons were furnished such services under the program; and

(4) the number of counseling sessions furnished to such persons.

(b) FINAL REPORT.—Not later than January 1, 1994, the Secretary shall submit to Congress a report on the program. The report shall contain updates of the information referred to in subsection (a) and a description and evaluation of the program and shall include such recommendations with respect to the program as the Secretary considers appropriate.

Mr. MITCHELL. Mr. President, I submit for the RECORD on behalf of Senator CRANSTON, who is in California for tests at the Stanford Medical School Hospital, a statement regarding S. 1553, the Persian Gulf war veterans marriage and family counseling bill.

(By request of Mr. MITCHELL, the following statement was ordered to be printed in the RECORD:)

• Mr. CRANSTON. Mr. President, as the chairman of the Committee on Veterans' Affairs, I am delighted to urge unanimous approval of the pending measure, S. 1553, legislation to establish a program of marriage and family counseling for certain veterans of the Persian Gulf war and the spouses and families of such veterans. The committee approved S. 1553 with an amendment in the nature of a substitute on September 12 and reported the bill on September 24 (S. Rept. No. 102-159).

Mr. President, on July 24, 1991, I introduced S. 1553 with the cosponsorship of the committee's ranking Republican member, ARLEN SPECTER, and committee members DENNIS DECONCINI, BOB GRAHAM, DANIEL K. AKAKA, and THOMAS A. DASCHLE and Senator BARBARA A. MIKULSKI. Joining later as cosponsors were Senators WENDELL H. FORD, KENT CONRAD, and HARRIS WOFFORD.

On July 16 and 25, the committee held hearings on the readjustment needs of Persian Gulf war veterans and their families and, as part of the July 25 hearing, received testimony on this measure. Testimony presented at the hearings indicated that many Persian Gulf war veterans and their families were subjected to extraordinary stress during the mobilization and the war, and convinced me that this legislation is needed to fulfill the Government's obligation to the men and women who volunteered to serve this Nation, and to their loved ones.

SUMMARY OF S. 1553 AS REPORTED

Mr. President, S. 1553 as reported—which I will refer to as the committee bill—includes freestanding provisions which would authorize VA to provide marriage and family counseling services to certain veterans of Persian Gulf war service and to their family members.

Specifically, these provisions would:

First, require VA to establish, within 30 days after enactment and subject to

the availability of appropriations, a program of marriage and family counseling for certain Persian Gulf war veterans and their families. The authority for this program would expire on September 30, 1994.

Second, authorize VA to provide, either directly or by contract, marriage and family counseling (a) to veterans who were awarded campaign medals for active-duty service during the Persian Gulf war and to their spouses, children, and parents, and (b) to members of reserve components—including both the Reserve and National Guard forces—who were called to active duty during the war and to their spouses, children, and parents.

Third, permit VA to provide marriage and family counseling only in cases in which the Secretary determines—based on an assessment by a mental-health professional designated by the Secretary—the counseling is necessary for the amelioration of psychological, marital, or familial difficulties that resulted from the veteran's active-duty service.

Fourth, require that the marriage and family counseling be furnished either (a) directly by VA personnel, including marriage and family counselors employed by VA, whom the Secretary determines are either appropriately certified or otherwise qualified, or (b) through contract arrangements with mental health professionals whom the Secretary determines are appropriately qualified.

Fifth, authorize VA to employ certified marriage and family counselors to provide counseling under the program and pay them at the rates prevailing for such conseling among non-VA professionals in the same locality.

Sixth, in the case of contract counseling, require the provider to submit to VA within 15 days of the start of the treatment, on a form prescribed by the Secretary, a treatment plan which includes how many visits are expected.

Seventh, in a case in which a treatment plan is disapproved, require VA to reimburse the mental health professional for the reasonable cost—as determined by the Secretary—of furnishing counseling services to the person for the period beginning on the date of the commencement of such services and ending on the date of the disapproval.

Eighth, provide that, when counseling is provided under a contract with VA, no care may be provided more than 90 days after the counseling was initiated—or after the end of a previously approved period of care—unless approved by the Secretary on the condition that counseling is needed as a result of active-duty service and is provided pursuant to an updated treatment plan, submitted not more than 30 days before the end of the 90-day period—or before the end of the previously approved period of care.

Ninth, in the case of contract counseling, provide that (a) if a non-VA mental health professional makes the determination that counseling is needed for service-related psychological difficulties, the mental health professional who made that determination generally may not provide the counseling, and (b) the Secretary may waive this prohibition for locations in which VA is unable to obtain the assessment by a mental health professional other than the one with whom it contracts for the furnishing of counseling services.

Tenth, provide that the third-party reimbursement provisions in section 1729 of title 38, United States Code, would apply to services provided under the pilot program.

Eleventh, authorize the appropriation of $1 million for fiscal year 1991 and $10 million for each of fiscal years 1992, 1993, and 1994 and declare that the funds are emergency requirements for the purposes of section 251(b)(2)(D)(i) of the Balanced Budget Act of 1985, but provide that the funds could be used only if the President designates the appropriation as an emergency requirement.

Twelfth, require the Secretary to submit (a) an interim report by January 1, 1993, describing the number of individuals who have received care under the program and the numbers of visits that the individuals made, with breakdowns showing the numbers who were reservists, other veterans, spouses, children, or parents and the numbers of individuals who received direct VA services as opposed to contract services, and (b) by January 1, 1994, a report that includes updates of those data and a description and evaluation of the program and any recommendations that the Secretary considers appropriate.

BACKGROUND

Mr. President, the Persian Gulf war, as defined in title 38, United States Code, for purposes of veterans' benefits, covers the period beginning August 2, 1990, the date of the invasion of Kuwait by Iraq, and will end on a date specified by the President or by statute. In response to the Iraqi conquest of Kuwait, the United States sent 569,285 military personnel to the Southwest Asia theater of operations during an approximately 7-month buildup. This included 102,126 members of reserve components, whom I will refer to as "reservists," including the National Guard and Air National Guard. Another 122,000 reservists were ordered to active duty during the Persian Gulf war but not sent to the war zone.

The makeup of the American force that fought in the Persian Gulf war was unlike any other in our history. In February 1991, the General Accounting Office issued a report, "Military Personnel: Composition of the Active Duty Forces by Race or National Origin Identification and by Gender," which provided a current demographic profile of the Armed Forces and similar information for 1972. According to GAO, in 1972, men comprised 98 percent of the active-duty forces; now women account for a full 11 percent. There are over 220,000 women on active duty and, according to the Department of Defense, more than 40,000 women served in the Persian Gulf. Also since 1972, representation in the active-duty forces by nonwhite individuals has increased from 16 percent to almost 30 percent.

The changed composition of the Armed Forces is further characterized by increased numbers of active-duty service members who are married and who are parents. According to information provided to the committee by DOD, 293,513 married service members were deployed in the gulf. Of that number, 205,876 were parents, 21,954 of whom were single parents.

Mr. President, I believe that the large numbers of married individuals and parents among the newest generation of wartime veterans present a new challenge to VA.

COMMITTEE HEARINGS

At the committee's July hearings, expert witnesses representing mental-health professional organizations, individual veterans and their family members, as well as VA's Chief Medical Director and VA mental-health professionals and the Defense Department's Assistant Secretary of Health Affairs and Principal Deputy Assistant Secretary for Force Management and Personnel testified as to the effects of the war on those who served, problems encountered by military families during, and resulting from, the war, and the various forms of counseling and other services that were available to service members veterans and the services that they need.

With respect to psychological problems among service members who served in the gulf and elsewhere during Operations Desert Shield and Desert Storm, the consensus among the VA and DOD witnesses was that it was too early to tell what the psychological aftermath will be. However, based on the necessarily preliminary data that had been collected, it appeared that the incidence of posttraumatic stress disorder was lower than among those who served during the Vietnam war.

VA witnesses commented on the findings of the VA report, entitled "War Zone Stress Among Returning Persian Gulf Troops: A Preliminary Report," which was submitted pursuant to section 335 of title III, part C of Public Law 102-25, the Persian Gulf War Veterans' Benefits Act of 1991. VA's Chief Medical Director, Dr. James W. Holsinger, Jr., summarized the report's findings as follows:

According to preliminary evidence and * * * the respected opinion of VA and non-VA experts, exposure to traumatic stress in

the Persian Gulf was far more limited than in Vietnam, Korea, or World War II. It should be noted, however, that there are a variety of potential reactions to war zone stress, ranging from PTSD and other major psychiatric disorders to transient psychiatric disorders, to readjustment problems not meeting the criteria for a psychiatric disorder but which constitute a significant disruption to life.

Although the VA report focused primarily on service members who served in the gulf and did not address issues related to family members, several witnesses at the committee hearings testified as to the effects of the war on the military families and the need for improved services for them.

Mr. President, various aspects of the Persian Gulf war, and the media's coverage of it, contributed to the stress that was placed upon the family members of those serving in the gulf. The war received nearly 24-hour-a-day coverage by television networks, much of it consisting of live reports, and many of the reports focused on the potential for Iraqi missile attacks and the possibility that the missiles might carry chemical or biological agents. Reporters were frequently seen with gas masks at the ready, and some filed reports while wearing masks. During the period leading up to the ground war, various military analysts projected that American troops would suffer high casualties, possibly numbering in the tens of thousands. Witnesses at the committee's July hearings commented on the effects of the media coverage and noted that the anticipation of a catastrophe and the accompanying uncertainty created tremendous anxiety among service members and their loved ones at home.

The mobilization of reserve forces, often on short notice, was another aspect of the war that was cited by witnesses as contributing to stress placed upon military families. Dr. Dennis Embry, testifying on behalf of the American Psychological Association at the committee's July 16 hearing, said that the activation and deployment of reservists on short notice was "a recipe for considerable difficulties," especially for the children involved.

At the committee's July 25 hearing, Maj. Gen. Evan L. Hultman, AUS (ret.), executive director of the Reserve Officers Association of the United States, testified:

In any discussion relating to military family adjustment and how their needs are to be met, it is important to keep in mind that a much higher percentage of personnel who participated in Desert Shield/Desert Storm have homes and families than has been the case in any other major conflict in this century. The professional, all-volunteer force of today is much older, more mature and many more members are married and have children. This is especially true of members of the Guard and Reserve. Thus, while the duration of the conflict and battle stress may have been less than was experienced in some past conflicts, the number of families directly affected by the mobilization is proportionately much greater. We can assume that the family adjustment problems experienced in the past can be multiplied many times. We thus cannot base our needs on past military conflicts.

Mr. President, testimony received from Operation Desert Storm personnel and their family members indicated a tremendous need for counseling services among deactivated personnel and that many could not afford to obtain help. For example, Dawn Kesler, coordinator of the family support program for the 124th Army Reserve Command, testified:

I [know of] one young soldier and his wife who are undergoing some real marital strife. * * * This has been a strong marriage—they have been married for seven years.

When a soldier goes over to Saudi, his memory of his family freezes, and he perceives them as exactly the same as when he left. When he came back, he came back to a very independent young woman. His children were almost a full year older, and they are having some serious crises because of the fact that he is still looking at her as the same wife he left. * * * This is a marriage that did not have a lot of conflict [before deployment]. There are no services for them to go to.

Linda Atz, founder of Project Love, a nonprofit group founded to assist families of the deployed personnel and returning troops in Colorado, and mother of an active-duty service member, relayed the following example:

We do have one young family that just split up. * * * They have not been able to obtain any type of counseling because he was a reservist. There was nothing out there available. They lived far enough out of the immediate metro area that they were not able to utilize the services that were available through the one private facility that was offering them.

J. Gaye Jacobson, founder and president of Operation Yellow Ribbon, a private nonprofit organization founded to assist families of the deployed personnel and service members, and mother of an active-duty service member noted the following case at the committee's July 16 hearing:

We have Jonathan, who is married, Army Reserve, 30 years old with a 12 year old son. He was * * * [in the] offensive in Iraq. I will never forget this child in the counseling sessions, when he told me that his worst fears—and he had nightmares—* * * were having to attend his father's funeral. * * * This 12 year old child could not face the possibility that his father may die. He had a nervous breakdown and his father was called home on emergency leave. The son is getting better, but now Jonathan and his wife are in a bitter battle to save their marriage. He is very upset that his wife couldn't help his son not go into that nervous breakdown.

At the committee's July 25 hearing, James J. Hladecek, vice president for operations of the American Red Cross, testified:

I would like to call [the Committee's] attention to Red Cross casework with reservists and members of the National Guard. Their situation is unique and presents special problems that are different from those of active duty service members who returned from the Gulf to an installation and to a peacetime role in the military. In far too many cases, reservists and National Guard personnel returned abruptly to civilian life in communities often far from the support system that surrounds most military installations. Their service to this country earned them the honored status of veterans, but in many cases, it left them and their families with social and psychological needs that extend beyond the current service limitations of the Department of Veterans Affairs.

NEED FOR MARRIAGE AND FAMILY COUNSELING

Mr. President, under current law, sections 1701(6)(B) and 1712A(b)(2) of title 38, VA has limited authority to provide counseling services to family members of eligible veterans. Under these authorities, counseling may be provided only if it is either necessary for the effective treatment or rehabilitation of a service-connected disability of a veteran, part of necessary followup treatment of a veteran who has been hospitalized, or essential to the effective treatment or readjustment of a veteran receiving mental health services under VA's readjustment counseling authority.

In contrast, for both active-duty military personnel and their families, the Department of Defense provides, directly and through the CHAMPUS system, a comprehensive range of health and mental health care services, including marriage and family counseling. Col. Joe Fagan, M.D., a DOD witness at the July 16 hearing, testified that, for an active-duty service member whose child might require psychological services due to the stresses resulting from the war–

[T]here are several opportunities for the servicemember to receive the appropriate services [through the DoD's health care system]. There are child psychiatry clinics, socal work clinics, psychology clinics, in addition to the family counseling services and pastoral chaplains as well as pediatricians and pediatric nurse clinicians who are available to provide assistance.

However, reservists and their families are generally eligible for such services from DOD only during periods of active-duty service and 30 days thereafter.

Thus, although marriage and family counseling is available for those who remain on active duty, it is available only in limited circumstances for veterans, and family members of veterans, who were either deactivated from the Guard or the Reserve or discharged from the regular Armed Forces after service during the Persian Gulf war and in need of counseling for difficulties related to service. In light of the stresses that were placed upon the unprecedented number of military families during the Persian Gulf war and the resulting need for access to counseling services—as articulated at the July hearings by expert mental health witnesses, individual service members and military family members, and representatives of military family support

organizations—I believe strongly that VA should provide access to needed marriage and family counseling services to individuals who may no longer avail themselves of DOD services. The committee bill is intended to ensure that deactivated and discharged personnel and their families have similar access to counseling services that may be needed for problems resulting from active-duty service during the Persian Gulf war.

Mr. President, the administration, in the Secretary of Veterans Affairs September 11, 1991, report on the bill, suggested that this legislation is not needed because the counseling needs of returning Persian Gulf war veterans and their families can be adequately met by existing VA and DOD services, their clergy, and through privately held health insurance programs. That position simply does not square with the expert and personal testimony the committee received in over 7 hours of hearings which indicated that exactly the opposite had occurred.

At the committee's first hearing in July, VA's Chief Medical Director, Dr. Holsinger, and those accompanying him clearly acknowledged the need for assistance to veterans' families to help them overcome family problems related to the veterans' service during the Persian Gulf war. Dr. Holsinger also accurately observed that, under current law, VA has "only a narrow eligibility standard to treat family members—only when adjunct to the treatment of the veteran."

Nothing has changed since July that I am aware of that would affect either the extent of the need or VA's current lack of authority. Certainly the law has not changed and VA's own September 11, 1991, report acknowledges the war's "significant impact on the family life of many of the men and women of the Armed Forces" and "the hardships for the family members who were left behind." However, instead of supporting a program to address the need, the administration seeks to rely on voluntary service organizations and other non-governmental entities to meet the Government's obligation to the veterans and their families. That is a novel position and, in my view, a terrrible precedent. I have never understood the President's thousand points of light as suggesting that volunteers could act as a substitute for the Government in fulfilling our fundamental obligations to those who serve in the Armed Forces.

Moreover, we heard testimony from the very kinds of organizations that the administration argues should provide these services, such as the Red Cross and Operation Yellow Ribbon. These volunteer not-for-profit organizations continue to provide exceptional services to service members and their families. However, they testified that this legislation was necessary to meet needs that their organizations could not meet alone.

The administration's opposition strikes me as suggesting a willingness to default on the Government's obligation to the families of those who served. I am vehemently opposed to that approach.

Those opposing this measure also have suggested that this legislation would provide more generous benefits to veterans than are available to active-duty personnel on the basis that active-duty personnel covered by CHAMPUS must pay 20 percent of the cost of marriage and family counseling services and are limited to 22 counseling visits annually. This argument ignores the existence of DOD's direct-run health care system and the fact—cited by DOD's witnesses at the committee's July 25 hearing—that all active-duty service members and their dependents are eligible for a full range of services directly from DOD, which does not impose a copayment requirement or a limitation on the number of counseling sessions. Thus, any comparison of the committee bill's proposed eligibility for marriage and family counseling to only the CHAMPUS system tells only half the story and is misleading.

Moreover, CHAMPUS is a health insurance program for active duty service members and their dependents and there is no restriction in that program—as there is under the committee bill—permitting services to be furnished only in connection with needs related to wartime service. Although CHAMPUS may require a copayment for counseling related to the service member's wartime service, as is required in all cases, it would be contrary to longstanding VA policy to require a copayment for services needed to treat a service-related problem.

Mr. President, it is important to note that DOD's "total force concept," which was tested for the first time in the gulf war, depends on the maintenance of large National Guard and other Reserve Forces that can be activated when needed. I believe this heavy reliance on the National Guard and Reserve Forces necessitates a reevaluation of what resources are available for Guard and Reserve members, whose service has historically not resulted in their being eligible for VA health care services or those provided by DOD's, except during periods of active duty. Addressing this issue at the committee's July 25 hearing, General Hultman testified:

> Recruitment and retention are critical to the Reserve forces and will probably become more important as the more cost-effective Reserve components are called upon to provide a greater share of our nation's defense forces. * * * Many Reservists will be reevaluating their participation in the Reserve components on the basis of their Desert Shield/Desert Storm experience. Reservists who are left with broken marriages and family adjustment problems are going to be reluctant to continue their affiliation with the Guard and Reserve. Whether or not members of the Guard and Reserve continue to serve in the Reserve components depends in part on the relief and benefits that are made available to them. Their perception of how much their service is appreciated is sometimes as important as the actual benefit, per se.

Aside from the strategic implications of meeting the needs of the Reserve Forces, I believe strongly that VA, as the primary mechanism through which the Government provides direct benefits and services to those who have served in the Armed Forces and to their families, must be responsive to the service-related needs of the newest generation of wartime veterans. In this regard, I believe that the changes in the composition of the Armed Forces and the enhanced role of the reserve components in the Defense Department's "total force concept" must be complemented by VA's adapting to the service-related needs of the veterans it serves.

I am concerned that under current law there exists a critical gap in available services—particularly with regard to services for reservists—and that the Government's obligation to those who served in the Armed Forces is not being fully met.

I believe that DOD's provision of a range of mental health services, including marriage and family counseling, for active-duty personnel and their families and its close attention to the psychological needs of returning service members and their families reflect, as Deputy Assistant Secretary Silberman stated at the July 16 hearing, "a concentrated effort to support the mental well-being of both the servicemembers and their families." I am concerned, however, that the many men and women Reserve and National Guard members who served during the Persian Gulf war and their families—along with regular active duty personnel who were discharged soon after returning from the Persian Gulf—will not benefit from DOD's considerable efforts once they are separated from active duty and no longer eligible for DOD services.

FUNDING

Mr. President, the committee bill would authorize the appropriation of $10 million for each of the fiscal years 1992, 1993, and 1994 for this program and would provide that such funds would be considered as emergency requirements for the purposes of section 251(b)(2)(D)(i) of the Balanced Budget Act of 1985, but could be used only if the President designates the appropriation as an emergency requirement. I believe very strongly that, because services provided under this program would have to be directly related to new and unforeseen problems resulting from service in the Persian Gulf theater of operations or activations in support of Operations Desert Shield and Desert Storm, expenditures for the program should be certified as emergency

expenditures. Such a certification of appropriations for this program would be fully consistent with the certification of appropriations to pay for the direct costs of the conflict itself.

Moreover, I believe that, under the definition that the office of Management and Budget has adopted for ascertaining whether an emergency exists for budget purposes, a determination that an emergency exists is satisfied. In its June, 1991 "Report on the Costs of Domestic and International Emergency and on the Threats Posed by the Kuwaiti Oil Fires," OMB stated:

For purposes of determining spending provisions that qualify for exemption, the President uses a definition of an 'emergency requirement' that includes the following elements: the requirement is a necessary expenditure that is sudden, urgent, and unforeseen, and is not permanent. These elements are defined as follows:

Necessary expenditure—an essential or vital expenditure, not one that is merely useful or beneficial;

Sudden—quickly coming into being, not building up over time.

Urgent—pressing and compelling need requiring immediate action;

Unforeseen—not predictable or seen beforehand as a coming need; and

Not permanent—the need is temporary in nature.

Mr. President, in my view, the need for marriage and family counseling that the committee bill would address meets each of these criteria.

The expenditure is necessary, as I discussed earlier, for the continuing viability of the "total force concept." In our hearings, the committee received testimony which indicated that, absent the services provided in the bill, retention of strong Guard and Reserve components could be in jeopardy. The need was completely unforeseen and arose as suddenly as the conflict itself. The need is certainly urgent in that, as expert witnesses at the July hearings testified, counseling provided at the early stages of an emotional or psychological reaction to stress can prevent the development or more serious, chronic problems. Finally, because the authority to conduct the program is due to expire on September 30, 1994, the appropriation obviously would be aimed at a requirement that is considered temporary.

Mr. President, a true emergency clearly exists and funds to meet it should not be required to be absorbed within the already strained resources available for VA medical care.

The $10 million annual authorization is a modest figure based on what are, at this point, preliminary data regarding the potential need for marriage and family counseling. In light of the limited data that are available at this time, I plan to monitor closely the implementation of this new authority in order to assess on an ongoing basis the sufficiency of the funding level.

CONCLUSION

Mr. President, I am convinced that, for veterans of the Persian Gulf war who may no longer avail themselves of the counseling and other services provided by DOD, there is a clear need for marriage and family counseling services to be provided by VA. I have heard of this need from the veterans themselves, from organizations that provide support for military families, and from experts in the field of mental health. I am concerned that as the media images of the Persian Gulf war have subsided, the support this Nation has shown to the men and women who served is beginning to wane. Our support must not end with the welcome home parades. For those whose lives have been disrupted in service, we must continue to respond quickly and effectively to whatever problems remain.

Mr. President, in closing, I thank our committee's ranking Republican member, Senator SPECTER, for his valuable contributions throughout the July hearings and for his continued support of and help with this legislation. I also am grateful to the other members of the committee for their support of or cooperation on this measure.

I also express my gratitude for their work on this legislation to the committee's minority staff, Carrie Gavora, Yvonne Sanata Anna, and Tom Roberts, and, for all their help to me on this measure, majority staff members, Chuck Lee, Kimberly Morin, Thomas Tighe, Bill Brew, and Ed Scott.

Mr. President, I urge my colleagues' strong support of this measure.●

Mr. THURMOND. Mr. President, I rise today to voice my support for S. 1553, the marriage and family counseling bill. This measure will require the Department of Veterans' Affairs to establish a program of marriage and family counseling for veterans who were awarded campaign medals for active-duty service during the Persian Gulf war and veterans who were members of Guard or Reserve components who were activated during the Persian Gulf war and their spouses, children and parents. It would permit the Department of Veterans Affairs to provide counseling necessary for the relief of psychological, marital or familial difficulties that resulted from the veteran's active-duty status.

Mr. President, the brave men and women who served in the Persian Gulf conflict are to be commended for their outstanding service. It is important for us to reach out to help those who have been adversely affected by the Persian Gulf war in this way as they make the transition back to the lives they led before the war.

I urge my colleagues to give this measure their careful consideration and to join in working for its swift enactment.

Mr. MURKOWSKI. Mr. President, as the former ranking Republican of the Veterans' Affairs Committee, I rise today to express some concerns about the pending legislation—S. 1553.

This legislation would establish a program of marriage and family counseling for the spouses and families of veterans who served in the Persian Gulf.

Let me explain my concerns.

This bill would—for the first time—provide that families of veterans be provided VA services on their own behalf without regard to the needs of the veteran. VA has never been a general provider of health services for the families of veterans except in one very limited circumstance. This represents a fundamental change in VA health care mission.

This bill is not needed in order to ensure that gulf veterans receive counseling. Persian Gulf veterans are already eligible to receive VA health care services—including readjustment counseling—through VA's medical facilities and veteran outreach centers. Family members are also eligible for counseling if it is needed to assist the veteran.

Under this bill, individuals and their families who are no longer serving in the U.S. Armed Forces—reservists and National Guardsmen who are now veterans—will receive a more generous system of counseling benefits than those which are available to active duty servicemembers and their families.

That is, this bill provides no limitation on the amount of counseling that VA must pay for nor does it require any copayments on the part of the families. Under the CHAMPUS Program for active duty families, copayments are required and a limited number of visits are provided.

VA's Secretary Edward J. Derwinski is opposed to enactment of this legislation. And in order for the program to be implemented, the President must designate an appropriation under this section as an emergency requirement. I understand that the President's advisers will urge that he not do so.

I hope that my colleagues in the House will carefully consider the concerns which I have raised when deliberating the merits of this bill.

Mr. SIMPSON. Mr. President, I would like to make a brief statement about S. 1553, the marriage and family counseling bill for certain Persian Gulf war veterans and their dependents. In particular, I am not convinced that this legislation is necessary.

The Department of Veterans Affairs opposes this bill because it sets a precedent in caring for nonveterans. If enacted into law, this legislation would provide marriage and family counseling only for veterans and family dependents who are no longer on active duty status.

These are the same families and veterans who were eligible to receive counseling services from the Department of Defense while on active duty. Once they are released from active duty, their needs are to be met in a va-

riety of ways ranging from counseling by clergy to a network of community volunteer service organizations.

Secretary Derwinski has stated that the VA can provide families with readjustment counseling if it is in connection with the treatment of the veteran. We do not need any new legislation to help these veterans and their families. Current law provides well for this need.

The veteran will be the one to suffer if we authorize direct services for family members. This is because the limited amount of VA health care personnel that are available will then have to direct their time and energy to a whole new category of patients never before treated—nonveterans.

I am also very concerned about the equity in providing care to active-duty personal versus nonactive-duty personnel. This legislation only applies to veterans who are no longer on active duty. Does this mean that nonactive-duty veterans and dependents would get priority for treatment over active duty personnel?

Also, the authorization of funds for this program would occur only if the President designates an appropriation under this section as an emergency requirement. That means we pay no heed to the budget deficit and simply continue to spend out dollars that we do not have.

Mr. President, I will close by saying that we must look at the budget deficit, take a good look at what the VA already provides to our fine veterans and their families and begin to finally realize that some sensible restraint is in order.

Mr. SPECTER. Mr. President, as ranking Republican member of the Committee on Veterans' Affairs and as an original cosponsor, I am pleased to support passage of S. 1553, a bill authorizing the Department of Veterans Affairs to provide marriage and family counseling services to veterans of the Persian Gulf war and their families. This legislation represents a focussed and unique response to readjustment problems faced by active duty personnel, activated members of the National Guard and Reserve and their families due to the Persian Gulf war.

In July, the Committee on Veterans' Affairs held two important hearings on the readjustment problems of Persian Gulf veterans. I was particularly moved by the testimony we heard from a group of reservists I invited from the 14th Quartermaster Detachment out of Greensburg, PA, who survived the Scud missile attack on their barracks in Dhahran, Saudi Arabia. These remarkable men and women suffered from physical as well as mental wounds from this experience. They were appreciative of the VA's efforts to intervene with a special war stress counseling program initiated by the Pittsburgh Highland Drive VA Medical Center upon their return to the States.

Nevertheless, some did raise questions and concerns regarding certain family members' well-being and their ability to accept readjustment problems the reservists faced. One reservist testified that his wife was in a state of denial and preferred to forget that the war ever occurred. Their families made sacrifices as well for the war effort, yet their needs are going unmet. What we learned, Mr. President, is how the sudden separation in this war, along with the constant television coverage, have affected not only the veterans, but the families of veterans.

Those hearings also brought into sharp relief the changed composition of today's Armed Forces. The Persian Gulf war was different from previous conflicts because of its heavy reliance on reservists, the increased number of women serving, and increased numbers of active-duty service members who are married and who are parents. Our committee received testimony that Operation Desert Storm will cause many reservists to reevaluate their participation in the Reserve components of the Armed Forces. Therefore, how the Congress reacts to the problems faced by these returning veterans and their families may be the litmus test used by future generations to determine whether or not they choose to participate in our country's Armed Forces.

This bill, Mr. President, would require VA to provide marriage and family counseling not only to Persian Gulf veterans and activated reservists and Guard personnel, but also to spouses, children and parents of those veterans. Counseling services would be provided directly by VA personnel or through contractual arrangements with marriage and family counselors that the Secretary determines to have the appropriate qualifications. The bill states explicitly that marriage and family counseling can only be provided—based on an assessment by a mental-health professional designated by the Secretary—to those who are suffering psychological, marital or familial difficulties as a result of the veterans' active duty service. This legislation makes special attempts to target those veterans and their families whose lives were disrupted by separation, loss of job and income, and the psychological stress of war.

In connection with our markup of this bill, Mr. President, the committee added three important items. First, the bill requires VA to bill third-party health insurance companies, if available, for services furnished under the bill. Second, the bill now requires that a plan of treatment be developed for those who will be counseled. Finally, in the case of counseling performed by other than VA personnel, the bill requires a recertification of need for counseling every 90 days. I would add, Mr. President, that former chairman and ranking Republican member of this committee, Senator MURKOWSKI, did much to draft and support these important safeguards.

Another feature of this bill, Mr. President, is that, for the program to be implemented, it must be declared an emergency requirement by the President and therefore not subject to restrictions of the Balance Budget Act of 1985. As my colleagues know, I have been a strong advocate of identifying with as much specificity as possible, the costs of the Persian Gulf war. I am currently working with Secretary Derwinski to identify the costs incurred by VA, and look forward to an early response.

As defined by the President in the June 1991 "Report on the Costs of Domestic and International Emergency and on the Threats Posed by the Kuwaiti Oil Fires," an emergency requirement is one that necessitates funding that is sudden, urgent, and unforeseen, and is not permanent. In my view, the program proposed in S. 1553 meets these criteria, and therefore should be budgeted as a direct cost of the war.

This measure is another example of the remarkable bipartisan spirit on our committee, and I thank Chairman CRANSTON for his leadership. I would also like to thank the committee staff who worked on this legislation, particularly, Kim Morin, Thomas Tighe, Bill Brew, and Ed Scott of the majority staff, and Carrie Gavora, Yvonne Santa Anna, and Tom Roberts of my staff. I would also like to thank Lisa Moore, of Senator MURKOWSKI's staff, for her important contributions to this bill.

This is a family bill, Mr. President. In addressing the unmet needs, S. 1553 attempts to take a holistic approach to psychological readjustment. Its approach recognizes that war affects more than just the veteran, and that the concerns of his or her family go beyond the fear of a loved one being hurt or killed, and indeed pervade aspects of daily living. I think it is a remarkable and unique response to the problems faced by Persian Gulf veterans and their families.

I urge my colleagues to support this important measure.

EXPRESSING THE SENSE OF THE SENATE REGARDING HUMAN RIGHTS ABUSES IN CHINA AGAINST WRITERS AND JOURNALISTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Senate Resolution 211, regarding human rights abuses in China against writers and journalists; that the Senate proceed to its consideration; that the resolution be agreed to, and that the motion to reconsider be laid upon the table, and that the preamble be agreed to; further that any statements appear at an appropriate place in the RECORD.

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

So the resolution (S. Res. 211) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 211

Whereas Asia Watch, the Committee to Protect Journalists, the Committee to End the Chinese Gulag, and the Nieman Foundation for Journalism at Harvard University have documented the imprisonment of numerous Chinese writers and journalists by the Government of the People's Republic of China since the Tiananmen Square Massacre;

Whereas the Government of China is responsible for the harassment of writers and journalists and continues to imprison writers and journalists solely because of their political views;

Whereas the Government of China has closed or suspended many publications;

Whereas, in July 1989, the Government of China named journalist Dai Qing an "instigator of turmoil" and imprisoned her until May 1990, for her statements against the Government's actions in the Tiananmen Square Massacre;

Whereas Dai Qing has published a series of articles on Chinese women which have now been denounced and banned by the Government of China;

Whereas Dai Qing has also published one of the most courageous critiques of the All-China Women's Federation, which is an organization controlled by the Chinese Party;

Whereas Dai Qing peacefully engaged in her internationally recognized human right of free expression;

Whereas Dai Qing remains under constant police surveillance;

Whereas Dai Qing has been awarded a Nieman Fellowship by Harvard University, but has been refused a passport by the Government of China; and

Whereas the Government of China has an international responsibility to respect and uphold the rights of all of its citizens: Now therefore, be it

Resolved, That it is the sense of the Senate that the President should—

(1) communicate directly to the leadership of the Government of the People's Republic of China the urgent concern of the Congress and the citizens of the United States for the rights of all political prisoners in China; and

(2) urge the Government of the People's Republic of China to recognize the right of Dai Qing and all Chinese writers and journalists to free expression and travel.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

THOMAS JEFFERSON COMMEMORATION ACT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 307, S. 959, regarding the commemoration of the 250th anniversary of the birth of Thomas Jefferson; that the committee amendments be agreed to, that the bill, as amended, be deemed read three times and passed, and the motion to reconsider be laid upon the table; further that any statements appear at an appropriate place in the RECORD.

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

The Senate proceeded to consider the bill (S. 959) to establish a commission to commemorate the 250th anniversary of the birth of Thomas Jefferson, which had been reported from the Committee on the Judiciary, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 959

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 "Thomas Jefferson Commemoration Act".

SEC. 2. FINDINGS.

The Congress finds and recognizes that—

(1) April 13, 1993, marks the 250th anniversary of the birth of Thomas Jefferson;

(2) as author of the Declaration of Independence, Thomas Jefferson conceived and executed an affirmation of democratic government unequaled in both its eloquence and clarity;

(3) in an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people, to hold rulers continually responsible to the ruled, and to secure fundamental rights and liberties of free citizens;

(4) Thomas Jefferson was elected third President of the United States in 1801 and helped to establish the process by which ongoing political change is carried forward through public debate and free elections;

(5) with the Louisiana Purchase, Thomas Jefferson virtually doubled the size of the United States;

(6) the genius of Thomas Jefferson also extended beyond the realm of politics and government, adapted classic architecture as exemplified by his home at Monticello and the grounds of the University of Virginia, set an American standard of dignity, simplicity, and elegance;

(7) Thomas Jefferson encouraged American science in its infancy, and with his friend James Madison, laid the cornerstone of the American tradition of religious freedom and separation of church and state;

(8) Thomas Jefferson also championed universal public education, believing such education essential to democratic government as well as to advancement of knowledge and the pursuit of happiness;

(9) it is appropriate to remember and renew the legacy of Thomas Jefferson for the American people and, indeed for all mankind, during a time when the light of democracy is again bursting upon the world; and

(10) as the Nation approaches the 250th anniversary of the birth of Thomas Jefferson, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned and coordinated by a national commission representative of appropriate individual, public, and private officials and organizations.

SEC. 3. ESTABLISHMENT.

There is established the Thomas Jefferson Commemoration Commission (hereafter referred to as the "Commission"), to promote and coordinate activities in commemoration of the 250th anniversary of the birth of Thomas Jefferson.

SEC. 4. FUNCTIONS OF THE COMMISSION.

The Commission shall—

(1) plan and develop programs and activities appropriate to commemorate the 250th anniversary of the birth of Thomas Jefferson, including a limited number of projects to be undertaken by the Federal Government seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) generally coordinate activities throughout the States;

(3) honor historical locations associated with the life of Thomas Jefferson;

(4) sponsor at least one international symposium pertaining to Jefferson's legacy, to be composed of scholars, public officials, and private citizens;

(5) recognize individuals and organizations that have significantly contributed to the preservation of Jefferson's ideals, writings, architectural designs, and other professional accomplishments, by the award and presentation of medals and certificates;

(6) encourage civic, patriotic, and historical organizations, and State and local governments to organize and participate in anniversary activities commemorating Jefferson's birth; and

(7) develop and coordinate any other activities as may be appropriate.

SEC. 5. MEMBERSHIP AND COMPOSITION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 18 members, including—

(1) the Librarian of Congress or his delegate;

(2) the Archivist of the United States or his delegate;

(3) the President pro tempore of the Senate or his delegate;

(4) the Speaker of the House of Representatives or his delegate;

(5) the Secretary of the Interior or his delegate;

(6) the Secretary of the Smithsonian Institution or his delegate;

(7) the Executive Director of the Thomas Jefferson Memorial Foundation or his delegate;

(8) 5 private citizens of the United States, appointed by the President, no more than 3 of whom shall be affiliated with the same political party;

(9) 3 private citizens of the United States, selected by the Majority Leader of the Senate, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party; and

(10) 3 private citizens of the United States, selected by the Speaker of the House of Representatives, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party.

(b) APPOINTMENTS AND TERMS.—(1) IN GENERAL.—Each member shall be appointed within 90 days after the date of enactment of this Act, for the life of the Commission.

(2) CHAIRMAN.—At the time the President nominates individuals for appointment to the Commission pursuant to subsection (a)(8), the President shall designate one such individual who shall serve as Chairman of the Commission.

(3) VACANCY.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) REPRESENTATION.—Individuals appointed under paragraphs (8), (9), and (10) of subsection (a), shall be representative, to the maximum extent possible, of the full range of United States citizens. The Commission members shall be chosen based on their distinctive qualifications or experience in the fields of history, government, architecture,

the applied sciences, or other professions that would enhance the work of the Commission and reflect the professional accomplishments of Thomas Jefferson.

(c) COMPENSATION AND TRAVEL.—(1) COMPENSATION.—(A) Except as otherwise provided under paragraphs (2) and (3), each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel-time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate or basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) FEDERAL EMPLOYEES.—Members of the Commission who are full-time officers or employees of the United States or Members of Congress shall receive no additional pay on account of their service on the Commission.

(3) TRAVEL.—While away from their homes or regular places of business in the performance of services for the Commission, members and employees of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 6. POWERS OF THE COMMISSION.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman or a majority of its members.

(b) APPROVAL OF ACTIONS.—All official actions of the Commission under this Act shall be approved by the affirmative vote of no less than a majority of the Commissioners.

(c) ADVISORY COMMITTEES.—The Commission may appoint such ex officio advisory committees as it determines necessary to carry out the provisions of this Act.

(d) POWERS OF MEMBERS AND EMPLOYEES.—Any member or employee of the Commission may, to the extent authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at the rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) PROCUREMENT OF SUPPLIES, SERVICES, AND PROPERTY.—The Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements in order to carry out the provisions of this Act. No contracts, leases, or other legal agreements made or entered into by the Commission shall extend beyond the date of termination of the Commission. All supplies and property acquired by the Commission under this Act which remain in the possession of the Commission on the date of termination of the Commission shall become the property of the General Services Administration upon the date of termination.

(g) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(h) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(i) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 7. EXECUTIVE DIRECTOR AND STAFF.

(a) EXECUTIVE DIRECTOR.—The Chairman, with the advice of the Commission, shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an executive director who may be compensated at a rate not to exceed the rate of basic pay payable for level IV of the Executive Schedule established under section 5315 of such title.

(b) ADDITIONAL PERSONNEL.—The Commission may appoint and fix the compensation of additional personnel, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of pay for such personnel may not exceed the rate payable for level V of the Executive Schedule under 5316 of such title.

(c) PERSONNEL DETAIL AUTHORIZED.—Upon request of the chairman, the head of any Federal agency is authorized to detail, on a reimbursable or nonreimbursable basis, any of the personnel of such agency to the Commission to assist in carrying out its duties under this Act.

SEC. 8. CONTRIBUTIONS TO THE COMMISSION.

(a) DONATIONS.—The Commission is authorized to accept donations of money, personal services, and property including books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials related to Thomas Jefferson.

(b) USE OF FUNDS.—Funds donated to the Commission may be used by the Commission in order to carry out the purposes of this Act. The source and amount of such funds shall be listed in the interim and final reports under section 9.

(c) VOLUNTEER SERVICES.—The Commission may accept the volunteer services of private individuals or companies as the Commission determines necessary.

(d) REMAINING FUNDS.—Funds remaining upon the date of termination of the Commission shall be used to ensure the proper disposition of property donated to the Commission as specified in the Commission's final report under section 9.

SEC. 9. REPORT.

(a) INTERIM REPORT.—No later than December 31, 1992, the Commission shall prepare and submit to the Congress and the President of the United States a report on the activities of the Commission[, including an accounting of funds received and expended]. *The report shall include an accounting of funds received and expended by the Commission, including a description of the products or services received by the Commission in connection with the expenditures, the identity of the provider of the products or services, and the amount paid to the provider by the Commission.*

(b) FINAL REPORT.—No later than December 31, 1993, the Commission shall submit to the President and to the Congress a final report. The final report shall contain the findings, conclusions, and recommendations of the Commission[, and a final accounting of funds received and expended]. *The final report shall include a final accounting of funds received and expended by the Commission, including a description of the products or services received by the Commission in connection with the expenditures, the identity of the provider of the products or services, and the amount paid to the provider by the Commission.* Specific recommendations concerning the final disposition of historically significant items donated to the Commission under section 8 shall also be contained in the final report.

(c) ADDITIONAL VIEWS.—The final report shall include additional views of members concerning the Commission's recommendations under subsection (b), at the request of such members.

SEC. 10. TERMINATION.

The Commission shall terminate no later than 60 days following submission of the final report required by section 8.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this Act $250,000 for the 1992 fiscal year, $250,000 for the 1993 fiscal year, and $125,000 for the period beginning on October 1, 1993, and ending on December 31, 1993. Amounts appropriated under this section for any fiscal year shall remain available until 60 days after December 31, 1993. The total appropriations authorized under this Act for the purpose of this Act shall not exceed $625,000.

The committee amendments were agreed to.

The bill (S. 959) as amended, was deemed read a third time and passed, as follows:

S. 959

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 "Thomas Jefferson Commemoration Act".

SEC. 2. FINDINGS.

The Congress finds and recognizes that—

(1) April 13, 1993, marks the 250th anniversary of the birth of Thomas Jefferson;

(2) as author of the Declaration of Independence, Thomas Jefferson conceived and executed an affirmation of democratic government unequaled in both its eloquence and clarity;

(3) in an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people, to hold rulers continually responsible to the ruled, and to secure fundamental rights and liberties of free citizens;

(4) Thomas Jefferson was elected third President of the United States in 1801 and helped to establish the process by which ongoing political change is carried forward through public debate and free elections;

(5) with the Louisiana Purchase, Thomas Jefferson virtually doubled the size of the United States;

(6) the genius of Thomas Jefferson also extended beyond the realm of politics and government, adapted classic architecture as exemplified by his home at Monticello and the grounds of the University of Virginia, set an American standard of dignity, simplicity, and elegance;

(7) Thomas Jefferson encouraged American science in its infancy, and with his friend James Madison, laid the cornerstone of the American tradition of religious freedom and separation of church and state;

(8) Thomas Jefferson also championed universal public education, believing such edu-

cation essential to democratic government as well as to advancement of knowledge and the pursuit of happiness;

(9) it is appropriate to remember and renew the legacy of Thomas Jefferson for the American people and, indeed for all mankind, during a time when the light of democracy is again bursting upon the world; and

(10) as the Nation approaches the 250th anniversary of the birth of Thomas Jefferson, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned and coordinated by a national commission representative of appropriate individual, public, and private officials and organizations.

SEC. 3. ESTABLISHMENT.

There is established the Thomas Jefferson Commemoration Commission (hereafter referred to as the "Commission"), to promote and coordinate activities in commemoration of the 250th anniversary of the birth of Thomas Jefferson.

SEC. 4. FUNCTIONS OF THE COMMISSION.

The Commission shall—

(1) plan and develop programs and activities appropriate to commemorate the 250th anniversary of the birth of Thomas Jefferson, including a limited number of projects to be undertaken by the Federal Government seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) generally coordinate activities throughout the States;

(3) honor historical locations associated with the life of Thomas Jefferson;

(4) sponsor at least one international symposium pertaining to Jefferson's legacy, to be composed of scholars, public officials, and private citizens;

(5) recognize individuals and organizations that have significantly contributed to the preservation of Jefferson's ideals, writings, architectural designs, and other professional accomplishments, by the award and presentation of medals and certificates;

(6) encourage civic, patriotic, and historical organizations, and State and local governments to organize and participate in anniversary activities commemorating Jefferson's birth; and

(7) develop and coordinate any other activities as may be appropriate.

SEC. 5. MEMBERSHIP AND COMPOSITION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 18 members, including—

(1) the Librarian of Congress or his delegate;

(2) the Archivist of the United States or his delegate;

(3) the President pro tempore of the Senate or his delegate;

(4) the Speaker of the House of Representatives or his delegate;

(5) the Secretary of the Interior or his delegate;

(6) the Secretary of the Smithsonian Institution or his delegate;

(7) the Executive Director of the Thomas Jefferson Memorial Foundation or his delegate;

(8) 5 private citizens of the United States, appointed by the President, no more than 3 of whom shall be affiliated with the same political party;

(9) 3 private citizens of the United States, selected by the Majority Leader of the Senate, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party; and

(10) 3 private citizens of the United States, selected by the Speaker of the House of Representatives, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party.

(b) APPOINTMENTS AND TERMS.—(1) IN GENERAL.—Each member shall be appointed within 90 days after the date of enactment of this Act, for the life of the Commission.

(2) CHAIRMAN.—At the time the President nominates individuals for appointment to the Commission pursuant to subsection (a)(8), the President shall designate one such individual who shall serve as Chairman of the Commission.

(3) VACANCY.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) REPRESENTATION.—Individuals appointed under paragraphs (8), (9), and (10) of subsection (a), shall be representative, to the maximum extent possible, of the full range of United States citizens. The Commission members shall be chosen based on their distinctive qualifications or experience in the fields of history, government, architecture, the applied sciences, or other professions that would enhance the work of the Commission and reflect the professional accomplishments of Thomas Jefferson.

(c) COMPENSATION AND TRAVEL.—(1) COMPENSATION.—(A) Except as otherwise provided under paragraphs (2) and (3), each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel-time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate or basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) FEDERAL EMPLOYEES.—Members of the Commission who are full-time officers or employees of the United States or Members of Congress shall receive no additional pay on account of their service on the Commission.

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(c) PERSONNEL DETAIL AUTHORIZED.—Upon request of the chairman, the head of any Federal agency is authorized to detail, on a reimbursable or nonreimbursable basis, any of the personnel of such agency to the Commission to assist in carrying out its duties under this Act.

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SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

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MEASURE PLACED ON CALENDAR—S. 1980

Mr. MITCHELL. Mr. President, I ask unanimous consent that S. 1980, introduced earlier today by Senator MCCAIN, be placed on the calendar.

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

Mr. MCCAIN. Mr. President, at midnight last night Midway Airlines grounded its planes. As a result of the souring of a proposed merger with Northwest, Midway ran out of cash and was forced to shut down. The loss of Midway, one of the two remaining post-deregulation carriers, means that we are now that much farther away from fulfilling the promise of airline deregulation.

When Congress passed the Airline Deregulation Act in 1978, the American consumer was promised that free competition and open entry would provide better service and lower fares. For the first few years of deregulation, new airlines flourished, and the promise was fulfilled. Since the mid-1980's, however, we have seen increasing concentration in the industry, rising barriers to entry, and a lessening of competition.

Consider the litany of airlines that are no longer here or are in financial straits: Braniff and Eastern are out of business; today, it appears that Midway will join them; Pan Am has been broken apart and is a mere shell of its former glory; and Continental, TWA, and America West are all seeking reorganization under court protection.

Mr. President, we must attempt to help the airline industry remain competitive and prevent the failure of airline deregulation. The legislation which I am proposing today, a modification in the permissible level of foreign investment in U.S. airlines, will help troubled carriers survive and provide procompetitive benefits to air travelers.

Secretary Skinner has identified the need for capital as the No. 1 problem facing the airline industry today. The effects of the gulf war and the recession have combined to burden the industry with record losses and cut off additional capital to all but the strongest carriers. Given the financial problems in the airline industry, some have suggested that the Government bailout our failing carriers. I cannot agree with that. Instead, I am proposing a modification in the law governing foreign investment to increase the permissible level of foreign investment from 25 to 49 percent. This change will open up the ability of airlines to obtain investment capital not only from domestic sources but also internationally.

Frankly, Mr. President, America West, an airline very important to Arizona, can benefit from increased access to foreign capital. America West, founded in 1982, is the embodiment of what airline deregulation is about. With its low costs and motivated employees, America West has raised the level of competition throughout the entire airline industry. The loss of America West would mean more concentration, higher fares, and fewer travel options.

In addition, America West plays a key role in Arizona's economy. It is one of the largest private employers in the State, with nearly 10,000 employees. America West also provides the State with world-class air service and connections, contributing to Arizona's business environment.

Mr. President, I do not come easily to the proposal to allow increased foreign investment in our domestic aviation industry. It is troubling to me to come to the conclusion that the future of the U.S. aviation industry—historically, the world's leader—depends on foreign investment for survivial. Yet, the alternative, more failed airlines, lost jobs, and less competition, is unacceptable.

To assure that any foreign investment does not harm U.S. interests or the long-term future of the domestic airline industry, this legislation includes several protections. First, while the legislation allows up to 49 percent foreign investment in a U.S. airline, no single foreign investor may own more than 25 percent of the investment. Second, the Secretary of Transportation must approve any total level of foreign investment above the current statutory limit of 25 percent. Before approving such higher levels of investment, the Secretary must determine that: reciprocal investment rights are available for U.S. citizens; no foreign person involved in the transaction is substantially owned or controlled by a foreign government; competition in the domestic airline industry will be enhanced by the transaction; and the foreign investment will not adversely affect the national security interests of the United States or unfairly disadvantage U.S. aircraft manufacturers.

Mr. President, if we want to salvage airline deregulation, now is the time to act. This proposed change in the foreign investment statute will not correct all of the problems of airline deregulation. The legislation will, however, provide additional capability for distressed airlines, including America West, to survive the current period and fulfill the promise of deregulation.

ORDERS FOR MONDAY, NOVEMBER 18, 1991

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon, Monday, November 18; that following the prayer, the Journal of the proceedings be deemed approved to date; that following the time for the two leaders, there be a period for morning business, not to extend beyond 1 p.m., with Senators permitted to speak therein for up to 10 minutes each; that at 1 p.m. the Senate resume consideration of S. 543, the banking bill.

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

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, Senators should be aware, as previously indicated in writing and in repeated public statements, that rollcall votes now can occur at any time on any business day of the week during which the Senate is in session. That will be the case on Monday. Since we will not be coming in until noon and going in until 1, I think Senators can be reassured that any votes that may occur will not

occur until mid-to-late afternoon at the earliest.

I will consult with the distinguished Republican leader on the status of the attendance on both sides and try to accommodate as many Senators as possible.

But rollcall votes are possible on Monday. We do not know what amendments will be offered on Monday, what may occur, but Senators should be here in session and prepared to vote on Monday should that become necessary at any time from approximately the middle of the afternoon on, and we will consult on the schedules of as many Senators as possible.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. MITCHELL. I yield.

Mr. DOLE. I assume if conference reports are available, they might also be discussed on Monday.

Mr. MITCHELL. Yes.

Mr. President, we previously discussed the necessity, not just the importance, but the necessity of acting on the defense authorization and the defense appropriations measures, and I hope that we are going to be able to get to those as soon as possible.

In addition, I am advised the Appropriations Committee today reported out a supplemental appropriations bill, and it is my hope that we can move to that as soon as possible.

So the possibility exists for action commencing as early as Monday on some of these measures depending upon how promptly action occurs on the banking bill, and Senators should be aware of that and on notice in that regard.

RECESS UNTIL MONDAY, NOVEMBER 18, 1991

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate and no other Senator is seeking recognition, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:03 p.m., recessed until Monday, November 18, 1991, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate November 15, 1991:

DEPARTMENT OF JUSTICE

DEBRA RUSSELL BOWLAND, OF LOUISIANA, TO BE DIRECTOR OF THE OFFICE FOR VICTIMS OF CRIME (NEW POSITION).

JAMES H. GROSSMAN, OF CALIFORNIA, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 1994, VICE STANLEY L. GLOD, TERM EXPIRED.

FEDERAL LABOR RELATIONS AUTHORITY

ALAN ROBERT SWENDIMAN, OF MARYLAND, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS, VICE KATHLEEN DAY KOCH.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

KENNY JACKSON WILLIAMS, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 1996, VICE MARY JOSEPHINE CONRAD CRESIMORE, TERM EXPIRED.

DEPARTMENT OF STATE

FREDERICK VREELAND, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER THE PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

JUDGE ADVOCATE

To be colonel

CLIFTON D DANIEL [redacted]
JACK H MORGAN [redacted]

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM DUTIES INDICATED WITH THE GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A HIGHER GRADE THAN THAT INDICATED.

MEDICAL CORPS

To be colonel

SCOTOLIFF HECTOR A ARROYO [redacted]
GEORGE E CRAWFORD [redacted]
JAY D SPRENGER [redacted]

To be lieutenant colonel

MELVIN A BAYNE [redacted]
EDWARD R CUNNINGHAM [redacted]
THOMAS O WEBER [redacted]
RANDALL T WISDOM [redacted]

To be major

MARK A JEFFRIES, 312-64-4624

DENTAL CORPS

To be lieutenant colonel

PAUL N. ANDERSON [redacted]
CARL A. BIFANO [redacted]
DUANE A. DEGENHARDT [redacted]
ROBERT B. LARSEN [redacted]
FRANK T. ROBERTS, JR [redacted]

To be major

DEBORAH S. CRECRAFT [redacted]
TERENCE J. KINYON [redacted]
MICHAEL P. KLEPCZYK [redacted]
GARY C. MARTIN [redacted]
ERIK J. MEYERS [redacted]
STEVEN M. SILVERS [redacted]

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 593, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be colonel

ANDRE V. GIBALDI [redacted]

To be lieutenant colonel

TERRELL K. HERBERT [redacted]
ELWOOD W. HOPKINS, III [redacted]
CRAIG D. SILVERTON [redacted]
THOMAS W. TOWNSEND [redacted]
ARNATH UNAHALEKHAKA [redacted]

THE FOLLOWING AIR FORCE OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR, U.S. AIR FORCE ACADEMY, UNDER THE PROVISIONS OF SECTION 9333(B), TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE

To be colonel

GUNTHER A. MUELLER, [redacted]

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTION 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE. (EFFECTIVE DATE FOLLOWS SERIAL NUMBER)

LINE OF THE AIR FORCE

To be lieutenant colonel

MAJ. MICHAEL T. ALLEN [redacted] 8/9/91
MAJ. ARLEN L. ANDERSON [redacted] 8/3/91
MAJ. JAMES H. BOEKENOOGEN [redacted] 8/1/91
MAJ. JAMES M. CARTER, JR. [redacted] 8/3/91
MAJ. BENJAMIN F. JABLECKI, JR. [redacted] 8/10/91
MAJ. BILLY M. JAMES, [redacted] 8/3/91
MAJ. RICHARD C. JULIAN [redacted] 8/9/91
MAJ. DONNA K. KNIGHT, [redacted] 8/27/91
MAJ. RONALD H. MARTIN [redacted] 8/17/91
MAJ. JEROME C. OLIN, [redacted] 7/26/91
MAJ. JERRY E. ROGERS [redacted] 8/22/91
MAJ. RICHARD E. SELTZER [redacted] 8/3/91
MAJ. DENNIS L. SMITH [redacted] 7/26/91
MAJ. JOHN M. WHITE, [redacted] 7/26/91

JUDGE ADVOCATE GENERALS DEPARTMENT

MAJ. JAMES E. HALEY [redacted] 8/3/91

CHAPLAIN CORPS

MAJ. NEAL F. MCBRIDE, [redacted] 8/24/91

MEDICAL SCIENCES CORPS

MAJ. MARK J. HOWARD, [redacted] 8/24/91

BIOMEDICAL SCIENCES CORPS

MAJ. DAVID E. BLUM, [redacted] 6/22/91
MAJ. WESLEY R. CLARK, [redacted] 7/13/91

MEDICAL CORPS

MAJ. JAIME H. CERCONE, [redacted] 8/3/91
MAJ. EARL R. HARRISON, JR. [redacted] 8/10/91

IN THE ARMY

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 593(A); AND 3385:

ARMY PROMOTION LIST

To be colonel

ABBOTT, CHARLES G. [redacted]
FURSTNOW, RUSSELL F. [redacted]
SCHARP, ROBERT C. [redacted]

To be lieutenant colonal

BOYER, DAVID W. [redacted]
CATHCART, GARY E. [redacted]
DRAYTON, THEODUS L. [redacted]
FRY, EDWARD D. [redacted]
GAMBRELL, BERRY L. [redacted]
GIBSON, PATRICK D. [redacted]
HARRIS, ILO C. [redacted]
HINSON, JOSEPH T., JR. [redacted]
INGRAM, WILLIAM E., JR. [redacted]
JONES, JACK F. II [redacted]
JONES, MICHAEL A. [redacted]
OTTO, EDWARD C. [redacted]
PADGETT, WILLIAM R. [redacted]
SEBASTIAN, MICHAEL [redacted]
TROLLINGER, MICHAEL D. [redacted]
WRIGHT, FRANK H. IV [redacted]

ARMY NURSE CORPS

To be lieutenant colonel

DOHERTY, THOMAS E. [redacted]
LORENZO, ROSE A. [redacted]

JUDGE ADVOCATE GENERAL CORPS

To be lieutentnt colonel

HARAN, MICHAEL M. [redacted]

MEDICAL CORPS

To be lieutenant colonel

COPLEY, DONALD J. [redacted]

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENTS AS PERMANENT PROFESSOR AT THE U.S. MILITARY ACADEMY UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 4333(B):

HALLUMS, JAMES D. [redacted]
WATTENDORF, JOHN M. [redacted]
ALLBEE, DAVID C. [redacted]
GRUBBS, JOHN H. [redacted]

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE UNITED STATES AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

RONALD M. ADAMS [redacted]
JAY R. ADSIT [redacted]
PHILIP B. AITKENCADE [redacted]
WILLIAM A. ALLEN [redacted]
KENNETH M. ALLEY [redacted]
LEE C. ALLOWAY [redacted]
PATRICIA A. ALMANY [redacted]
ROBERT J. ALMANY [redacted]
MARTIN D. AMELUNG [redacted]
ERIK C. ANDERSON [redacted]
JERRY C. ANGLEY [redacted]
MARGARET H. ANNO [redacted]
JAMES B. ARMOR, JR. [redacted]
MICHAEL S. ARMSTRONG [redacted]

FRANK B. ARNEMANN, JR [redacted]
DAVID A. ARTHUR [redacted]
CLINTON J. ASBURY, III [redacted]
KEITH R. ASHBY [redacted]
WALTER B. AVILA [redacted]
CHARLES P. AZUKAS [redacted]
RONALD L. BAGLEY [redacted]
JAMES W. BAILEY, III [redacted]
ROSANNE BAILEY [redacted]
G. THOMAS BAKER [redacted]
RAYMOND G. BAKER [redacted]
BRUCE C. BALBIN [redacted]
MILES A. BALDWIN [redacted]
DORIN E. BALLS [redacted]
ROBERT D. BALPH, II [redacted]
DAVID C. BALSILLIE [redacted]
CHARLES R. BANTA [redacted]
SAMUEL J. BAPTISTE [redacted]
JAMES V. BARAGER [redacted]
GARY L. BARBER [redacted]
RONALD L. BARBER [redacted]
ROBERT A. BARLOW [redacted]
JEFFERY R. BARNETT [redacted]
RICHARD J. BARRINGER [redacted]
RONALD S. BARTLETT [redacted]
PATRICK M. BARTNESS [redacted]
ROGER D. BASKETT [redacted]
WILLIAM E. BAXTER [redacted]
WARD D. BEIGHTOL [redacted]
JOHN W. BELL, JR [redacted]
HAROLD J. BENNETT, JR [redacted]
RICHARD M. BEREIT [redacted]
THOMAS M. BERES [redacted]
DON K. BERRY, II [redacted]
THOMAS D. BERTRAND [redacted]
KEITH A. BETSCH [redacted]
LARRY E. BICKEL [redacted]
RANDALL K. BIGUM [redacted]
CHARLES R. BISBEE, III [redacted]
STANLEY T. BISHOP [redacted]
THOMAS J. BISHOP [redacted]
CARLTON L. BJERKAAS [redacted]
RAYMOND C. BJORKLUND [redacted]
PETER N. BLAUFARB [redacted]
JAMES D. BOGENRIEF [redacted]
ROBERT C. BOGSTIE [redacted]
CHARLES J. BOHN, III [redacted]
RICHARD W. BONNELL, SR [redacted]
CHARLES J. BONNER [redacted]
JOHN W. BOOHER [redacted]
CARTER A. BORLAND [redacted]
DONALD B. BORTNER [redacted]
STEPHEN E. BOVICH [redacted]
ALLEN B. BOWSER [redacted]
STEPHEN D. BOYCE [redacted]
GARY S. BOYLE [redacted]
DAVID J. BOYLES [redacted]
TIMOTHY S. BRADY [redacted]
CHARLES L. BRAMMEIER, JR [redacted]
RONALD N. BRAUNHARDT [redacted]
JOHN A. BREED [redacted]
RICHARD L. BRENNER [redacted]
THOMAS E. BRETZ, JR [redacted]
ALAN J. BRIDING [redacted]
MARVIN J. BRIGMAN, JR [redacted]
ROBERT S. BRODEL [redacted]
ROBERT L. BROOKS [redacted]
ROGER W. BROOKS [redacted]
ARNOLD M. BROWER [redacted]
BRUCE A. BROWN [redacted]
SAMUEL D. BROWN, JR [redacted]
THOMAS F. BROWN [redacted]
THOMAS R. BROWN, JR [redacted]
MICHAEL L. BUCK [redacted]
WILLIAM C. BUCKLEY [redacted]
VICTOR P. BUDURA, JR [redacted]
STEPHEN D. BULL, III [redacted]
JAMES J. BUMGARDNER [redacted]
JAMES E. BURKE [redacted]
JOSEPH G. BURKE [redacted]
ROBERT E. BUSCH, II [redacted]
RICHARD E. BUTLER [redacted]
WILLIAM A. BYRNE [redacted]
JOHN J. CABAN [redacted]
HARRY M. CALCUTT, JR [redacted]
CLARENCE L. CAMPBELL, JR [redacted]
REGIS CANNY [redacted]
ELDON H. CAPENER [redacted]
DAVID CAPOTOSTI [redacted]
JOHN D. CARLILE [redacted]
JAMES M. CARLIN [redacted]
PATRICK J. CARR [redacted]
LYNN A. CARROLL [redacted]
TED J. CARTER [redacted]
ROBERT F. CARTY [redacted]
JAMES R. CASEY [redacted]
DAVID R. CASTEEL [redacted]
GLYNN W. CAVIN, JR [redacted]
GARY G. CHAMBERLIN [redacted]
RONALD E. CHANNELL [redacted]
DAVID L. CHASE [redacted]
STEPHEN B. CHEAVENS [redacted]
ROBERT W. CHEDISTER [redacted]
KEVIN P. CHILTON [redacted]
EARL B. CHRISTY, JR [redacted]
BILLY S. CLACK [redacted]
JACK CLARK, II [redacted]
JOHN R. CLARK [redacted]
MARVIN O. CLARK [redacted]
BARNEY H. CLARY, JR [redacted]
WILLIE E. COLE [redacted]
RICHARD A. COLEMAN, JR [redacted]

PATRICK J. COLLSON [redacted]
STEPHEN R. CONNELLY [redacted]
MELANIE B. COOKE [redacted]
DAVID H. COOKERLY [redacted]
LARRY H. COOPER [redacted]
KELVIN R. COPPOCK [redacted]
MICHAEL A. COURSEY [redacted]
ROBERT S. COX [redacted]
ROGER C. CRAIG [redacted]
STEVEN M. CRANFORD [redacted]
GARY W. CRAWFORD [redacted]
TOMMY F. CRAWFORD [redacted]
GEORGE R. CREEKMORE [redacted]
CARL L. CRITCHLOW [redacted]
RICHARD B. CROSS, JR [redacted]
WILLIAM L. CRUMM [redacted]
MICHAEL A. CUDDIHEE [redacted]
JOHN D. CUNNINGHAM [redacted]
WILLIAM A. CUNNINGHAM [redacted]
THIERY G. CURTIS [redacted]
GEORGE J. CUSIMANO [redacted]
FRANK P. CYR, JR [redacted]
GARY W. DAHLEN [redacted]
JAMES A. DAVIDSON [redacted]
GARY W. DAVIS [redacted]
HARRY F. DAVIS [redacted]
ROBERT J. DEHLER [redacted]
JAY E. DEJONGH [redacted]
JOHN M. DELONEY [redacted]
FRANK J. DESTADIO [redacted]
JAMES L. DESTOUT [redacted]
TOMMY D. DICKSON [redacted]
WILLIAM C. DIEHL [redacted]
JOHN P. DIPIERRO [redacted]
HARRY C. DISBROW, JR [redacted]
THOMAS E. DISTELHORST [redacted]
JOE C. DIXON [redacted]
ROBERT B. DOBBS [redacted]
EARLTON C. DONNELL, JR [redacted]
DENNIS E. DOUCET [redacted]
RICHARD H. DOWNING [redacted]
DON R. DRENTH [redacted]
THOMAS R. DUBOIS [redacted]
RANDOLPH F. DUDLEY [redacted]
ALAN D. DUFF [redacted]
CRAIG P. DUNN [redacted]
RUEL M. DUNN [redacted]
GARRY W. EARLS [redacted]
JOSEPH E. EDWARDS, JR [redacted]
LYLE S. EESLEY [redacted]
DENNIS J. EFLEIN [redacted]
CAROL C. ELLIOTT [redacted]
MICHAEL R. ENGEL [redacted]
RICHARD H. ESTES [redacted]
DAVID R. EVANS [redacted]
DAVID G. FAAS [redacted]
MICHAEL E. FAIN [redacted]
JOHN F. FAIRBANKS [redacted]
JACK R. FELLOWS [redacted]
ORLANDO G. FERREIRA [redacted]
JOSEPH M. FERRELL [redacted]
HERBERT R. FINCH [redacted]
JOSEPH A. FIORELLO [redacted]
PAUL G. FISH [redacted]
RICHARD E. FITZHUGH, JR [redacted]
JAMES E. FORD [redacted]
MACK D. FOSTER, JR [redacted]
JOHN L. FOX [redacted]
LEONARD D. FOX [redacted]
JOHN H. FRASER, JR [redacted]
ALFRED G. FREEBERG [redacted]
DONALD A. FREEMAN [redacted]
ROBERT L. FRENCH [redacted]
THOMAS F. FROST [redacted]
JOHN H. FULLERTON [redacted]
DONALD F. GABRESKI [redacted]
TERRY L. GABRESKI [redacted]
LEONARD H. GAETZ [redacted]
GAROLD L. GARBER [redacted]
EDWARD L. GARCIA [redacted]
SAMUEL E. GARCIA [redacted]
RICHARD E. GARR, JR [redacted]
THOMAS W. GEARY [redacted]
RANDALL C. GELWIX [redacted]
MICHAEL L. GENTRUP [redacted]
JUDY W. GEORGE [redacted]
ROBERT K. GEORGE [redacted]
ANDREW M. GESSNER [redacted]
RALPH W. GETCHELL, III [redacted]
RODNEY E. GIBSON [redacted]
THOMAS F. GIOCONDA [redacted]
PHILIP E. GLENN [redacted]
ROBERT J. GMYREK [redacted]
KIM W. GNADER [redacted]
WAYNE L. GOLDING [redacted]
DAVID E. GORMAN [redacted]
JOE V. GORMAN [redacted]
JOHN W. GORSKI [redacted]
BRIAN D. GRADY [redacted]
LAWRENCE A. GRANNIS [redacted]
RONALD D. GRAY [redacted]
JOHN M. GRAZIANO [redacted]
WILLIAM H. GRIGSBY, II [redacted]
JOHN H. GUNSELMAN, JR [redacted]
JOHN H. GURTCHEFF [redacted]
ROBERT A. GUSTIN [redacted]
MICHAEL E. HAAS [redacted]
JAMES O. HALE [redacted]
DAVID R. HALL [redacted]
PAUL HAMILTON [redacted]
DOUGLAS L. HARDIN [redacted]
GARY R. HARMON [redacted]

JOHN B. HARPER [redacted]
THOMAS E. HARPER [redacted]
ELIZABETH A. HARRELL [redacted]
WILLIAM S. HARRELL, JR [redacted]
GARY R. HARVEY [redacted]
RAYMOND J. HAUCK [redacted]
JAMES A. HAWKINS [redacted]
EDWIN D. HAWLEY [redacted]
JOHN L. HAYES [redacted]
ROBERT D. HAYS [redacted]
WILLIAM G. HECKATHORN [redacted]
ROY R. HEDDLESTON [redacted]
WILLIAM J. HEITZIG [redacted]
LEWIS S. HENDERSON, III [redacted]
CHARLES R. HENRY [redacted]
THOMAS L. HICKERSON [redacted]
BURL E. HICKMAN [redacted]
ROBERT L. HILL [redacted]
BENNY D. HOCKERSMITH [redacted]
WILLIAM F. HODGKINS [redacted]
BERNHARD S. HOENLE [redacted]
DONALD J. HOFFMAN [redacted]
STEVEN S. HOFFMAN [redacted]
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WILLIAM M. HOGAN [redacted]
TIMMIE D. HOLMES [redacted]
NICHOLAS J. HOLOVIAK [redacted]
CHARLES E. HOLT, JR [redacted]
JAMES M. HOLT [redacted]
KARL D. HORN [redacted]
WILLIAM B. HORNE, II [redacted]
WELDON P. HORTON, [redacted]
EDWARD H. HOULE [redacted]
SCOTT M. HOVERSTEN [redacted]
AUBREY A. HOWARD, JR [redacted]
JOHN M. HOWELL [redacted]
JOHN L. HUDSON [redacted]
ROBERT M. HUDSON [redacted]
JON T. HUINKER [redacted]
JOHN R. HULL [redacted]
THOMAS W. HUMPHERYS [redacted]
BOBBY T. HUNEYCUTT [redacted]
DAVID J. HUNT [redacted]
JOSEPH E. HUTFLES [redacted]
ROBERT M. HYLTON [redacted]
JOHN O. IRWIN [redacted]
EMILE C. IVERSTINE [redacted]
WILLIAM J. JABOUR, [redacted]
ROBERT L. JAMES [redacted]
FINCH M. JONES, JR [redacted]
PERCY JOUBERT, JR [redacted]
RICHARD J. JOYCE [redacted]
PHILLIP E. JUNG, JR [redacted]
JAMES W. KAHLER [redacted]
LEONARD E. KAPLAN [redacted]
THOMAS M. KEARNEY [redacted]
JOSEPH A. KEEFE [redacted]
DONN P. KEGEL [redacted]
LAWRENCE R. KELLER [redacted]
JAMES F. KENDRICK [redacted]
PATRICK M. KERN [redacted]
MICHAEL C. KIMBERLING [redacted]
FREDERICK B. KING, JR [redacted]
HARRY G. KINGSBERY [redacted]
WILLIAM H. KIRKMAN, II [redacted]
DOUGLAS H. KIRKPATRICK [redacted]
JOHN J. KITTLE [redacted]
HAROLD E. KLICK [redacted]
ALBERT M. KLUCZYNSKI [redacted]
JOHN T. KNIGHT [redacted]
ROBERT M. KNOX [redacted]
RUDOLPH J. KOBANG, JR [redacted]
RICHARD J. KOCHANEK [redacted]
GEORGE A. KODATI [redacted]
MICHAEL J. KOERNER [redacted]
PETER KONOWICZ [redacted]
GEORGE H. KOTTI [redacted]
MICHAEL D. KOZAK [redacted]
WILLIAM G. KRAUS [redacted]
DENNIS W. KRIPPNER [redacted]
RONALD L. KUHL [redacted]
MARK E. LACAILLADE [redacted]
CHRISTOPHER J. LAMB [redacted]
JOHN R. LANDON [redacted]
LAWRENCE LANGLOIS [redacted]
ERIC Y. LARSON [redacted]
WILLIAM I. LATHAM, JR [redacted]
KIM T. LAWSON [redacted]
RICHARD L. LAYMAN [redacted]
WAYNE C. LEBOEUF [redacted]
DENNIS C. LEVAN [redacted]
MICHAEL P. LIBERTO [redacted]
LUIS C. LINARES [redacted]
STEVEN R. LINDLE [redacted]
TERRY R. LOWE [redacted]
MICHAEL W. LUERS [redacted]
DARRYL V. LUNDGREN [redacted]
ROBERT M. LUTZ [redacted]
RICHARD S. MACISAAC [redacted]
JAMES R. MACON [redacted]
PATRICK J. MADDEN [redacted]
EDWARD C. MAHEN, JR [redacted]
BRIAN A. MAHER [redacted]
MICHAEL J. MALONE [redacted]
ROBERT E. MANSFIELD, JR [redacted]
CHANDLER D. MAPES [redacted]
HENRYK J. MARKULIS [redacted]
WILLIAM H. MARSCH [redacted]
JAMES R. MARSHALL [redacted]
JOSEPH A. MARSTON [redacted]
MORRILL E. MARSTON [redacted]
STEPHEN R. MARTIN [redacted]

JON L. MARTINSON xxx-xx-x...
ANDREW MATARESE xxx-xx-x...
KERRY MAY xxx-xx-x...
WILLIAM T. MAYALL xxx-xx-x...
BRANFORD J. MCALLISTER xxx-xx-x...
MARC A. MCBRIDE xxx-xx-x...
ROY A. MCCALLA xxx-xx-x...
RONALD A. MCCALLUM xxx-xx-x...
EDWARD J. MCCLURE, JR xxx-xx-x...
LARRY D. MCCONNELL xxx-xx-x...
THOMAS E. MCCOY xxx-xx-x...
ALFRED P. MCCRACKEN xxx-xx-x...
JOSEPH J. MCCUE xxx-xx-x...
MARY S. MCCULLY xxx-xx-x...
RICHARD H. MCDOW xxx-xx-x...
TEDDIE M. MCFARLAND xxx-xx-x...
JAMES W. MCGUIRE xxx-xx-x...
PATRICIA A. MCKELVY xxx-xx-x...
ANTHONY H. MCKENNA, JR xxx-xx-x...
RONALD L. MCKIM xxx-xx-x...
RICHARD W. MCKINNEY xxx-xx-x...
DUNCAN J. MCNABB xxx-xx-x...
JOHN M. MCNABB, JR xxx-xx-x...
JOSEPH B. MCNICHOLS, JR xxx-xx-x...
JACK E. MCPHIE xxx-xx-x...
CHARLES H. MEAD xxx-xx-x...
PHILLIP S. MEILINGER xxx-xx-xx...
RICHARD A. MENTEMEYER xxx-xx-x...
ROOSEVELT MERCER, JR xxx-xx-x...
GARY W. MERRELL xxx-xx-x...
ARTHUR C. MICHEL xxx-xx-x...
JOHN K. MIDDENDORF xxx-xx-x...
JERRY W. MILAM xxx-xx-x...
CHARLES N. MILLER xxx-xx-x...
MICHAEL J. MILLER xxx-xx-x...
WARREN J. MILLER xxx-xx-x...
KENNETH MILLS xxx-xx-x...
RANDY W. MILLS xxx-xx-x...
SCOTT E. MILLS xxx-xx-x...
RICHARD W. MILNER xxx-xx-x...
ROBERT P. MIMS xxx-xx-x...
LOUIS E. MITCHELL, JR xxx-xx-x...
JOHN W. MOGGE, JR xxx-xx-x...
GEORGE M. MONROE xxx-xx-x...
DAVID L. MOODY xxx-xx-x...
DONNA R. MOONEY xxx-xx-x...
WILLIAM O. MOONEY xxx-xx-x...
CARVER MOORE xxx-xx-x...
MICHAEL F. MOORE xxx-xx-x...
WILLIAM D. K. MORAVEK xxx-xx-x...
FRANKLIN M. MORGAN xxx-xx-x...
EDWARD G. MORROW, III xxx-xx-x...
WILLIAM J. MULCAHY, JR xxx-xx-x...
RICHARD MULLERY xxx-xx-x...
RICHARD C. MURROW xxx-xx-x...
ROBERT E. NEDERGAARD xxx-xx-x...
CHRISTOPHER R. NELSON xxx-xx-x...
DENNIS E. NEWHOUSE xxx-xx-x...
DONALD W. NEWTON xxx-xx-x...
ALAN J. NIEDBALSKI xxx-xx-x...
JAMES A. NORRIS xxx-xx-x...
CRAIG M. NORTHRUP xxx-xx-x...
RICHARD L. OBORN xxx-xx-x...
MILES M. OBRIEN, JR xxx-xx-x...
THOMAS W. OBRIEN, III xxx-xx-x...
KEVIN J. OCONNOR xxx-xx-x...
MICHAEL P. OCONNOR xxx-xx-x...
RICHARD M. OCONNOR xxx-xx-x...
LARRY W. ODOM xxx-xx-x...
THOMAS J. OLDENBURG xxx-xx-x...
THOMAS W. OLDHAM xxx-xx-x...
DAVID L. OLES xxx-xx-x...
WILLIAM D. ORCUTT xxx-xx-x...
ROBERT W. OSBURN xxx-xx-x...
STAFFORD W. OUDERKIRK xxx-xx-x...
STEVE O. OUZTS xxx-xx-x...
JEROME P. PALANUK xxx-xx-x...
WILLIAM F. PARASKA xxx-xx-x...
GREGORY S. PARNELL xxx-xx-x...
WADE L. PATON xxx-xx-x...
CHARLES H. PATRUM xxx-xx-x...
WILLIAM D. PATTON xxx-xx-x...
JOHN S. PAUL xxx-xx-x...
MYHRE E. PAULSON, JR xxx-xx-x...
GARY D. PAYTON xxx-xx-x...
ROBERT H. PENNY xxx-xx-x...
JASON A. PERIDON xxx-xx-x...
ROBERT N. PETERMAN xxx-xx-x...
DONALD P. PETTIT xxx-xx-x...
FRED G. PHILLIPS, JR xxx-xx-x...
FRANK A. PICKART xxx-xx-x...
MICHAEL R. PIKULA, JR xxx-xx-x...
STEPHEN R. PINGEL xxx-xx-x...
JAMES J. POLAND, II xxx-xx-x...
HOWARD L. POPE, JR xxx-xx-x...
STEPHEN R. POPELKA xxx-xx-x...
WILLIAM F. PORTER xxx-xx-x...
DAVID F. POSTELL xxx-xx-x...
JON S. POWELL xxx-xx-x...
THOMAS J. POWELL xxx-xx-x...
GREGORY H. POWER xxx-xx-x...
MYRON R. PRICE xxx-xx-x...
JOHN P. PRIECKO xxx-xx-x...
CHARLES S. PUGSLEY, III xxx-xx-x...
JEFFERY A. QUIRK xxx-xx-x...
THOMAS G. RACKLEY xxx-xx-x...
MICHAEL F. RADER xxx-xx-x...
JERRY M. RAPER xxx-xx-x...
ALAN C. RAY xxx-xx-x...
MARTIN L. RAYNOR xxx-xx-x...
STEVEN J. REDMANN xxx-xx-x...
WILLIAM H. REEVES xxx-xx-x...

MICHAEL G. REEVES xxx-xx-x...
JOHN F. REICHART xxx-xx-x...
VICTOR E. RENUART, JR xxx-xx-x...
ROBERT E. REYNOLDS, JR xxx-xx-x...
HAROLD S. RHOADS xxx-xx-x...
KAREN S. RHODEY xxx-xx-x...
WILLIAM H. RICHARD xxx-xx-x...
J. WILSON RICHARDS xxx-xx-x...
WILLIAM G. RICHARDSON xxx-xx-x...
BILLY F. RICHEY xxx-xx-x...
GERALD F. RILEY, JR xxx-xx-x...
BRUCE M. ROANG xxx-xx-x...
JAMES C. ROBERTSON, II xxx-xx-x...
GARALD K. ROBINSON xxx-xx-x...
IAN E. ROBINSON xxx-xx-x...
MARK B. RODDY xxx-xx-x...
CHARLIE ROLADER xxx-xx-x...
RONNIE D. ROLAND xxx-xx-x...
BENJAMIN G. ROMERO xxx-xx-x...
THOMAS W. ROOMSBURG xxx-xx-x...
KENNETH E. ROSEBUSH, JR xxx-xx-x...
DAVID L. ROSS xxx-xx-x...
CARL A. ROSSMAN, JR xxx-xx-x...
DANNY M. ROUSE xxx-xx-x...
JEFFREY A. ROUTCH xxx-xx-x...
FRANCIS X. ROUTHIER, III xxx-xx-x...
LLOYD B. ROWLAND xxx-xx-x...
HERBERT G. RUSSELL xxx-xx-x...
ROBERT E. RYALS xxx-xx-x...
GARY L. SALISBURY xxx-xx-x...
RONALD F. SAMS xxx-xx-x...
MARY L. SAUNDERS xxx-xx-x...
MILES L. SAWYER xxx-xx-x...
GREER C. SAYLES xxx-xx-x...
GEORGE D. SCHAFER xxx-xx-x...
PAUL R. SCHAFFENBERGER xxx-xx-x...
DAVID A. SCHANTZ xxx-xx-x...
CLOYCE W. SCHEER xxx-xx-x...
WILLIAM F. SCHLESS, JR xxx-xx-x...
DARRYL A. SCOTT xxx-xx-x...
FELIX J. SEMLEY xxx-xx-x...
BRUCE H. SENFT xxx-xx-x...
WILLIAM H. SESSOMS xxx-xx-x...
JACK P. SHAFER xxx-xx-x...
RICHARD D. SHATZEL xxx-xx-x...
BRYANT P. SHAW xxx-xx-x...
HAROLD D. SHOEMAKER xxx-xx-x...
STEVEN R. SHOEMAKER xxx-xx-x...
PAUL T. SHOROCK xxx-xx-x...
GILBERT P. SIEGERT xxx-xx-x...
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CHAPLAIN CORPS

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D. BRUCE BROWN xxx-xx-x...
LOUIS E. DEIMEKE xxx-xx-x...
JAMES T. ELWELL xxx-xx-x...
TERENCE J. FIGEL xxx-xx-x...
PETER J. FLOOD xxx-xx-x...
ROBERT R. GILMAN xxx-xx-xx...
RICARDO A. HERNANDEZ xxx-xx-x...
JAMES K. LARKIN xxx-xx-x...
JOHN O. LUNDIN xxx-xx-x...
LORRAINE K. POTTER xxx-xx-x...
JIMMY A. ROQUEMORE xxx-xx-x...
BILLY G. THOMASON xxx-xx-x...
BILLY H. WEAVER xxx-xx-x...

JUDGE ADVOCATE

To be colonel

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WILLIAM D. BENTON xxx-xx-x...
FRANCIS T. BERGAN xxx-xx-x...
BERNARD M. CHACHULA xxx-xx-x...
HOWARD L. DONALDSON xxx-xx-x...
JOSEPH G. EURETIG xxx-xx-x...
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WILLIAM H. KIRSCHNER, III xxx-xx-x...
LLOYD F. LEROY xxx-xx-x...
CHARLES R. LUCY xxx-xx-x...
MICHAEL G. MCCORMACK xxx-xx-x...
CHARLES E. ORCK xxx-xx-x...
WILLARD L. POPE, JR xxx-xx-x...
ANDREW C. PRATT xxx-xx-x...
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THOMAS L. STRAND xxx-xx-x...
TERRY J. WOODHOUSE xxx-xx-x...
DAVID W. WOODRING xxx-xx-x...
JAMES A. YOUNG, III xxx-xx-x...

BIOMEDICAL SCIENCES

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TOMMIE G. CAYTON xxx-xx-x...
THOMAS L. CROPPER xxx-xx-x...
VICKY L. FOGELMAN xxx-xx-x...
JOHN A. GROSSI xxx-xx-x...
MORRIS L. HOLLOWELL xxx-xx-x...
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PATRICK F. PHELAN xxx-xx-x...
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BRIAN W. SUGDEN xxx-xx-x...
MARY A. SWEENEY xxx-xx-x...
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MARILYN A. WALKER xxx-xx-x...
ADRIAN A. WILLIAMSON xxx-xx-x...
WILBUR T. WORKMAN xxx-xx-x...

IN THE ARMY

THE FOLLOWING–NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3370:

ARMY PROMOTION LIST

To be colonel

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VINCENT J. ALBANESE xxx-xx-x...
BERTIE S. ALEXANDER xxx-xx-x...
JOE R. ALEXANDER xxx-xx-x...
SAMUEL P. ALITTO xxx-xx-x...
JAMES J. ALIX xxx-xx-x...
DANNY ALLEN xxx-xx-x...
ANDREW A. ALSTON xxx-xx-x...
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FRANK J. ANGYAL xxx-xx-x...
WILLIAM I. APGAR xxx-xx-x...
CHARLES M. ARCE xxx-xx-x...
STEPHEN E. AREY xxx-xx-x...
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ELMO G. ARMSTRONG xxx-xx-x...
FRANK D. ARMSTRONG xxx-xx-x...
NORM ASCHENBRENNER xxx-xx-x...
BALDWIN K. AU xxx-xx-x...
JAMES L. AUSDEMORE xxx-xx-x...
MICHAEL AUSTIN xxx-xx-x...
JULIUS H. AVANT xxx-xx-x...
RICHARD W. AVERITT xxx-xx-x...
JOHN F. AWTREY xxx-xx-x...
EDWARD F. AYALA xxx-xx-x...
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ROBERT T. BAIRD xxx-xx-x...
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GROVER E. BARNES xxx-xx-x...
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PARK P. BIERBOWER xxx-xx-x...
RUSSELL V. BIERI xxx-xx-x...
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BRUCE R. BODIN xxx-xx-x...
JEFFERY L. BODOUIN xxx-xx-x...
EYMARD J. BOEHMER xxx-xx-x...
WEBSTER L. BOLAND, JR xxx-xx-x...
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GLEN D. BOTTOMS xxx-xx-x...
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MAURICE C. BREEN xxx-xx-x...
ALAN A. BRIDGEMAN xxx-xx-x...
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THEODOR BRODZINSKI xxx-xx-x...
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SAM E. GIBSON xxx-xx-x...
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DONALD P. HANEY xxx-xx-x...
FRED C. HANNUM xxx-xx-x...
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ELMO C. HEAD xxx-xx-x...
JOHN M. HEATH xxx-xx-x...
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JAMES R. HELMLY xxx-xx-x...
ROBERT B. HENDERSON xxx-xx-x...
RODNEY C. HENELY xxx-xx-x...
CHARLES HENNESSEY xxx-xx-x...
CHARLES E. HENRY xxx-xx-x...
JONATHAN F. HENRY xxx-xx-x...
LARRY W. HENSEL xxx-xx-x...
JAMES G. HERGEN xxx-xx-x...
MICHAEL HERNANDEZ xxx-xx-x...
REINALDO HERRERO xxx-xx-x...
ROBERT HERRINGTON xxx-xx-x...
KENNETH R. HESTER xxx-xx-x...
WILLIAM R. HILBORN xxx-xx-x...
JAMES P. HILLS xxx-xx-x...
TIMMY L. HINES xxx-xx-x...
ROBERT HIPPENSTIEL xxx-xx-x...
HUBERT T. HODGSON xxx-xx-x...
DAVID S. HOLLAND xxx-xx-x...
WILLIAM R. HOLLAND xxx-xx-x...
ALLEN J. HOLLOWAY xxx-xx-x...
J. E. HOLMES, III xxx-xx-x...
WESLEY E. HOOD xxx-xx-x...
JAN HORBALY xxx-xx-x...
MICHAEL E. HOREJSI xxx-xx-x...
JEROME L. HORNER xxx-xx-x...
JAMES R. HORTON xxx-xx-x...
RICHARD D. HUDAK xxx-xx-x...
CLEVELAND HUGGINS xxx-xx-x...
WILSON F. HUMPHREYS xxx-xx-x...
DAVID E. HUSING xxx-xx-x...
ALBERT M. HUTMACHER xxx-xx-x...
EARL I. INGRAM xxx-xx-x...
TIMOTHY H. ISENBERG xxx-xx-x...
MANUEL R. ITURRALDE xxx-xx-x...
STEPHEN R. JACKSON xxx-xx-x...
DONALD M. JACQUES xxx-xx-x...
MILSOM N. JENION xxx-xx-x...
JOSEPH C. JENKINS xxx-xx-x...
WILLIAM S. JENKS xxx-xx-x...
KURT J. JENNE xxx-xx-x...
ANDREW J. JOHNSON xxx-xx-x...
CHARLES S. JOHNSON xxx-xx-x...
DAVID H. JOHNSON xxx-xx-x...
DEAN L. JOHNSON xxx-xx-x...
GEORGE R. JOHNSON xxx-xx-x...
NORMAN N. JOHNSON xxx-xx-x...
ROBERT L. JOHNSON xxx-xx-x...
WAYNE A. JOHNSON xxx-xx-x...
RICHARD H. JONES xxx-xx-x...
STANLEY O. JONES xxx-xx-x...
HARRY M. JORGENSEN xxx-xx-x...
RICHARD JORGENSEN xxx-xx-x...
JOHN W. JUNSCH xxx-xx-x...
JERROLD L. JURIK xxx-xx-x...
GREGG K. KAKESAKO xxx-xx-x...
DENNIS A. KAMIMURA xxx-xx-x...
GEORGE A. KATZ xxx-xx-x...
WILLIAM C. KAUFMAN xxx-xx-x...
HENRY L. KELLEY xxx-xx-x...
WILLIAM J. KELLEY xxx-xx-x...
DONALD P. KELLY xxx-xx-x...
GEORGE R. KENNY xxx-xx-x...
JONATHAN H. KENT xxx-xx-x...
KENNETH C. KLEINE xxx-xx-x...
DANIEL S. KNAPIK xxx-xx-x...
ROGER L. KNIGHT xxx-xx-x...
FREDERIC KOLBRENER xxx-xx-x...
DONALD M. KOLLARIK xxx-xx-x...
MARY L. KOLLARIK xxx-xx-x...
WAYNE C. KOPPA xxx-xx-x...
CHARLES H. KRAMER xxx-xx-x...
JOHN W. KREGER xxx-xx-x...
RAYMOND F. KREINER xxx-xx-x...
PHILLIP L. KREJCI xxx-xx-xx...
ROBERT R. KRESGE xxx-xx-x...
JAMES E. KROH xxx-xx-x...
ELWYN L. KROPUENSKE xxx-xx-x...
JIMMY KRSNAK xxx-xx-x...
MICHAEL E. KURUZAR xxx-xx-x...
JOSEPH KWIATKOWSKI xxx-xx-x...
RICHARD S. KWIECIAK xxx-xx-x...
GENE T. KYBURZ xxx-xx-x...
LAWRENCE F. LAFRENZ xxx-xx-x...
JOSEPH A. LAGROW xxx-xx-x...
LYLE D. LALIM xxx-xx-x...
GEORGE L. LAMBORN xxx-xx-x...
THOMAS LANYI xxx-xx-x...
DAVID W. LARGE xxx-xx-x...
JOHN D. LARSON xxx-xx-x...
ROBERT L. LAUBER xxx-xx-x...
BRUCE W. LAWTON xxx-xx-x...

JAMES F. LEAHIGH xxx-xx-x...
DONALD B. LEAZOTT xxx-xx-x...
JOSEPH G. LECLERC xxx-xx-x...
SAMUEL W. LEDBETTER xxx-xx-xx...
JAMES H. LEE xxx-xx-x...
WILLIAM R. LEE xxx-xx-x...
JASON D. LEER xxx-xx-x...
FRED A. LEISTIKO xxx-xx-x...
ABEL C. LEITE xxx-xx-x...
LARRY A. LEONARDI xxx-xx-x...
ROBERT L. LESLIE xxx-xx-x...
CLIFFORD E. LETTS xxx-xx-x...
JESSE J. LEWIS xxx-xx-x...
ROBERT S. LIGON xxx-xx-x...
ARTHUR F. LINCOLN xxx-xx-x...
ALEXANDER LINDSAY xxx-xx-x...
CHARLES W. LINDSEY xxx-xx-x...
LAWRENCE A. LIPPKE xxx-xx-x...
PHILLIP LIPSMEYER xxx-xx-x...
DALE J. LITNEY xxx-xx-x...
DICK C. LITTLE xxx-xx-x...
ELLIS R. LITTLEJOHN xxx-xx-x...
STEPHEN H. LOCKE xxx-xx-x...
DANIEL E. LONG xxx-xx-x...
PAUL R. LONGGREAR xxx-xx-x...
JOHN H. LOUGHRIDGE xxx-xx-x...
DAVID N. LOVELESS xxx-xx-x...
JEFFREY A. LOZIER xxx-xx-x...
SANTO LUMIA xxx-xx-x...
RALPH S. LUND xxx-xx-x...
STEVEN C. LUND xxx-xx-x...
CARL F. LUNDELL xxx-xx-x...
ARNOLD H. LUNDQUIST xxx-xx-x...
DRANNAN E. LUNN xxx-xx-x...
JAMES N. LUNSFORD xxx-xx-x...
HAROLD C. LYNCH xxx-xx-x...
ROBERT T. LYNCH, JR xxx-xx-x...
JOHN Y. MA xxx-xx-x...
ROBERT W. MACE xxx-xx-x...
KENNETH C. MADER xxx-xx-x...
MICHAEL R. MAGASIN xxx-xx-x...
THOMAS K. MAHAN xxx-xx-x...
CHARLES H. MAJOR xxx-xx-x...
WILLIAM A. MANNING xxx-xx-x...
SILVANO B. MARCHESI xxx-xx-x...
ROBERT H. MARGRAVE xxx-xx-x...
DANNY G. MARLER xxx-xx-x...
ROB MARREROCORLETO xxx-xx-x...
JAMES T. MARSTON xxx-xx-x...
CHARLES E. MARTIN xxx-xx-x...
WILFREDO MARTINEZ xxx-xx-x...
ADOLPH W. MASSA xxx-xx-x...
JULIUS E. MATHIS xxx-xx-x...
RICHARD E. MATLAK xxx-xx-x...
DENNIS E. MATTHEWS xxx-xx-x...
MARK M. MATTHEWS xxx-xx-x...
ROBERT J. MATTHEWS xxx-xx-x...
FRANK J. MAURER xxx-xx-x...
STEPHEN A. MAYHEU xxx-xx-x...
ZOLLICOFFE MAYNARD xxx-xx-x...
SALVATORE MAZZOTTA xxx-xx-x...
CHARLES MCCLINTOCK xxx-xx-x...
ROBERT M. MCCONNELL xxx-xx-x...
DAVID L. MCGINNIS xxx-xx-x...
ROGER R. MCGRATH xxx-xx-x...
WILLIAM J. MCGUIRE xxx-xx-x...
JAMES D. MCINTOSH xxx-xx-x...
RICHARD D. MCKINNEY xxx-xx-x...
MATT D. MCKNIGHT xxx-xx-x...
WILLIAM J. MCMAHON xxx-xx-x...
JOHN L. MCPARTLAND xxx-xx-x...
STEVEN F. MCWHORTER xxx-xx-x...
WILLIAM MEDIGOVICH xxx-xx-x...
JOSEPH W. MEJASKI xxx-xx-x...
STEVEN L. MELANCON xxx-xx-x...
GEORGE J. MENDOZA xxx-xx-x...
MICHAEL R. MESSINA xxx-xx-x...
DOUGLAS K. MEYER xxx-xx-x...
MARIS MEZS xxx-xx-x...
MARK L. MIDGLEY xxx-xx-x...
ARTHUR D. MILLER xxx-xx-x...
WILLIAM B. MILLER xxx-xx-x...
GERALD P. MINETTI xxx-xx-x...
ALBERT G. MOHR xxx-xx-x...
ARTHUR J. MOLITOR xxx-xx-x...
GERALD J. MOLNAR xxx-xx-x...
WILLIAM G. MOORE xxx-xx-x...
IGNACIO MORALES xxx-xx-x...
AUDY C. MORGAN xxx-xx-x...
HIROAKI MORITA xxx-xx-x...
JAMES E. MOTES xxx-xx-x...
DAVID R. MOWREY xxx-xx-x...
JOSEPH A. MUELLER xxx-xx-x...
JOHN R. MULLIN xxx-xx-x...
TIMOTHY M. MURPHY xxx-xx-x...
JONATHAN H. MYERS xxx-xx-x...
WILLIAM E. NABORS xxx-xx-x...
HENRY J. NACHTSHEIM xxx-xx-x...
WILLIAM J. NAGY xxx-xx-x...
WILLIAM T. NAPPER xxx-xx-x...
JAMES E. NARRELL xxx-xx-x...
JOHN L. NATTERSTAD xxx-xx-x...
CONRAD W. NEELY xxx-xx-x...
JERRY L. NEFF xxx-xx-x...
DONALD C. NELSON xxx-xx-x...
HOMER D. NELSON xxx-xx-x...
ROBERT H. NELSON xxx-xx-x...
ANDONIOS NEROULIAS xxx-xx-x...
MICHAEL L. NEVEAUX xxx-xx-x...
ALFRED T. NEVILL xxx-xx-x...
HAROLD J. NEVIN xxx-xx-x...
ARTHUR J. NICHOLS xxx-xx-x...

MICHAEL NICHOLSON xxx-xx-x...
RICHARD M. NOLAN xxx-xx-x...
ERIC J. NORMAN xxx-xx-x...
ROBERT D. NORTON xxx-xx-x...
MARGARET N. NOVACK xxx-xx-x...
MICHAEL A. NOWAK xxx-xx-x...
ERWIN N. OBARTUCH xxx-xx-x...
HARRY B. OBERG xxx-xx-x...
ROBERT W. OBRIEN xxx-xx-x...
THOMAS M. OGLES xxx-xx-x...
DAVID D. OKANE xxx-xx-x...
JOHN B. OLAUGHLIN xxx-xx-x...
RONALD F. OLSOMMER xxx-xx-x...
RICHARD L. OLSON xxx-xx-x...
PETER W. OROURKE xxx-xx-x...
RANDALL J. OSOWSKI xxx-xx-x...
JASPER G. OWENS xxx-xx-x...
CARL J. PACE xxx-xx-x...
JOHN P. PACIOREK xxx-xx-x...
RONALD C. PARE xxx-xx-x...
HUGH G. PARKHILL xxx-xx-x...
CURTIS C. PARSONS xxx-xx-x...
JOHN R. PARSONS xxx-xx-x...
JOHN G. PARTIN xxx-xx-x...
ANTHONY R. PASQUA xxx-xx-x...
GREGORY C. PECK xxx-xx-x...
MICHAEL E. PECK xxx-xx-x...
JERRY F. PELCH, JR xxx-xx-xx...
KENNETH N. PELTIER xxx-xx-x...
MYRON R. PERKINS xxx-xx-x...
JAMES F. PERRY xxx-xx-x...
KENNETH F. PERRY xxx-xx-x...
ROGER D. PETERMAN xxx-xx-x...
LEROY R. PETERS xxx-xx-x...
RAYMOND C. PETERS xxx-xx-x...
DAVID L. PETERSEN xxx-xx-x...
JEFFREY G. PETERSON xxx-xx-xx...
ORLAN L. PETERSON xxx-xx-x...
WILLIAM P. PFEIFF xxx-xx-xx...
FRANKLIN D. PHELPS xxx-xx-x...
COLLIS N. PHILLIPS xxx-xx-x...
JAMES P. PHILLIPS xxx-xx-xx...
BRIAN F. PHIPPS xxx-xx-x...
ROBERT D. PIDGEON xxx-xx-x...
BRUCE W. PIERATT xxx-xx-x...
JAMES U. PIERSALL xxx-xx-xx...
JEFFREY L. PIERSON xxx-xx-xx...
JAMES H. PIETSCH xxx-xx-x...
ROY R. PINETTE xxx-xx-x...
ROY PINTO xxx-xx-x...
RICHARD M. PITTS xxx-xx-x...
JOHN J. PIZIALI xxx-xx-x...
WILLIAM H. POLAND xxx-xx-x...
DONALD L. POTTER xxx-xx-x...
KENNETH R. POWELL xxx-xx-x...
LARRY G. POWELL xxx-xx-x...
GIGG M. POWERS xxx-xx-x...
LARRY D. PRICE xxx-xx-x...
PERRY L. PRICE xxx-xx-x...
DOUGLAS A. PRITT xxx-xx-x...
WILLIAM H. PUGH, III xxx-xx-x...
JOHN P. PUMPHREY xxx-xx-x...
LAWRENCE L. PURCELL xxx-xx-x...
JOHN J. QUINLAN xxx-xx-x...
BARRY F. QUINN xxx-xx-x...
WILLIAM A. RAHKOLA xxx-xx-x...
LARRY L. RALSTON xxx-xx-x...
FRANCIS J. RANALLI xxx-xx-x...
ALBERT J. RASCH xxx-xx-x...
SANDERS H. RAY, JR xxx-xx-x...
FREDERIC J. RAYMOND xxx-xx-x...
STEVEN J. RAYMOND xxx-xx-x...
JAMES B. READING xxx-xx-x...
JAMES P. REDMOND xxx-xx-x...
GUY L. REECE, II xxx-xx-x...
GEORGE E. REMSEN xxx-xx-x...
MICHAEL S. RENKAS xxx-xx-x...
PAUL D. RENNER, JR xxx-xx-x...
CALVIN R. RHEAM xxx-xx-x...
MARK V. RHETT xxx-xx-x...
MARK S. RICH xxx-xx-x...
WILLIAM C. RICHAR xxx-xx-x...
GERALD RICHARDSON xxx-xx-x...
BILLY J. RICHBURG xxx-xx-x...
DAVID L. RIDGEWAY xxx-xx-x...
ANTHONY G. RILEY xxx-xx-x...
J. S. RILOVICK xxx-xx-x...
RICHARD T. RINTZ xxx-xx-x...
JOSEPH E. RITCHIE xxx-xx-x...
JOSE M. RIVERA xxx-xx-x...
GARY D. ROARK xxx-xx-x...
WILLIAM Y. ROBBINS xxx-xx-x...
ELMER L. ROBERTSON xxx-xx-x...
GEORGE J. ROBINSON xxx-xx-x...
JOHN L. ROBINSON xxx-xx-x...
DARRYL R. RODGERS xxx-xx-x...
EDWARD A. RODIER xxx-xx-x...
THOMAS J. RODRIGUE xxx-xx-x...
STEVEN F. ROEMER xxx-xx-x...
DAVID B. ROGERS xxx-xx-x...
JAMES P. ROGERS xxx-xx-x...
OLIVER M. ROGERS xxx-xx-x...
ARMANDO E. ROJO xxx-xx-x...
JERRY D. ROSS xxx-xx-x...
RONALD F. ROSS xxx-xx-x...
RICHARD K. ROWE xxx-xx-x...
ROBERT J. ROWE xxx-xx-x...
SANDRA A. ROWLEY xxx-xx-x...
SANDY L. ROYSTER xxx-xx-x...
ALBERT A. RUBINO xxx-xx-x...
STEVE C. RUCKER xxx-xx-x...
RICARDO RUIZ xxx-xx-x...

LEONARD J. RUOTOLO [redacted]
ROGER D. RUSSELL [redacted]
JOHN N. RUTLEDGE [redacted]
JAMES F. RYAN [redacted]
ALGERNON P. RYLAND [redacted]
DAVID K. SACHSE [redacted]
WILSON M. SADLER [redacted]
KENNETH W. SALEM [redacted]
CARL H. SANBORN [redacted]
IVAN SANCHEZNEGRON [redacted]
RICHARD S. SARVAS [redacted]
RICHARD SCAGLIONE [redacted]
ROBERT C. SCALES [redacted]
CHRIS L. SCAMMON [redacted]
JOSEPH A. SCHAAKE [redacted]
MICHAEL SCHLEUPNER [redacted]
WILLIAM P. SCHMIDT [redacted]
ROBERT X. SCHMITZ [redacted]
PAUL H. SCHULTE [redacted]
TIMOTHY P. SCHULTZ [redacted]
DAVID L. SCHUMACHER [redacted]
ANDREW M. SCHUSTER [redacted]
MICHAEL A. SCHUSTER [redacted]
LEON SCHWARTZ [redacted]
FREDERICK W. SEE [redacted]
WILLIAM A. SERIE [redacted]
LAWRENCE W. SHANNON [redacted]
LARRY W. SHELLITO [redacted]
CLARENCE A. SHELTON [redacted]
JIMMY D. SHERIFF [redacted]
ROGER L. SHIELDS [redacted]
WILLIAM M. SHIVERS [redacted]
RICHARD H. SHOCKLEY [redacted]
MARTIN J. SIEGEL [redacted]
ROBERT SILVERTHORN [redacted]
RALPH W. SIMMERMAN [redacted]
GARY J. SIMON [redacted]
KENNETH J. SIMONS [redacted]
DARWIN H. SIMPSON [redacted]
JAMES C. SIMS [redacted]
CARL A. SINGER [redacted]
FRANCIS J. SLOAN [redacted]
RONALD L. SMAY [redacted]
CHARLES F. SMITH [redacted]
CHARLES S. SMITH, JR [redacted]
CHARLIE G. SMITH [redacted]
RONALD E. SMITH [redacted]
JAY R. SNYDER [redacted]
RALPH SNYDER [redacted]
STEVEN P. SOLOMON [redacted]
KENNETH SOUTHWORTH [redacted]
JOHN C. SPENCER [redacted]
DAVID F. SPINELLI [redacted]
RAYMOND J. SPIRLET [redacted]
DENNIS A. SPURGEON [redacted]
ROBERT D. STACY [redacted]
JAMES M. STARLING [redacted]
DARALD R. STEBNER [redacted]
WILLIE W. STEELE [redacted]
CHARLES B. STEWART [redacted]
DONALD K. STEWART [redacted]
STEVEN C. STONE [redacted]
NICHOLAS STRAFFON [redacted]
DALE E. STRAW [redacted]
GEORGE L. STREET [redacted]
MICHAEL A. STROJNY [redacted]
KENNETH J. STUDERUS [redacted]
JOHN P. STUPH [redacted]
WILLIAM F. SULLIVAN [redacted]
KENNETH T. SUNSERI [redacted]
MARTIN J. SUYDAM [redacted]
MICHAEL J. SWART [redacted]
JOHN H. SYDOW [redacted]
BERNARD K. TAKANO [redacted]
RONALD R. TAMACCIO [redacted]
JAMES W. TANEYHILL [redacted]
RICHARD B. TANNER [redacted]
JERRY S. TAYLOR [redacted]
VERNON A. TAYLOR [redacted]
WILLIAM THIELEMANN [redacted]
DAVID E. THOMAS [redacted]
JOHN H. THOMAS [redacted]
CHARLES L. THOMPSON [redacted]
RALPH B. TILDON [redacted]
WILLARD N. TIMM [redacted]
HENRY E. TINLEY [redacted]
STEPHEN D. TOM [redacted]
FRANCISC TORDILLOS [redacted]
JAMES P. TOTTEN [redacted]
MILTON R. TRASK [redacted]
JOSEPH J. TSANG [redacted]
WILLIAM C. TUCKER [redacted]
RONALD L. ULRICH [redacted]
RONNIE R. VANWINKLE [redacted]
CLIFFORD D. VEIT [redacted]
VICTOR VERMILLION [redacted]
WAYNE F. VIRAGI [redacted]
ALAN A. VOGEL [redacted]
WILL VONDERSCHMIDT [redacted]
CLYDE M. WADSWORTH [redacted]
NOLLIE W. WAGERS [redacted]
ROBERT K. WAJSZCZUK [redacted]
JAMES H. WAKEMAN [redacted]
GLENN E. WALDEN [redacted]
PRESTON L. WALDRON [redacted]
MICHAEL W. WALKER [redacted]
ROBERT D. WALKER [redacted]
CHARLES E. WALTERS [redacted]
KEITH V. WALTON [redacted]
JAMES A. WARNER [redacted]
ROBERT B. WARREN [redacted]
SAMUEL C. WATERS [redacted]
ALBERT J. WATSON [redacted]
THOMAS D. WATSON [redacted]
RONALD E. WEIL [redacted]
NORMAN A. WELCH [redacted]
STEPHEN H. WELCH [redacted]
JOSEPH G. WERNERT [redacted]
THOMAS A. WESSELS [redacted]
JAMES M. WEST [redacted]
ROGER WHEELWRIGHT [redacted]
MICHAEL P. WHILES [redacted]
BENJAMIN H. WHITE, JR [redacted]
JULIUS A. WHITE [redacted]
HAROLD W. WILLIAMS [redacted]
JERRY B. WILLIAMS [redacted]
KENNETH WILLIAMSON [redacted]
DAVID M. WILSON [redacted]
JAMES M. WILSON [redacted]
RONALD E. WINCHELL [redacted]
MICHAEL N. WINDSOR [redacted]
ROBERT L. WINDUS [redacted]
WILLIAM E. WINTER [redacted]
ALFRED L. WIRT [redacted]
JOHN J. WITMEYER [redacted]
KURT D. WOELFEL [redacted]
JOHN E. WOHRLE [redacted]
JAMES B. WOLFE [redacted]
LEROY W. WOLFE [redacted]
RICHARD P. WOLFE [redacted]
JACKIE D. WOOD [redacted]
JAMES H. WOOD [redacted]
WILFRIED E. WOOD [redacted]
CHARLES E. WOODBURY [redacted]
WILLIAM E. WOODMAN [redacted]
EDWIN H. WRIGHT [redacted]
DENNIS T. YAMASAKI [redacted]
DANA M. YOUNG [redacted]
JAMES A. YOUNG [redacted]
RONALD G. YOUNG [redacted]
LEO P. ZAK [redacted]
ALFRED E. ZEHNDER [redacted]
PAUL G. ZELLER [redacted]
MARK E. ZIRKELBACH [redacted]

IN THE NAVY

THE FOLLOWING-NAMED NAVAL RESERVE OFFICERS TRAINING CORPS CANDIDATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be ensign; permanent

AANESTAD KEVIN T
ABDALLA STEPHEN A
ABOBO JOEY B
ABRAHAMSON TODD A
ABRAMS CHRISTOPHER C
ACHESON MICHAEL J
ADAIR ROBERT O
ADAMS JOSEPH W
ADAMS WILLIAM T
ADSIDE RICKIEV
AGAR CHRIS D
AGNEW KRISTEN A
AGUILAR GEORGE R
AGUILAR MARIO A
AIELLO ELLER V
ALBRECHT GLENN G
ALLENA JOSEPH T
ALLICK SUSANNE M
ALLTMONT RENE C
ALMON LOUIS C
AMIDON ANDREW D
ANDERSEN BRYAN C
ANDERSON ADAM D
ANDERSON GREGORY J
ANDERSON JAY M
ANDERSON JEFFREY B
ANDERSON SUMNER E
ANDREWS ANDREW J
ANDREWS CHARLES H
ANGUS WILLIAM A
ANNAN SHERRI M
ANNIS CHRISTOPHER J
ANTHONY GEOFFREY M
APPLIN BRUCE M
ARCHER ROBERT A JR
ARLT SARAH B
ARMENTROUT JEFF M
ARNOLD ANDREW
ARNOLD MICHAEL J
ARNZEN MITCHELL K
ARTER AARON M
ASHMAN MICHAEL D
ASUNCION MARK R
ATKINS DOUGLAS G
AURIGEMMA SALVATORE
AUSTIN JOHN G III
AVERILL JASON W
AVERY MARK A
AVES RICHARD A
BACHARACH MARK A
BACHMAN WILLIAM H
BACHMANN RICHARD M
BAGNULO JOHN D
BAHETHI PRAVEEN P
BAILEY JOSEPH G
BAIN PHILIP A JR
BAKER BRETT T
BALCH RICHARD A
BALDWIN ERIC A
BALDWIN SCOTT A
BALESH JEFFREY K
BANDEKO BRYAN C
BANKS CHRISTOPHER M
BANNON CHRISTOPHER F
BARBOSA SILVIO J
BARKER BUFORD D
BARKER KEVEN S
BARKLEY JOSEPH D
BARLAS ALEX W
BARNES DARREN D
BARNES ROBIN L
BARRON PARTICK K
BARRY PATRICK T
BARRY SCOTT R
BARTEL JONATHAN
BARTOL JOHN W
BASTIAN MICHAEL W
BATES SCOT A
BAUER KURT R
BAUER MARCIA L
BAUMAN STUART L
BAYUNGAN ANTHONY L
BEAL JANET M
BEAVER JAMES W
BECK JAMES C
BECKER DENISE L
BECKNER TRINA M
BEDINGER ANDREW W
BEDNAR JEFFREY H
BEEBE ADAM L
BEEBE LUCAS A
BEGIN MARC A
BEIDLER MICHAEL K
BELZ JAMES A
BENAVIDES JUDE A
BENITEZ LAURA J
BENJAMIN FABIEN H
BENNETT GARY H
BENOIT ANNETTE L
BENTLEY WALTER H
BERG SEAN D
BERMISS HASSAN E
BERNENS WILLIAM C
BERNET JEFFREY E
BERRY ROGER M
BERZINS MARCIS A
BIEBER TODD C
BIGGS RICHARD L
BINDER CHAD D
BISCAINO JOHN
BLACK MARVIN D
BLACKMAR TODD M
BLAKE DANIEL P
BLANCO JOSEPH O
BLANDINO DOMINICK J
BOARDMAN RAYMOND C
BOARDMAN ROBERT E
BOBULINSKI MICHAEL S
BOCHENEK JOSEPH W
BODINE CHRISTOPHER J
BOHAC STEVEN J
BOK MICHAEL J
BOLAND LANE A
BOLL CHRISTIAN D
BOLLONG MARK J
BOLTON BRETT A
BONACCI DAVID E
BONNIWELL DANIEL D
BORBASH MATTHEW I
BORDONARO RICHARD J
BORMANN BRETT P
BORNSCHEIN JOSEPH S
BORSONI ERIC A
BOSTIC DAVID L
BOUCHER MICHAEL S
BOWERS CHARLES
BOWIE GREGORY L
BOYD GREGORY E
BRACKNELL ROBERT G
BRADLEY CARL M
BRADLEY GREGORY M
BRADSHAW MICHAEL R
BRANDT JEFFREY T
BRANSTETTER TERRY L
BRANTLEY RICHARD W
BRATTON MICHAEL D
BRAUN JOHN P
BREITINGER JEFFREY G
BRENNAN PATRICK F
BRESNAHAN BRIAN P
BREWSTER ROLLIN D
BRIDGES DOUGLAS M
BRIGADIER JAMES M
BRIGGS JOHN W
BRIGHTWELL MICHAEL S
BRINGLE JEFFERY T
BRINKER ALEXANDER D
BRINSON VAN P
BROADNAX LARON B
BROADWAY DAVID M
BRODING PETER J
BRONIEC MATTHEW G
BROOKS GEOFFREY E
BROOMES JOHN W
BROWER KARL F
BROWN BILLY W
BROWN CHAD W
BROWN CHARLES V
BROWN CHRISTOPHER S
BROWN JAMES S
BROWN LARRY D
BROWN MICHAEL J
BROWN ROBERT
BROWNE DOUGLAS R
BRUBAKER DEAN M
BRUS DONALD R
BRYANT CHADWICK B
BRYANT TIMOTHY R
BUCK JILL A
BUCKLEY LAWRENCE D JR
BUCKLEY MICHAEL P
BUELL RICHARD C
BULTMAN MICHAEL J
BUONADONNA PHILIP
BURDEAUX ROBERT C
BURGEAT VANIA S
BURGER WILLIAM S
BURGESS BRIAN T
BURINGA JEFFREY A
BURKE ANGELA M
BURKE KEVIN M
BURNS TIMOTHY M
BURNS WILLIAM S
BURT ROBERT L
BUSAVAGE JOHN G
BUSCH MATTHEW P
BUSSELL JOHN C
BUTTON KEVIN D
BUTTS JOHN J
BYERLEY MICHAEL E
BYRDSONG RICHARDO
CADY BRUCE A
CALDERON SANDRA A
CALER CRISTAL B
CALLAHAN DENNIS J
CALLANAN MICHAEL J
CALVERT KRISTIN C
CALVETTI GABRIEL
CAMARDA VINCENZO J
CAMILLETTI TRINA M
CAMPBELL ANDREW S
CAMPBELL COLIN B
CAMPBELL CURTIS J
CAMPBELL JAMES R
CAMPBELL KELVIN D
CANNING JOHN W
CAPETANOPOULOS DEMETRI C
CAPLES DEANNA J
CAPPS JOHN T
CAPUTO JOHN R
CAPUYAN GREGORY W
CARDENAS JOSEPH E
CARFF PAUL F
CARLSON JOHN D
CARLTON JEFFERY G
CARRELL COLIN A
CARRIS BRADLEY T
CARSON MICHAEL T
CARTER DAVID F
CARTER JAMES W
CARTER MELVIN G
CARTER MICHELLE D
CARTER PHILLIP T
CARTER TIMOTHY M
CARTWRIGHT TRACY A
CASEY BRYAN H
CASEY MICHAEL E
CASIANO JOSE I JR
CASSAN NEIL A
CASSIDY COLLEEN M
CASTAGNA MICHAEL J
CASTRO MATTHEW J
CASTRUCCI WILLIAM A
CATES MICHAEL S
CAVANAUGH JOHN P
CAZENAVETTE GEORGE J IV
CEGIELSKI CHRISTOPHER A
CHACE ALAN J
CHADWICK CHRISTOPHER J
CHAFIAN SCOTT M
CHALTRY KRISTINA M
CHAMBERLAIN THOMAS J
CHANCY GLEN H
CHANDLER JEFFREY F
CHAPMAN STEPHEN C
CHARETTE ROBERT H
CHASE MICHAEL D
CHAUVIN JUDE M
CHEEK JAMES D
CHEELEY STEPHEN P
CHELMAN DONALD S
CHINLOY JOANNE G
CHO HYUN
CHOI JOHN
CHRISTY KENNETH J
CHURCH MICHAEL A
CINCO RANDALL S
CLARK JEFFREY A
CLARK JOHN R
CLARK RICHARD T
CLARKE JOY M
CLARKE JULIAN
CLEARY WILLIAM C
CLOUTIER DAVID L
CLOYDE CHRISTIAN J
COADY ERIN D
COBB RONALD W
COCHRAN MICHAEL C
CODY DOUGLAS L
COGBURN DAVID L
COHEN KENNETH W
COKER JEFFREY L
COLAGIURI CHARLES B
COLBERT CHARLES W
COLEMAN KENT S
COLEMAN KEVIN F
COLLINS DANIEL I
COLLINS RYAN M
COLLURA CHRISTINA J
COMPTON LARRY W
CONROY STEPHEN G
COOK DAVID A
COOK LOUIS M
COOKE RICHARD C
COOLER RICK D
COPAS KENNETH G
CORAPI ANTHONY P
CORCORAN PATRICK C
CORDES PATRICK A
CORLEW DOUGLAS J
CORNELL DENNIS M
CORNWELL GRAHAM C
CORNWELL SHAWN M
CORSETTE KELLY B
COTHERN HOSEA J
COTTS FREDERICK D
COVELLI ANITA M
COX DAVID C
COXE AMY D
COZART WILLIAM H
CRABTREE KENNETH L
CRAIG SCOTT P
CRANFORD ERIC A
CRILL BERNERD L
CROOMS KEVIN L
CROSLAND CATHERINE P
CROUCH JIMMIE W
CROW RANDALL C
CROWE GARY W
CUCINOTTA PAUL D
CUKOR DREW E
CUMMINGS JOSEPH E
CUMMIN ARTHUR J
CUNANAN EARL V
CUOZZO DANIEL J
CURLING BRUCE T
CURRY ANDREW A
CURTIS ROBERT L
CUSHING SEAN T
DAGOSTINO PAUL R
DAHM SCOTT E
DALENA DOUGLAS C
DANDO CHAD W
DANIELS RODNEY D
DARGIS MARK B
DAVENPORT MICHAEL R
DAVIDSON WILLIAM A IV
DAVIS CHRISTOPHER P
DAVIS CRAIG M
DAVIS DALE L
DAVIS GAVIN H
DAVIS JOSEPH A

DAVIS LEONARD O
DAVIS SCOTT A
DAVIS SCOTT E
DAVISON CHRISTOPHER M
DAY MARK E
DEBENPORT DAN C
DEBOSKEY DAVID H
DEBUSE ROBERT K
DECASTRO ROBERTO O
DEGRANGE WALTER C
DEGUZMAN ROBERT K
DEHAAN BRIAN S
DEHNER MICHAEL E
DELAFUENTE JOSE M
DELAGARDE ADRIAN M
DELATORRE ARSENIO X
DELGADO SAMUEL
DELGIANNI ANTHONY P
DEMILLE DAVID
DEMMOND WENDY M
DENHAM KENNETH R
DENNIS JOSEPH E
DENT MICHAEL S
DESALVO MARK J
DESIMONE FRANK E
DESMARAIS KIMBERLY A
DESORMIER JOHN R
DESOTO MICHAEL J
DEUTSCH PAUL T
DIAZ FRANK D
DIAZ ROBERT D
DIEBOLD PETER J
DIEDERICH DANIEL L
DIETSCH ALLAN J
DILLION MATTHEW T
DILLON MEADE M
DINGES DAVID E
DINIUS PAUL L
DISMER MATTHEW M
DIXON WILLIAM J
DO THUY H
DOBBINS MICHAEL K
DOHERTY RACHAEL T
DOMBROW JENNIFER N
DOMINGUEZ JOHN P
DOMINICK RANDALL W
DONAHOE JOHN J
DONALDSON BRIAN E
DONALDSON BRAIN P
DONAR BRAIN T
DOREY HARLAN F
DORN DAVID H
DOSTER WILLIAM C
DOUCETTE PETER M
DOUGHERTY BRETT W
DOUGLAS RICHARD W
DOWD JAMES C
DOYON GEORGE B JR
DRAKE RAYMOND R
DRUMHELLER SEAN M
DUEWEKE CHRISTOPHER R
DUFFY NATHAN C
DUNCANSON NATHAN E
DUNHAM ANNE A
DUNN SCOTT E
DUNNE KEVIN W
DUPREE NATHAN L
DURANT BRIAN R
DUTTLINGER DAVID H
DWONCH YVETTE A
EASTERLING VALERIE M
EASTON JAMES B
EBAUGH KURT G
EBEL JONATHAN H
EBERHART PETER D
EBERLE DAVID R
EDA SERLE M
EDENS DON R II
EDMONDSON SETH D
EDWARDS BEN T JR
EDWARDS BLAKE A
EHLIN JENNIFER H
EIKHOFF ROBERT A
EISENBERG MICHAEL S
ELDRED JOSEPH J
ELLIA MATTHEW S
ELLIS THEODORE S
ELLISON DAVID E
ELLSWORTH KEVIN D
ELLZY JAMES A II
ELROD GERALD L
ENGDAHL KENT C
ERON STEPHEN J
ESTELA ERNEST
ESTES DAVID C
ESTEVES JOEY M
EVANS DANIEL T
EVANS DAVID B JR
EVELAND TODD R
EVERETT KEITH R
EVERT MARK A
EYTHELL CYNTHIA R
FAJARDO JEREMIAH J
FANDREY JOSEPH R
FARMER PHILLIP W
FARR SCOTT T
FARRIOR WILLIAM R
FASSERO CHRISTOPHER A
FAY JOHN E
FEATHERSTONE SAMUEL E
FEYEDELEM CHRISTOPHER A
FIACCO STEPHEN C
FICKES PHILIP A
FIELD RICHARD J
FINE DALE A
FINNEGAN BRIAN P
FINTA DAVID B
FISCHAHS STEVEN J
FISHER JEFFREY L
FITZGERALD JOHN P
FLEMING JAMES L
FLEMING TODD A
FLINT TODD E
FLOYD JOHN E
FORD JENNIFER L
FORD MORRIS K
FOREMAN RICHARD L
FORREY SCOTT E
FORSYTH NORA M
FORTESCUE ANTHONY J
FORTSON RICHARD L
FOSTER BENJAMIN
FOSTER CHARLES A
FRAGOMENE TRACA L
FRANCIS SCOTT G
FRANK GEOFFREY M
FRANKLIN ANTHONY A
FRANKS TIMOTHY
FRANTZ KEITH B
FRAZIER JOHN W
FREELAND NEAL A
FREIVALD JACOB D
FREY JAMES W
FRIPP GREGORY K
FROESE SAMUEL
FULCO GREGORY S
FULFORD THOMAS A
FULLER STEPHEN F
FULLWOOD JAMES R JR
FULMER STEPHEN C
FYALL DARRYL J
GAGNE JAY A
GALLA MATTHEW P
GALLATI TODD G
GANDY JOHN N
GANT SCOTT R
GAPUSAN JEFFREY A
GARCIA JO D
GARCIA ROBERT A
GARMENDEZ RUDDY E
GARRETT TODD L
GARVEY SCOTT A
GAUGHAN PATRICK A
GAWARAN EDRION R
GAY STEVEN M
GAYDOS CHRISTOPHER C
GEBO BRAIN A
GEIST TIMOTHY P
GELKER THOMAS W
GEORGE DAVID C
GERKEN MICHAEL T
GERMANN KENWOOD A
GIBBONS PATRICK J
GIBERSON PAUL G
GIBSON MICHAEL
GIDDENS FRANCIS S
GILBERT JASON G
GILBERT KENNETH W
GILCHRIST TODD A
GILLEN DANIEL J
GILLIAM PLISKA L
GILMORE CHRISTOPHER N
GILMORE JOHN E
GISH MICHAEL A
GLADUE MARK A
GLASPIE HENRY W
GLISSON PAUL B
GLOVER JEFFREY W
GLOVER LARRY J
GODBEY GLENN C
GOETZE STEPHEN H
GOLDBERT DAVID J
GOLDEN BARRY L
GOODMAN TIMOTHY H
GOODSELL JOEL A
GOODSELL MATTHEW T
GOOTEE SCOTT R
GORDON JOHN C
GORDON ROBERT J
GORRELL GARY S
GORTNER PETER M
GOTTFRIED TIMMY A
GOULD CHRISTOPHER
GOULD DARREN C
GOWDY BYRAN S
GRABOWSKI MICHAEL J
GRAF TIMOTHY J
GRAFF MARK L
GRAHAM ROGER S
GRANDGEORGE SCOTT W
GRANT CHARLES E
GRAPPE BRYAN J
GRAVES FRANKLIN R
GRAY BRAIN S
GREEN MARIE E
GREENFIELD ALAN R
GREENLEE DANIEL F
GREENLEE SEAN T
GREENLEES DAVID W
GREEG THEODORE W
GREVING PATRICK A
GREY ANDREW A
GRIZZELL TIMOTHY M
GROHMAN JAMES M
GUERRERO JESSIE J
GURLEY DANIEL C
GUSEWELLE TIMOTHY J
GUSTAFSON DAVID E
GUTHRIE RICHARD P
GUTIERREZ GUSTAVO
GUTSHALL BRAIN D
GWYNN GARY I
HAASE BRYN J
HACKER GREGORY J
HADDER RODERICK B
HAGAR JAMES R
HAGGERTY MICHAEL D
HAIDL LEONARD M
HAKIMZADEH KAVON
HALL STEVEN K
HALLETT MICHAEL T
HALLORAN DAVID B
HALQUIST EARL L
HAMILTON KEVIN J
HAMILTON MATTHEW L
HAMLING RAYMOND G
HANKE PAUL A
HANNA ROBERT G III
HANSEN JEFFERY S
HARDESTY FRANCIS A
HARDIN JASON W
HARMS KEVIN D
HARRIS BRANDAN D
HARRIS JASON E
HARRIS MICHAEL J
HARRISON BARRY A
HARRISON WALLACE T
HARTMAN ROGER A
HARWELL THOMAS W JR
HASCALL ANDREW M
HASKIN GRANT D
HATTON MICHAEL C
HAUPT CRAIG M
HAUSER JEFFREY H
HAWKINS MARK D
HAWKINS TED J
HAYDEN PATRICK S
HAYS JAMES A
HAYS KEITH A
HAZELWOOD PATRICK T
HEALEA DAVID D
HEALY MICHAEL E
HEFFERNAN MICHAEL J
HEIDEN JOHN D JR
HEIGEL JONATHAN
HEIN JASON D
HENDERSCHEDT THOMAS
MHENDERSON WILLIAM J
HENDRIX LEE M
HENNESSEY GERALD C JR
HENNING JOHN B
HENNINGS BRIAN D
HERALD ASA J
HEWGLEY CHARLES W
HEYDON JEFFREY T
HEYEL JOHN W
HEYL DERRICK R
HICKEY BRADLEY D
HICKOK GLENN T
HIGGINS ERIC J
HILL JUDY S
HINSON JOHN G
HINTON KEITH E
HIXSON MICHAEL O
HOCHHALTER PAMELA A
HOCKETT STACY M
HODGDON DON M
HOFFMAN ERIK C
HOLLAND WILLIAM B
HOLLAR COURTNEY J
HOLLISTER CHRISTOPHER V
HOLMES KENNETH L
HOOVER ALEX H
HOPKINS RAMON L
HOPPE JAMES L
HOPSON KEITH A
HORN RICHARD L
HOROWITZ MRK M
HOUSTON LESTER R
HOWARD JAMES E
HOWARD JOHN C
HOWELL DARRYL L
HOWELL MICHAEL W
HUBBARD RICHARD A
HUBER MARK V
HUDEPOHL JOSEPH H
HUDSON MICHAEL L
HUFFNAGLE CRAIG B
HUGGINS CHARLES T III
HUGHES DAWN M
HUGHES WILLIAM H
HULETT JASON A
HULL DAVID H
HUMPHREY MATTHEW D
HUNT JAMES C
HUNTER CHONG
HUNTER JASON C
HURD GAVIN A
HURD MATTHEW K
HUSBAND WILLIAM S
HUTCHINSON DAVID K
HUTCHISON CHARLES W
HUTCHISON WILLIAM A
INNES JAMES W
IRWIN JAMES T
ISAACS JEROME W
IVARSEN RODNEY W
JACK DANIEL J
JACK PAUL W
JACKSON DONALD A
JACKSON LAURENCE M
JACKSON STEPHEN B
JACKSON WAYMON J
JACOBS JASON D
JACOBSEN JAMES C JR
JAGGERS ERIC R
JAMES JOHN C
JANKOWSKI MATTHEW J
JANKOWSKI WILLIAM M
JAROSICK MARTIN A
JAUREGUI THERESA M
JAVERY MARK E
JEFFERIES MICHAEL P
JERINSKY SERENA M
JERNIGAN MICHAEL J
JETT CHARLOTTE A
JEWELL ERRIN P
JEWELLBURKE KATHARINE L
JIMENEZ HECTOR D
JIMENEZ ROSE E
JOHNSON CARL A
JOHNSON CHARLTON W
JOHNSON CINDY M
JOHNSON ERIK K
JOHNSON MATTHEW J
JOHNSON MICHAEL A
JOHNSON NETHA N
JOHNSON RON P
JOHNSON STEVE A
JONASZ TODD J
JONES JONAS C
JONES ROBERTJR E
JONES SPENCER C
JONES WILLIAM
JORGENSEN THOMAS L
JOSEPH JEFFREY A
JUIDICI ROBERT P
JURATA JOHN A
KACHILLA STEVEN P
KAHAPEA ANTHONY K
KAHRL MARK T
KAHRL PHILLIP A
KALINOSKY STEVEN R
KANX MARCUS E
KARAM AMY R
KARLIN JASON R
KARLSON ERIC J
KATZMAREK JOHN J
KAUFMAN ERIC P
KEANE PATRICK J
KEATING JOSEPH E
KEIMIG SCOTT P
KEISER JOHN B
KEITH STEPHEN T JR
KELLEN JOEL V
KELLENBERGER WALTER J
KELLER KATIE L
KELLERMAN MICHAEL B
KELLY CHRISTOPHER B
KELLY CYRUS H
KELLY GLEN P
KELLY JAMES E
KELLY JONATHAN G
KELLY KEVIN
KEMERER WILLIAM A
KEMP DARIUS R
KENNEDY CRAIG A
KENNEDY KEVIN M
KENNEDY MATTHEW S
KENNICK ANTHONY P
KENNINGTON DAVID W
KENNY RICHARD J
KENYON ROBERT R
KERR MILLER J
KERSCHL REBECCA N
KERSTETTER SHEILA I
KEYES PAUL R
KIBOTA ROBIN S
KIESEL MARTIN P
KILLIAN KATHRYN M
KIM JANETH F
KINDT MICHAEL T
KING BROOKS A
KINGSTON AMY T
KISSLING KENNETH R
KLASZKY ROBERT A
KLEIN SETH Y
KLEINER DAVID
KLESCH GREGORY A
KNEPPER GREGORY D
KNOWLES KEVIN E
KNOX CARY M
KNOX JAMES A
KNUTSEN JOHN R
KNUTSON JASON R
KONOPKA PAUL A
KOON NORMAN W
KOON ROBERT S
KORNACKI TIMOTHY D
KORTEKAMP TODD
KOZAK KEVIN R
KRAMER JEFFREY R
KRAMER JOSEPH P IV
KROLL STEVEN C
KRONZER THOMAS M
KROU CHRISTOPHER J
KUJAWA CRAIG S
KUNKEL PETER E
KUNTZE MARK L
KUNZ DAVID J
KUO MELISSA D
KUPEC HERBERT A
LABARRE PAUL D
LACY SCOTT S
LADOUCEUR JEFFREY P
LAKAMP MARK A
LAMAY DOUGLAS W
LAMBERSON DAVID A
LAMPARD TIMOTHY B
LAMPE CHRISTOPHER T
LANGEVIN MARC C
LANKER MICHAEL L
LAPLANTE MICHAEL J
LARISCH ROBERT E
LASSEY BRIAN D
LATT FRANK N
LAUER GREGORY R
LAW JOHN T
LAWLER JAMES V
LAWS WILLIAM C
LAWSON MICHAEL S
LECLERC CHRISTOPHER M
LEE GARY P
LEE MATTHEW O
LEGENS MICHAEL T
LEITZ JEFFREY M
LEPPER TODD J
LEPSON MICHAEL D
LEROY DENNIS K
LERSBAK MIKE W
LESKO ANNACAROL M
LEVIN BRUCE M
LICHOULAS THEODORE W
LILLICH CHRISTOPHER B
LIM RAUGUSTUS Z
LIMON ESPIRIDION N
LINCOLN JOHN T
LINDAHL KATHLEEN R
LINDERMAN ELIZABETH S
LINDSAY PAUL S
LINDSTROM DAVID C
LING MICHAEL R
LINK KENNETH P
LINK WENDELL R JR
LINNEBUR RONALD L
LINTZ WILLIAM A
LIPSCOMB DAVID B
LITHWAY DAVID H JR
LITTLE EDWARD G
LITTLE MICHAEL W
LIU LEE W
LLAMES GIL M
LLOYD JASON M
LOCKNEY DAVID M
LOCY MICHAEL A
LOGAN DANIEL C
LONG JOHN R
LONG KERRY S
LONG THEODORE J
LONG THOMAS A
LONGHENRY RANDY J
LONZA DAVID G
LOPEZ ALAN
LOPEZ JESUS
LOVEJOY JONATHAN C
LOWENFISH ANDERS F
LOWSMA EDWIN H
LOY RICHARD J
LOZADA PHILIP J
LOZIER CHRISTOPHER S
LUCAS DAVID W
LUCIA JOSEPH A III
LUEDERS KEVIN E
LUNARDI TIMOTHY D
LUSSIER PAUL L
LUTHER STEPHANIE L
LUTZ QUENTIN F
LYON LEONARD M
LYONS DANIEL B
LYONS JENNIFER C
LYONS JOSEPH F
MACK PATRICK Y
MACKY ROBERT C III
MACLEOD GARY W
MADDOX JOHN F
MAGEE MICHAEL S
MAGEL NIKITA
MAHLUM LAWRENCE D
MAIDA SALVATORE M JR
MAIER SCOTT A
MAIOCCO JAMES P
MAJORS CHRISTOPHER D
MAKA PETER M
MALMQUIST MICHAEL G
MALOIT PATRICK F
MALONE JEFFERY E
MALPERE ARTHUR C
MANCINI ROBERT E
MANDEVILLE BRIAN W JR
MANGELS JOHN T
MANN DAVID M
MANN MORGAN G
MANNING JOHN F III
MARCINIAK STEPHEN M
MARINO STEPHEN A
MARION KENNETH J
MARKOWICZ JOHN C
MARKS JENNIFER L
MARLAR JON C
MARSHALL ANDREW S
MARTEL MELISSA A
MARTIN BRUCE A
MARTIN JOSEPH S
MARTIN MATTHEW D
MARTIN MATTHEW O
MARTIN RODNEY A
MARTIN SHERYL G
MARTINEZ RICHARD A
MASON CHRISTOPHER R
MASTERSON YUKA R
MATIAS MOSES
MATSON WILLIAM R
MATTESON CHRISTOPHER C
MATTINGLY JAMES E
MAU ROBERT S
MAUNE JAMES J
MAXWELL BRENT K
MAXWELL SEAN M
MAY BRIAN T
MAZEFFA ROBERT M
MCCABE EDWARD D
MCCAMPBELL CAMERON A
MCCLAM MICHAEL L
MCCOMB EDWARD P
MCCOMB PAUL S
MCCOMBER JAMES S
MCCONNELL WILLIAM D
MCCORMACK GLENN E
MCCORMACK MATTHEW J
MCCORMACK TIMOTHY P
MCCORMICK PATRICK J
MCCRACKEN PADRAIC C
MCDANIEL KENNETH R
MCDANIEL PATRICK L
MCDERMOTT KELLY M
MCDERMOTT MOLLY A
MCDONALD CRAIG A
MCDONALD MICHAEL J
MCGANN MICHAEL J
MCGEE KEVIN P
MCGILL LAURA E
MCGINITY TIMOTHY B
MCINTOSH SHANE O
MCJOYNT JAMES S
MCKEE BRANDT F
MCKEE COLIN G
MCKENNA JOHN P
MCKENA MARK R
MCKILLOP SEAN J
MCKINNEY MICHAEL S
MCLAREN DOUGLAS R
MCLEOD IAN G
MCMANUS DAVID E
MCMANUS RICHARD A
MCMICHAEL WILLIAM S
MCMILLEN DUNSTAN D
MCNARNEY MARTIN F
MCNEIL JEFFREY J
MCROBERTS BRYAN S
MCROSTIE KENNETH L
MCTAGGART LAURA J
MEAGHER JOHN J
MCCHAM CLINTON S
MECOMBER VALOREE R
MEEHAN ANNE M
MEEHAN SCOTT A
MEEK JOHN D
MEILINGER DIRK B
MELIN MICHAEL D
MELTON JEFFERY C
MEMMEN SEAN P
MENDELSOHN DANIEL B
MENDEZ DAVID J
MENDLER DONALD J
MERKLEY JILL K
MERLI JOHN P
MERWIN CHRISTOPHER A
MICHAUD MICHAEL P
MICHELSON JAMES D
MIDDLETON SAMUEL L
MIHELICH JOSEPH R
MILES CHARLES J
MILLER ALEXIS R
MILLER DANIEL J
MILLER JEFFREY D
MILLER JUDITH E
MILLS BRADLEY R
MILLS STEPHEN E
MINETTE CHRISTOPHER E
MINICUCCI JOHN A
MINOR STEPHAN D
MINUTILLO MARK L
MITCHELL JAYSON D
MOEYKENS KAREN E
MOHAR DEREK C
MONGILLO SCOTT M
MONTEHERMOSO RAMON C
MONTGOMERY CHRISTOPHER P
MOON DEAN T
MOONEY JOSEPH P
MOORE PAUL H JR
MOORE PHILIP M
MOORE ROBERT C
MORGAN MARGARET H
MORGAN MARK W
MORGENFELD STEVEN A
MORRISON PETER L
MORROW DONALD E

MORTIMORE DAVID B
MOSIER JONATHAN C
MOSLEY HAROLD M
MOSLEY MICHAEL J
MRACHEK MICHAEL J
MUERY TODD N
MULLEN THOMAS J
MULLER MICHAEL L
MUNCHBACH RACHEL E
MURLEY STEVEN P
MURPHY CHARLES G
MURPHY JEFFREY T
MURPHY KAEL M
MURPHY MAUREEN B
MURPHY STEVEN C
MURPHY THOMAS
MURRAY MEGAN H
MURRELL MICHAEL L
MYERS CHRISTOPHER J
MYERS JONATHAN P
MYERS MICHAEL D
NADEAU JEFFREY P
NAGLE JOHN J
NAIDICH EDWARD
NASAL KEVIN J
NASSAU STEVEN T
NEAL JEFFREY H
NEFF MICHAEL J
NEIDHART CURTIS J
NELSON JACOB A
NELSON KIRK J
NELSON TODD M
NEMETH EUGENE J
NESS CHRISTOPHER A
NEVAREZ FRANK E
NEVEL LAWRENCE J
NEWE RALPH A
NEWFORT BENJAMIN J
NEWTON PETER M
NEWTON STEVEN A
NICKLAUS SHANE D
NIPPER MICHAEL T
NOEL MICHAEL P
NOLAN JEFFREY J
NORMAN KEVIN K
NORRIS CASSANDRA S
NORRIS JASON H
NORRIS STEVEN D
NORTON CHRISTOPHER J
NORTON DAVID F
NOSCHESE DONALD A JR
NOSEK MICHAEL G
NOSSE JOSEPH A
NOWAKOWSKI ROBERT C
OAKEY JEFFREY L
OBOZA ROBERT M
OCONNELL BRIAN J
ODEN DONALD C
ODRISCOLL JAMES G
OETTL KARL E
OKELLY NIALL C
OLEARY CAROLYN L
OLIVER FRANK J
OLSON LONNIE W
ONEAL DANIEL M
ONEILL PATRICK D
ORCUTT JAMES J
ORGAIN ALBERT M V
OSBORNE ROSS J
OSBORNE STEVEN M
OSTERHAUS SEAN C
OTT BRIEN S
OTTE ALEXANDER H
OUELLETTE RENEE L
OWEN DAVID S
OWEN DONALD B
PACCHETTI JOHN M
PACKARD MARK R
PADGETT BRETT D
PADILLA DUANE Z
PAIGE VERONICA R
PAISLEY LEE G
PALAN ANDREW J
PALMERINO BRADY R
PALOMINO MARIO A
PAPKE JOAN M
PARACCHINI ALBERTO J
PARKER DAVID T
PARKER GEORGE T
PARKER GREGORY L
PARKER KEVIN E
PARKER SEAN D
PARKINS GREGORY R
PARRAN JOSEPH W
PASSANISI ROBERT E
PASTORE JOEL C
PATRICK ANDREW D
PATRICK ROBERT J
PATTERSON KELLY L
PATTON RODNEY M
PAVEY GEORGE L
PAYNE DENNIS M
PAYNE HAROLD A
PAYNE RICHARD H
PEAK ANTHONY
PEARCE DAVID A
PEARLMAN JOSHUA B
PEARSALL MATTHEW J
PEDERSEN JOHN J
PELLOWSKI BRIAN A
PEMBER ROBERT B
PENDERGAST ROSS W
PENNINGTON MICHAEL A
PEPPLER CHITO C
PERRON DANIEL J
PETERSON ERIC B
PETERSON JEFFREY D
PETERSON RONALD J
PETRAS STEPHEN E
PETRICOLA JOHN
PETRINA MARKIAN B
PFALZGRAF DAVID R
PFISTER JOHN C
PHELPS CHRISTOPHER L
PHILLIPS MARK D
PHILLIPS MICHAEL A
PHILLIPS WILLIAM F
PHILO LEONARD E
PHOEL KURT M
PICCONI MARC P
PICKENS ADELL M
PIERCE ANDREW J
PIERSON STEPHEN S
PIETRUSIEWICZ FRANK A
PIMENTEL DINIS L
PINCELLI GABRIEL F
PIPER BENJAMIN A
PITTS BOBBY R
PITTS KENNETH W
PLEBAN STANLEY
PLUMB JOHN F
PODIAK RICHARD N
POE MICHAEL T
POGUE JOHN L
POLANDO TODD E
POPE NEDRA L
POTEATE ANDREW G
POUNCEY HEATHER L
POUNDER GAYLAND R
POWANDA DOI
POWELL ALEXANDER W
POWELL MICHAEL M
POWELL STEVEN E
POWERS WILLIAM E
PRADO WALTER J
PRATT JAMES L
PRATT MICHAEL J
PREMO TODD A
PRESCOTT STEVEN A
PRESTON CHARLES P
PRICE CRAIG J
PRICE RICHARDSON G
PRIDHAM DARAYL D
PRIEST JOHN B
PRINCE THEODORE A
PRINGLE STEPHEN B
PRIOLA STEVEN J
PURVIS JOANA C
RAFFERTY TIMOTHY B
RAHIYA MARK P
RAMIEH MOSE T III
RAMIREZ TONY J
RANDALL WILLIAM J
RANKIN ERIC P
RAUPP SCOTT E
RAUSA ROSARIO M
RAYNGAY BRYANT S
RAZZANO PATRICK A
REBLANDO JOHN D
RECAVARREN EDUARDO M
RECK STEPHEN D
REED BRIAN K
REED BRYAN C
REED CHARMAINE E
REED MARK M
REED MARTIN J
REESE CHESTER T
REESE LAWRENCE E
REID COLLEEN E
REIFF SHANE Z
REILLY GREGORY P
REIN CHRISTOPHER M
RENARD ALAN D
REQUINA ARTHUR A
REW CHRISTOPHER E
REYES NILAFE D
RICCIO MICHAEL K
RICE LEE K
RICHARDS JOHN C
RICHARDS MICHAEL L
RICHARDS STEVEN M
RICHARDSON MICHAEL R
RICHARDSON SAMUEL
RICHIE CHRISTOPHER S
RICKEL CORY D
RIDLEY SIMONIA L
RIDOLFI GREGORY J
RIEDY MARK F
RIEGEL KAREN L
RIES CHRISTOPHER W
RIES TARRELL L
RILEY MICHAEL
RINALDI FRANCIS X II
RING RICHARD W
RISKO JOHN M
RIVAS JESUS
RIVERA JAVIER B
RIVERA ROBERT E
RIVERS JOHN S
RIVIERE MATTHEW J
ROACH DAVID W
ROACH DEANNA L
ROBERTS MATTHEW W
ROBERTS MICHAEL J
ROBERTS PAUL J
ROBERTSON DANIEL S JR
ROBERTSON WADE R
ROBICHAUD GREGORY S
ROBINSON CRAIG R
ROBINSON GEORGE M
ROCH ROBIN D
RODGERS BARTON H
RODGERS MICHAEL E
RODRIGUEZ ANGEL V
RODRIGUEZ KARL A
RODRIGUEZ RICARDO I
ROGERS MICHAEL R
ROHLFS MICHAEL P JR
ROKE MICHELLE R
ROLLINS JOHN F
ROLLINS PATRICK W
ROSE MATTHEW J
ROTH JOSEPH
ROTHENHAUS KURT J
ROTHWELL WILLIAM B
ROY BARBEAU A
ROYO DAVID A
RUCKER NED A
RUDY KEITH A
RUF ANDREW F
RUGGERI CHRISTOPHER L
RUMRILL MARTIN R
RUSSELL REB J II
RUSSELL TIMOTHY D
RUSTON SCOTT W
RYAN ANDREW T
SALINAS ANGEL G
SALINGER ANDREW J
SALLES ERNESTO J
SALOMONSON CRAIG J
SALTER TIMOTHY A
SAMAROV MICHAEL V
SAMPLES MICHAEL E
SANDERS SCOTT T
SANDERS THEODORE B
SANFORD HERBERT C
SARMIENTO JOANNA M
SASSER JOHN D
SAWIN MICHAEL B
SCARLETT JASON W
SCHACKOW STEFAN N
SCHADEGG LAWRENCE M
SCHAEFER CHRISTOPER J
SCHAFER MICHAEL D
SCHAPPERT DAVID G
SCHERMERHORN RICHARD V JR
SCHILLER MICHAEL J
SCHMITT HAROLD R
SCHMITZ JEFFERY L
SCHNEEBERGER DAVID C
SCHNOLIS MICHAEL P
SCHOENTRUP WILLIAM J
SCHOETTLE MICHAEL J
SCHOLLENBERGER SCOTT R
SCHORR MICHELLE C
SCHRAM MARK A
SCHREYER KURT A
SCHUH TIMOTHY N
SCHUMAN KYLE D
SCHUTTER GEORGE A
SCHWARTE RICHARD J
SCHWARZ JOHN P
SCIRETTA MICHAEL S
SCOGGIN EDWIN L
SEAGO OLIN J
SEARS JOSEPH W
SEBASTIAN HIPOLITO D
SEGAL STEVEN D
SELF VICKIE M
SEMENTELLI ARTHUR J
SENENKO WILLIAM J
SENNER NICOLE M
SEXTON STEVEN S
SHANAHAN DANIEL P
SHARUM HENRY P
SHAW MICHAEL A
SHAY TRACY J
SHEARER BRANDON W
SHEEHAN DAVID P
SHERCK THAD M
SHERMAN DARREN C
SHERMAN SERGE
SHERWOOD CHRISTOPHER R
SHEWFELT MICHAEL S
SHICK KENNETH W
SHORT DUANE D
SHORTAL BRIAN P
SHOUP MICHAEL A
SHOVLIN ROBERT J
SHUFORD GENE M
SIDLAUSKAS ANTHONY V
SIERACKI MICHAEL P
SILAH MICHAEL J
SILER TOOD R
SIMS BOBBY T
SINNIGER JOSEPH D
SIPES JOHN A
SIRONI LUKE
SKINNER DARREN J
SKINNER JOHN B
SLEAR DAVID T
SLEASE WILLIAM P
SLIBECK JASON B
SMITH ANDREW N
SMITH CARL A
SMITH DARRELL K
SMITH EDWARD R
SMITH JOSEPH B
SMITH MARCUS C
SMITH PETER E
SMITH TODD M
SOAVE ANNA M
SODERHOLM ROBERT G
SOE ALEXANDER T
SOHN BYUNG H
SOLDOW DAVID S
SONNEBORN WILLIAM C
SOPP WALTER C JR
SORCI JOSEPH M
SORIANO RANDY J
SOTO ELENA P
SOWINSKI JEFFREY R
SPAMPINATO JOSEPH M
SPAULDING SCOTT K
SPENCE SCOTT R
SPENCER CHAD W
SPINA MICHAEL E
SPUNAR CHRISTOPHER M
STABLER ANDREW B
STALLWORTH ED C
STAMPER TREVIS L
STANLEY JAMES A
STARK JEFFREY J
STARKEY SCOTT B
STAVOE DAVID W
STECKLY HANS F
STEFANO DAVID O
STELTENPOHL KURT M
STERBA JOHN R
STERN SEREATHA Y
STEVENS CHRISTOPHER M
STEVENSON SHANE P
STEWART HENRY P
STEWART JAMES M
STEWART LYLE E
STEWART SCOTT J
STIBER MICHAEL A
STINSON BENJAMIN P
STITES DARIN O
STOFFA CHARLES M
STOLARZ STEVEN M
STOLTZ TIMOTHY G
STOLZ SEAN H
STOLZE CHERYL R
STOVER ALBERT E
STPIERRE GREGORY P
STOMBERG WILLIAM D
STUART JEFFREY A
STUCKEY MATTHEW R
SULLIVAN JUDITH T
SULLIVAN MICHAEL G
SULLIVAN PAUL G
SULLIVAN SEAN W
SUNDELL NATHANIEL M
SUNDERLAGE CAREY L
SUTTON TRAVIS L
SWANSON MARK A
SWEENEY SEAN P
SWEENEY WILLIAM F JR
SWENSON KARL F
SWIER SHAWN M
SYPTAK STEPHANIE F
TAIT SCOTT A
TAKABAYASHI KEITH K
TALBERT BRITTON C
TALBOT ADRIAN A
TAN CRAIG K
TARANTO CHRISTOPHER G
TARVER JAMES S
TATUSKO COLLIN S
TAYLOR BRIAN M
TAYLOR NICHOLAS H
TAYLOR SCOTT A
TAYLOR THOMAS T JR
TE RICHARD F
TEATES MICHAEL T
TEMPLE CHRISTOPHER S
TEMPLE JASON A
TENCH THOMAS A
TERHUNE SHANNON D
TERRY BRADLEY B
TERWILLIGER MATTHEW D
THIEME AARON M
THIEN ROBERT E
THIRY JOHN F
THOMAS KEITH L
THOMAS STEPHEN
THOMPSON MARK C
THOMPSON MATTHEW B
THOMPSON MICHAEL J
THORNTON MARQUITA D
THORSON CARLA K
THURMOND CHRISTOPHER J
TIBBS JEFFREY M
TIERNEY PAUL M
TIMME ROBB S
TOKARZ ROBERT A
TORLA VICTOR A
TORRES MANUEL J
TOUNEY SCOTT M
TOUSSAINT CANE A
TRACY NATHAN D
TRAIL THOMAS S
TRAN DUNG N
TREPETA ROBERT S
TREVINO THEODORE
TRINIDAD DAMARIS
TRINIDAD EDGARDO E
TSCHAN ROBERT E
TSCHETTER SCOTT W
TUCKER THOMAS A
TUELLER MICHAEL A
TULANG MORGAN C
TURNER COURTNEY A
TURNER DAVID W
TURNER JAMES M
TURNER JOHN C JR
TUTTLE KATHERINE O
TYREE CHRISTOPHER L
TYSLER KATHRYN M
UEMURA NEIL I
UENO KOHTA
ULMER WILLIAM E
URENA FELIX A
UZZLE TONY
VALENTIN MELANIE R
VALLES PETER J
VANAS TIMOTHY C
VANDERBOGHT HENRY E
VANGORP JOHN D
VANMESSEL JOHN A
VANPEENEN CHARLES C
VARGA ALEXANDER C
VAUSE CARL E
VEDRA PATRICK A
VERICH NICOLE T
VODICKA DAVID R
VOGT JAY D
VOLLAND KIRK N
VU KY N
WADE MATTHEW E
WADE TIMOTHY A
WAGNER BRETT S
WAINMAN PETER N
WAJNBERG ARI A
WAKEFIELD ANDREW R
WALFORD DANIEL J
WALKER DANIEL D
WALKER MICHAEL H
WALKER NATHAN A
WALLACE BEN L
WALLACE DEWAYNE C
WALLACE IAN S
WALLACE PETER W
WALLER ELLIS P
WALLER MATTHEW J
WALLIN JAMES M
WALSH ANDREW G
WALTERS CHRISTOPHER B
WALTERS THOMAS V
WALTON JOHN W
WANG AMBERT
WARD JUSTIN J
WASKIEWICZ CATHERINE M
WATKINS BRIAN E
WATSON GERALD F
WATSON JONATHAN T
WATSON WILLIAM A
WEAVER PAUL R
WEBBER TIMOTHY P
WEBER JEFFERSON L
WEEDEN RUSSELL J
WEEKLEY HEATHER D
WEEKLY SARAH A
WEEMS MICHAEL A
WEINTRAUB BEN J
WEIR THOMAS S
WEIS MICHAEL J
WEISS AARON D
WELLER HARRY R
WELTER ADAM J
WENKE JOHN M JR
WETTSTEIN MAX E
WHELAN JOHN
WHIBBS VINCENT J III
WHITAKER PRICE
WHITE CHRISTOPHER M
WHITEFIELD CURT J
WHITEHOUSE KEITH E
WHITFIELD MICHAEL P
WHITING NICOLE
WHITTEN STUART B
WHITTLES JONATHAN D
WICK CRAIG A
WIEBOLDT GUNNAR R
WIENCKO STEPHEN J
WILCOX JEREMY D
WILEY WILLIAM J
WILLIAMS CARLA M
WILLIAMS CHRISTINE A
WILLIAMS DARREN S
WILLIAMS DORIAN T
WILLIAMS ERIC D
WILLIAMS KEITH E
WILLIAMS LESLIE M
WILLIAMS ROBERT A
WILLIAMS ROBERT E
WILLIAMS THOMAS A
WILLIAMS THOMAS R II
WILLIAMS ZOE M
WILSON CYRUS M
WILSON EDWARD S
WILSON KENNETH N
WINDFIELD LEROY A
WINSTEAD ROBERT S
WOERTZ JEFFREY C
WOLFE BRIAN
WOMACK WILLIAM G
WOOD KEVIN L
WOOD ROBERT D
WOOD TROY L
WOODS DARREN K
WOODS ELIZABETH M
WOODS WILLIAM R
WOODWARD RODNEY A
WOODWARD WILLIAM O
WRIGHT GARRY W
WRIGHT GEORGE C
WRIGHT JAMES C
WRIGHT JEFFREY D
WRIGHT TROY V
WUCHER JAMES M
WYLIE JAY D
WYTHE MICHAEL R
YAROSLASKI DANIEL L
YATES AARON D
YECK GLENN R
YEEND STEPHEN N
YEUNG MICHAEL M
YINGER KAY C
YORK JASON D
YOUNG ANQUINNETTE L
YOUNG CHRIS C
YOUNG CHRISTOPHER B
YOUNG DEAN M
YOUNG DEVIN C
YOUNG MARK D
YOUNG RICHARD S
YOUNG TREVOR L
YOUNGBLOOD MICHAEL T
YUEILL BRIAN E
ZAKARIAN ADAM D
ZALETSKY KEVIN B
ZEGER KIRBY D
ZEICH JOYCE R
ZEMAITIS STEVEN A
ZENTMYER ERIK G
ZIEGLER WILLIAM A
ZIMMER PAUL M
ZYCH KIMBERLY A

CONFIRMATIONS

Executive Nominations Confirmed by the Senate November 15, 1991:

SMALL BUSINESS ADMINISTRATION

PAUL H. COOKSEY, OF VIRGINIA, TO BE DEPUTY ADMINSTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

PAUL R. MATIA, OF OHIO, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.

LACEY A. COLLIER, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA.

WAYNE R. ANDERSEN, OF ILLINOIS, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

DEPARTMENT OF JUSTICE

RICHARD CULLEN, OF VIRGINIA, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF 4 YEARS.

JERRY G. CUNNINGHAM, OF TENNESSEE, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF TENNESSEE FOR THE TERM OF 4 YEARS.

THE JUDICIARY

DAVID R. HANSEN, OF IOWA, TO BE U.S. CIRCUIT JUDGE FOR THE EIGHT CIRCUIT.

SUE L. ROBINSON, OF DELAWARE, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE.

WITHDRAWALS

Executive messages transmitted by the President to the Senate on November 15, 1991, withdrawing from further Senate consideration the following nominations:

DEPARTMENT OF COMMERCE

Eric I. Garfinkel, of Maryland, to be Under Secretary of Commerce for Export Administration, vice Dennis Edward Kloske, resigned, which was sent to the Senate on June 24, 1991.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Carol Iannone, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 1996, vice Mary Josephine Conrad Cresimore, term expired, which was sent to the Senate January 23, 1991.

EXTENSIONS OF REMARKS

TRIBUTE TO MICHIGAN'S 15TH DISTRICT PEARL HARBOR ATTACK SURVIVORS

HON. WILLIAM D. FORD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. FORD of Michigan. Mr. Speaker, I am proud to share with the House my experience this Veterans Day. As my colleagues know, Congress authorized the striking of Congressional Medals for the survivors of the attack on Pearl Harbor as part of the Defense authorization bill for 1991, Public Law 101–510. The medals serve to honor the survivors as we commemorate the 50th anniversary of the terrible attack that launched our Nation into World War II. Congressman FRANK GUARINI deserves recognition as the chief sponsor behind the original legislation authorizing the striking of the medals which was ultimately incorporated into the Defense authorization bill.

As a veteran of World War II, one of approximately 75 among the 102d Congress, I was particularly eager to meet the survivors who now reside in my district, the 15th of Michigan, and confer the medals upon them. In 1944, at the age of 17, I joined the Navy. I owe a tremendous debt of gratitude to these survivors, and the other men and women who preceded me in the fight against the Axis Powers.

The men and women who accepted the hit at Pearl Harbor deserve special acclaim. We did not expect that hit and consequently we were not prepared for it. On Sunday morning, December 7, 1941, dozens of our battleships, cruisers, aircraft carriers—almost the entire Pacific Fleet—were placidly sitting in the harbor while hundreds of our aircraft were neatly lined up tip-to-tip at nearby airfields. The devastation of the Japanese attack—which lasted under 2 hours—was unprecedented: 2,403 dead, 1,178 wounded, three battleships sunk, one battleship capsized, several severely damaged, 169 aircraft destroyed.

The survivors faced the horrible task of aiding the wounded, burying the dead, and resurrecting the scores of damaged aircraft and ships. These men and women did the job bravely and proudly and set the tone for the Nation's reaction to the war. We dusted ourselves off from this attack and joined together in the common goal of defeating our enemies. The soldiers in the Pacific, Europe, and North Africa, along with the factory workers in Michigan and throughout the States, proved an unbeatable force. I was never so proud to be an American than during those heady days from 1941 through 1945.

It was with great anticipation and honor that I brought together local veterans officials, interested veterans, and local officials to recognize 15 of 17 identified survivors of the attack on Pearl Harbor who live in my district. The Harris-Kehrer Veterans of Foreign Wars, Post 3323, in Wayne, MI hosted the event.

I was privileged to host the event at this particular VFW post. The post was formed in 1936 before the outbreak of World War II. Harris-Kehrer is named after two veterans who served in Russia. Pfc. Jay W. Harris served in Archangel; he was killed in a car accident in 1932 and was buried at Michigan Memorial Park. Cpl. Charles J. Kehrer served in Archangel, Seleshow and Pologa; he is buried in St. Mary's Cemetery in Wayne, MI.

In 1936, 14 veterans came together to form the post. As they selected officers and applied for a charter, membership steadily grew. In October of that year, a charter was granted. Ben Comrade, elected in August, assumed the position of commander of the new post and served honorably for two terms. He is the only commander in history to serve two terms.

Through the end of the thirties, the post continued to expand. A post auxiliary was formed in 1938. By 1939, membership had grown to 110.

Despite the growth, the post was not immune to problems. Twice Michigan windstorms knocked down walls erected to house the new post. A completed building was burned to the ground in 1942. A new structure was finally built shortly thereafter.

During World War II, Harris-Kehrer sent hundreds of care packages to GI's overseas. The post repeated this practice during the Korean and Vietnam conflicts.

In the years that followed World War II, membership grew to 400. There was never a problem convening 35 or 40 for repatriation burials. This tradition continues today when their funeral details are never short-staffed, regardless of whether the comrade is a post member.

Harris-Kehrer annually donates $20,000 to $30,000 a year to a variety of community organizations. The post can boast of their Wayne Comets Senior Rifle Drill Team, winner of the State championship five times in the past 6 years and winner of the national championship 3 years. Harris-Kehrer commanders have consistently distinguished themselves as the best: seven of the past eight commanders have been honored as all-State commanders. Sam Lawson, commander from 1990 to 1991, was made an all-American commander this year. Jim Webb, who serves as the post's present commander, continues this fine tradition. Jim served in the Air Force and is a veteran of the Vietnam war. He has been a member of the VFW for 20 years. He is ably assisted by Randy Keiser, the senior vice commander. Randy spent 20 years in the U.S. Army, serving three tours of duty in Vietnam.

Randy and Jim joined me, along with Phyllis Stidham, who serves as president of the Ladies Auxiliary of Post 3323, to greet the Pearl Harbor survivors. The Wayne Memorial High School performed patriotic music and members of Harris-Kehrer presented the colors. After a welcome from Commander Webb, I offered my reflections on Pearl Harbor. I then had the honor of conferring the congressional medals on the survivors in attendance. I submit to the RECORD a brief biography of each of the recipients:

Dave Allen enlisted in the Navy in 1936 and was discharged June 1, 1943. He had been stationed in Pearl Harbor since 1938 serving as a Signalman 2nd Class aboard the U.S.S. *Gamble*. At the time of the attack, he was on the ship. The men rushed to the deck to shoot at the incoming aircraft with machine guns. After the attack, the U.S.S. *Gamble* left the harbor to meet up with the U.S.S. *Enterprise* to search for Japanese aircraft carriers. Like every other American ship, they were unsuccessful in detecting any of the Japanese forces.

Archibald Bannerman, Jr. enlisted in the Army on August 21, 1941, and was discharged in September 1945 after spending three years and eight months overseas. Mr. Bannerman's training was in demolitions. At the time of the attack, he was returning from breakfast. Like his fellow servicemen, he thought the noise was just maneuvers.

Miles Brickley enlisted in the Army on December 15, 1939 (his 18th birthday) and was discharged on July 14, 1945. After basic training, he was immediately sent to Pearl Harbor where he was stationed at Hickam Field as a machine gunner. At the time of the attack, he was on his way to the mess hall for breakfast. He watched his barracks and others around it explode. Remaining outside, he attempted to make his way to the hangars. The hangars were also hit. Since the corps' planes were all destroyed, he spent the three days following the attack tending to the wounded.

Guiseppe "Joseph" Carlini enlisted in the Marines in 1941 and was discharged in 1946. A graduate of the Marines' engineering school, Mr. Carlini, along with the other top 40 graduates, was sent to Pearl Harbor where he served in the 1st Defense Battalion. Mr. Carlini had been on liberty the day before the attack and was asleep that Sunday morning when the Japanese planes arrived. Startled awake, he recalls looking up where the Japanese planes filled the skies like hornets. He joined his buddies firing at low-flying planes. Once the attack came to a close, Mr. Carlini was ordered to keep the roads cleared for Medics/Ambulances so the injured could be taken to the hospital. Mr. Carlini later was ordered to help dig long stretches of foxholes along Waikiki Beach.

Benjamin E. Dorotinsky enlisted in the Navy in 1938 and was discharged in 1948. During his tour at Pearl Harbor, he served as a Coxswain for the Captain's Gig. When the attack came, he initially thought it was practice "war games." Once he recognized the "rising sun" on the planes, he realized it was an attack.

Victor Hammett enlisted in the Army Air Corps in July 1939 and was discharged in July 1945. During his tour at Pearl Harbor, he served as an airplane mechanic. At the time of the attack, he had just finished breakfast and was celebrating a day off after having been "on alert" the previous day. When the

bombs began to hit, he and his buddies scattered. This made it difficult to know who was hurt and unhurt.

Earl Johnson enlisted in the Navy on May 15, 1940, and was discharged on May 21, 1945. Mr. Johnson served as a mess cook during his tour at Pearl Harbor. At 8:00 a.m. on December 7th, he had just finished clean-up duty on the U.S.S. *West Virginia*. He manned a 16-inch gun turret for about a half hour until the ship lost power and began to sink. The *West Virginia* ultimately came to rest on the bottom of the harbor.

James Kegley enlisted in the Navy in 1938 and was discharged in 1946. He served as a Yeoman on the U.S.S. *Blue* during the initial attack.

Edward B. Long enlisted in the Navy in August 1940 and was discharged in November 1946. At the time of the attack, Mr. Long, a Seaman Signalman on the U.S.S. *Nevada*, was just finishing his breakfast. Immediately after the attack, he went to a battle station on the first deck until the ship lost power. After the loss of power, he began carrying ammunition to the aft machine gunners. Like other survivors, once the Japanese had departed, he went up to survey the damage. He found it very troubling to see the dead and burned bodies of his friends and acquaintances.

Leroy Manning, whose sister, Audrey Byrd, resides in the 15th District, was serving aboard the U.S.S. *Arizona* at the time of the attack. He was one of 1,117 sailors and marines who went down with the ship at 8:19 a.m., nine minutes after being hit by an armor-piercing bomb. He is survived by his sister, Ms. Byrd, and a brother.

Richard Morey enlisted in the Army in 1938 and was discharged in 1958. At the time of the attack, he was a member of the 3rd Engineers on the Island of Oahu. After the attack, his group began the task of building barracks for the Coast Artillery coming in from Hawaii.

Theodore S. Moore was a member of the California National Guard when it was activated by FDR on September 16, 1941. He was discharged in September of 1945. He was shipped to Pearl Harbor prior to December 1941. At the time of the attack, he was a member of an anti-aircraft unit stationed on the roof of a submarine base. The submarine base was spared from attack. No bombs were designated for the base because the Japanese knew the subs were out to sea. After the attack, Mr. Moore recalls bodies of victims wrapped in the traditional white Navy blankets being carried from Ford Island and being placed side-by-side on a baseball field.

William Norrow enlisted in the Navy in 1940 and was discharged in 1945. He was assigned as a fireman below deck on the U.S.S. *Cummings*. At the time of the attack, he was below deck and thought people were joking with him. He recalls leaving Pearl Harbor with six inches of standing oil on the water. When he returned to the harbor three days later, the oil was still burning.

Chester O'Konski enlisted in the Marines on October 24, 1939, and was discharged in July 1945. At Pearl Harbor, Mr. O'Konski, then a sergeant, served as the gun captain of the 5" 51-caliber broadside guns on the U.S.S. *Tennessee*. On the morning of the attack, Mr. O'Konski was preparing for liberty. His side, the starboard, had been on alert the day before. Sunday was to be their day off. At 7:55 a.m., five minutes before leave officially began, the men were ordered to go to their battle stations. The men complained loudly until another announcement came over the system, "This is not a drill. This is the real thing." With that word, everyone scrambled to their stations. Mr. O'Konski's guns were useless against aircraft so he ordered his men to go to where they were needed. The hard part, said Mr. O'Konski, came after the attack when he and other survivors manned rowboats in the harbor to pick up the dead from the U.S.S. *Arizona*. Mr. O'Konski credits the captain of the U.S.S. *Tennessee* with sparing his ship, plus many others, from destruction. The captain, in an attempt to prevent the oil and flames from reaching his ship, started the propellers. Although the ship could not physically move from the flames, the action of the propellers kept the oil and flames from spreading across the harbor.

Paul J. Valyasek enlisted in the Army on April 7, 1941, and was discharged on November 24, 1945. A member of the 97th Coastal Artillery, he served as a gunner on an anti-aircraft gun specializing in coastal defense. At 8:00 a.m. on the day of the attack, Mr. Valyasek's unit had been on special guard at the northern end of Oahu and was just returning for breakfast. His unit did not believe the attack was real until they came upon Pearl Harbor and noticed the ships sinking and the smoke and fire.

Nathan Weiser enlisted in the Army Air Corps on November 12, 1940, and was discharged August 24, 1945. Mr. Weiser was trained as a Radio Operator/Mechanic and had completed the necessary schooling to qualify for his tour in Hawaii. At 8:00 a.m. on the day of the attack he had just finished breakfast at Wheeler Field. He had planned to go aboard the aircraft carrier, *Lexington*, but it had just left port. At the time the bombs hit, dishes fell to the floor. The Mess Sergeant came running in, threatening to court-martial whomever was responsible for breaking the dishes. Mr. Weiser recalls running out of the building and attempting to take cover under a nearby building. An old man called "Indian Joe" was sitting outside peeling potatoes and very calmly said "don't get under there—go to a residential area—they'll bomb here." Mr. Weiser and his friends ran to Scofield Barracks; after the bombing they went back to where "Indian Joe" had been sitting. The building, as predicted, had been leveled.

Jackson Wilson enlisted in the Army on July 9, 1940, and was discharged on June 30, 1945. Mr. Wilson passed away on October 23, 1988. His wife, Dorothy, accepted the Congressional Medal on his behalf. Mr. Wilson served as a radio operator during his tenure in the Army. At the time of the attack, Mr. Wilson was in Scofield Barracks. He and his fellow servicemen believed the attack was only maneuvers until he saw the burning planes and sinking ships.

Walter Wojtysiak enlisted in the Navy in 1940 and was discharged in 1963. At the time of the attack, he was serving as a baker aboard the U.S.S. *Phoenix*, stationed directly behind the U.S.S. *Arizona* in the harbor. Following the attack, Mr. Wojtysiak served as a "hot shellman" retrieving shell casings after they were fired out of 5" anti-aircraft guns.

INTRODUCTION OF THE PART-TIME AND TEMPORARY WORKERS PROTECTION ACT

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mrs. SCHROEDER. Mr. Speaker, I am pleased to introduce today a bill that addresses the needs of one of the fastest growing segments of the labor force—part-time workers. It is high time that we take a close look at a major segment of the labor force—part-time and contingent workers, and address the very real concerns of these workers. Part-time employees represent an essential component of the labor force and we must recognize their contributions to the economy.

Yet, many employers regard part-timers as second-class workers rather than bona fide members of the work force who have special skills and experiences to offer. Part-timers are often treated as inferior workers by both employers and their coworkers in spite of the fact that they increase flexibility in the workplace, allow employers to retain valuable employees who do not want to work full time and cut labor costs.

Part-time workers often lament that they wind up working full time for part-time wages. But many part-timers hesitate to speak out about their working conditions or their lack of benefits because they do not want to jeopardize their jobs. As a result, part-time workers are, in many instances, invisible workers.

Many part-time workers do not have access to health insurance, vacation or sick leave, pensions or other benefits. For those who do have access to benefits, they are often required to pay a proportionately higher share of their cost. Hourly wages are typically less for part-time workers than for full-time workers doing similar work. And part-time workers are also more likely to be women and minorities, the very same workers who are more frequently subjected to subtle and not-so-subtle discrimination in the workplace that lowers their ability to become self-supporting.

Recent studies have documented the current extent of use of part-time and contingent workers by employers and the availability of benefits to them.

A survey conducted by Hewitt Associates found that while 93 percent of employers offer medical benefits to full-time employees, this figure drops to 78 percent for employees working 30 hours or more. Just 20 percent of employers offer medical benefits for part-timers working less than 20 hours per week. Only 28 percent of employers provide paid sick leave to part-time employees working less than 20 hours per week.

A GAO study found that, even when education, gender and age were controlled for, part-time workers earn about 38 percent less per hour than comparably employed full-time workers. As a result, one in five families headed by part-time workers lives below the poverty line compared with one in 20 families headed by a full-time worker.

While three-quarters of part-time employees have chosen to work less than full time voluntarily, the recession has swelled the ranks of involuntary part-time workers. Since July 1990, the number of these workers has increased by 1.3 million. Thus, it is even more imperative that we begin to address their needs and concerns.

The GAO study recommended better documentation of the contingent labor force. We need to know the answers to such questions as: How extensive is contingent work? What are the reasons that some workers choose to work less than full time? How long have part-

time workers worked less than full time? What is the long-term impact of part-time work on the workers themselves, social security and pension benefits, the economy and other workers?

Data currently being collected by the Census Bureau and analyzed by the Bureau of Labor Statistics do not adequately address these issues. Furthermore, if a worker works two or more part-time jobs that add up to 35 hours or more, he or she is counted as a full-time worker. So current data collection does not present a complete picture of part-time workers.

There are other serious problems that part-time workers face. The unemployment insurance systems in virtually every State fail to adequately address the reality of part-time workers. In some States, the minimum income requirements prevent laid-off part-time workers from collecting unemployment compensation. The minimum-number-of-weeks-worked requirement keeps many seasonal workers from collecting unemployment compensation as well. Laid-off part-time workers must be willing to accept full-time jobs in order to collect unemployment compensation. These and other restrictions are just a few examples of how our workplace has failed to adjust to the changes that have taken place over the last 20 years.

The Part-Time and Temporary Workers Protection Act, which I am introducing today, addresses some of these problems. The bill requires the Census Bureau to gather additional information about part-time and other contingent workers. It also provides that individuals seeking part-time employment are not disqualified from receiving unemployment compensation for their failure to seek or accept full-time employment.

This bill takes a major step in recognizing that our current system of analyzing the labor force does not adequately count the more than 32 million part-time and contingent workers. In addition, the bill addresses some of the most critical concerns of part-time workers—their access to benefits and unemployment insurance when they become unemployed.

I urge my colleagues to join with me in supporting 25 percent of our labor force.

CONGRESSIONAL LEGAL ANALYSIS FINDS PRESIDENT'S GAG RULE MEMO LEAVES GAG IN PLACE

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. WYDEN. Mr. Speaker, with a veto override vote possible early next week, a new Congressional Research Service report says that the President's 11th-hour memorandum to HHS on the gag rule, issued in an attempt to sway votes in his favor, does nothing to change or loosen the gag rule in any way.

The CRS report states that "the guidance provided in the memorandum does not conflict with existing regulations and consequently is not a modification of those regulations."

The fact is, CRS dissected the President's memo, principle by principle, and came up with nothing but the old gag rule in disguise. The analysis makes it clear that title X doctors and nurses are gagged as tightly as ever, and that poor women still can't get the basic medical information about their pregnancy options that they deserve.

The memorandum to Secretary of Health and Human Services Louis Sullivan came on the eve of the first House vote on the Labor-HHS appropriations bill that would block enforcement of the gag rule.

In the memo, the President says that he wants "to ensure * * * that the operation of the title X family planning program is compatible with free speech and the highest standards of medical care."

For the Bush administration, free speech and high standards of medical care only belong to those who can afford it. The President has put a price tag on medical information, leaving poor women at title X clinics who can't afford a private doctor in the dark about their medical choices.

When Congress votes next week, every Member should be aware that this legal analysis makes it absolutely clear that nothing has changed.

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, DC, November 8, 1991.

To: Honorable Ron Wyden.
From: American Law Division.
Subject: The effect of the Sullivan memorandum on title X family planning regulations.

This amended memorandum is in response to your request to determine the legal effect of a November 8, 1991 memorandum from President George Bush to Secretary Louis Sullivan of the Health and Human Services Department (the Sullivan Memorandum). Specifically, you requested an analysis of whether this memorandum would modify existing regulations which restrict certain doctors who provide family planning services from discussing abortion with their patients; these regulations have been referred to as the "gag rule." Based on our analysis, it appears that the guidance provided in the memorandum does not conflict with existing regulations, and consequently is not a modification of those regulations.

Section 1008 of the Public Health Service Act specifies that none of the federal funds appropriated under the Act's Title X for family planning services shall be used in programs where abortion is a method of family planning. In 1988, the Secretary of Health and Human Services promulgated new regulations which prohibited Title X projects from either counseling regarding, referring for, or advocating abortion as a method of family planning. These regulations, which were immediately challenged in federal court, were recently upheld by the Supreme Court in the case of *Rust* v. *Sullivan*.[1]

The regulations provide that projects funded under Title X of the Public Health Service Act may not provide counseling concerning the use of abortion as a method of family planning, nor may they provide referrals for abortion as a method of family planning.[2] The regulations do not, however, prevent medical treatment referrals which may result in abortion; the only restrictions on non-emergency medical treatment referrals[3] are that suggested providers cannot be weighted toward providers who perform abortions, nor may such referrals include providers who principally perform abortions.[4] Finally, although the regulations restrict the information a doctor may provide a patient regarding their treatment options,[5] the regulations do not restrict the information that a doctor may give a patient regarding the patient's underlying medical condition.

The Sullivan memorandum contains four principles which are to be used in interpreting the Title X regulations. The first provides that the regulations do not prevent a woman from receiving "complete medical information about her condition" from a physician. As noted above, Title X regulations do not restrict a doctor from discussing a woman's medical condition with her. The second and third principles provide that a woman should be referred for medical treatment when medically indicated, even if the ultimate result is termination of a pregnancy. Again, nothing in the existing regulations would prevent such referrals, as long as the Title X grantee does not counsel abortion.[6] Finally, the memorandum notes that referrals may be made to health care providers who perform abortions, as long as their principal activity is not providing abortions; again, this is consistent with the regulations discussed above.[7]

KENNETH R. THOMAS,
Legislative Attorney.

FOOTNOTES

[1] 111 S.Ct. 1759 (1991).

[2] 42 C.F.R. §59.8(a)(1)(1990).

[3] Where a patient of a Title X project requires emergency medical treatment, the regulations provide only that the client shall be referred immediately to an appropriate provider of emergency medical services. 42 C.F.R. §59.8(a)(2)(1990).

[4] 42 C.F.R. §59.8(3)(a)(3) states that: "A Title X project may not use prenatal, social service or emergency medical or other referrals as an indirect means of encouraging or promoting abortion as a method of family planning, such as by weighing the list of referrals in favor of health care providers which provide abortions, by including on the list of referral providers health care providers whose principal business is the provision of abortions, by excluding available providers who do not provide abortions, or by "steering" clients to providers who offer abortion as a method of family planning."

[5] *See supra* note 2 and accompanying text.

[6] *See supra* note 2 and accompanying text.

[7] *See supra* note 4 and accompanying text.

SIX PATHWAYS TO THE FUTURE FOR ISRAEL

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. COBLE. Mr. Speaker, the following article recently appeared in the Greensboro News & Record, which is a newspaper in my district. It was written by Mr. Ralph D. Nurnberger, who teaches graduate courses on foreign policy at Georgetown University. I would urge anyone who is interested in the current peace process in the Middle East to read Mr. Nurnberger's thoughtful commentary:

SIX PATHWAYS TO THE FUTURE FOR ISRAEL

(By Ralph D. Nurnberger)

Secretary of State James A. Baker III is to be commended for his marathon efforts to bring Israel and its Arab enemies to a peace conference. However, despite the pomp and circumstance that will mark the opening of the conference in Madrid, it will quickly become apparent that bringing the parties to the tables is easy compared with the monumental task of finding substantial areas of agreement.

Syria will attend mainly to pressure Israel into returning the entire Golan Heights, which Israel will find almost impossible to do. It is strategically vital to Israel's survival. Despite its almost intractable nature, this issue could prove to be the least complex at the conference. Golan is sparsely populated and has little religious or historical significance. It might be possible to demilitarize Golan and make territorial adjustments that both nations could accept.

The major focus of the conference will be how to obtain for Israel secure, defensible and recognized borders, while simultaneously satisfying the demands of the more than one million Palestinians who have lived under Israeli occupation since 1967.

There are at least six broad solutions to this question; however, each is replete with internal contradictions and objections. For the sake of clarity, these can be discussed within the context of the Israeli body politic—moving from the extreme right to the extreme left.

The extreme right, as represented by the followers of the late Rabbi Meir Kahane, advocate expelling the Arabs from the territories and annexing Judea and Samaria (the West Bank). According to adherents of this approach, since Israel now occupies this territory and, even more important, has claims to this land going back to Biblical times, the Arabs should be forced to leave.

There is not a country in the world, including the United States, that would accept this remedy. The forced removal of large numbers of people would violate the lessons Jews should have learned throughout the course of their own history. Fortunately, those holding these views represent only a small, albeit vocal, minority within Israel.

Moving slightly to the left, a second solution calls for Israel to annex the territories, but not expel the Palestinians. This would also lead to universal international condemnation and potential Arab military reaction.

In addition, if Israel were to annex the West Bank and Gaza Strip, it would have to offer citizenship to the Arab inhabitants, which could result in a large, hostile Arab electorate whose votes could undermine the effectiveness of the Knesset, Israel's parliament. Although the recent Soviet emigration minimizes the more far-reaching danger for Israel, the possibility still exists that granting citizenship to Palestinians living west of the Jordan River might ultimately end either democracy in Israel or its Jewish control.

A third alternative, the status quo, is favored by the current Likud government. Under this approach, Israel would not annex the territories, but would remain a permanent "occupier." This role would be enhanced by building ever-increasing numbers of settlements, to help establish Jewish control over the land and makes any potential division of the land virtually impossible.

Despite its defense by Prime Minister Yitzhak Shamir, the status quo has serious shortcomings. As long as the territories are "occupied," the Palestinians remain disenfranchised, with all of the social, economic and political ramifications of this status. Granting them limited rights, or autonomy, would be merely a stop-gap measure.

Equally distressing, permanent Israeli "occupation" plays havoc on the psyche of the nation, especially upon those young Israeli soldiers stationed in the territories.

A fourth alternative, one generally favored by the Israeli Labour Party, calls for the division of the territories between Israel and some form of Arab leadership, either Jordanian or indigenous Palestinian.

The proposal, originally developed by former Israeli Deputy Premier Yigall Allon, has been made virtually impossible by the placement of settlements throughout the West Bank. The so-called "Allon Line" could no longer divide the Jewish from the Palestinian areas of the territories.

Even if the land could be divided, Jews living in the West Bank and those who support them would never allow an Israeli government to surrender an inch of this territory. Just as the Israeli Army was required to remove Jewish settlers from such Sinai towns as Yamit after Camp David, the Army would be needed to remove settlers from the more historically and strategically important West Bank. It is doubtful that the Israeli Army could or would perform this function.

Similarly, Palestinians and Arab leaders have consistently rejected the notion of accepting anything less than a return of all the land they "lost" in 1967. No Arab leader could accept permanent Israeli control over parts of the West Bank, especially over Moslem holy sites in East Jerusalem. The entire Camp David accords almost broke apart over control of Taba, a few relatively worthless acres of beachfront property near Eilat.

The "Jordanian option" of this approach is equally unrealistic. The Palestinians living in the West Bank have become more politically active since 1967 and are unlikely to trade an Israeli master for a Jordanian one.

A fifth alternative, giving control of all or part of the West Bank and Gaza to the Palestinians, would set the stage for renewed fighting in the very near future. The PLO does not view the creation of a Palestinian state in the territories as its ultimate goal but merely the next stage in the final destruction of Israel.

No Israeli government, however liberal, could accept this proposal. In addition to creating an unacceptable threat to the existence of Israel, a Palestinian state would probably require the forcible removal of Jews currently living there.

The territories are not contiguous and could not be independently economically viable. This state would likely set up a "law of return" to encourage Palestinians from around the world to emigrate, which would also increase the potential for turmoil.

A sixth alternative calls for the Jews and Arabs in the territories to remain where they are, with Jews remaining Israeli citizens while the Arabs would become citizens of Jordan.

This would create a pandemonium of competing and intertwining laws and regulations and would require generations of good will before its details could become part of people's daily routines.

Despite this rather gloomy analysis, the peace conference offers a glimmer of hope for the future and Secretary Baker is to be congratulated and encouraged to proceed with cautious optimism in Madrid.

(Ralph D. Nurnberger is a vice president of Conkling Fiskum & McCormick, a public affairs firm that represents organizations in the Pacific Northwest in Washington, DC. He teaches graduate courses on foreign policy at Georgetown University. He spoke in Greensboro last year.)

TRIBUTE TO BENEVOLENT AND PROTECTIVE ORDER OF ELKS LODGE NO. 191, BETHLEHEM, PA, ON ITS 100TH ANNIVERSARY

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. RITTER. Mr. Speaker, I rise today to pay tribute to Lodge No. 191 of the Benevolent and Protective Order of Elks of Bethlehem, PA, as its members celebrate its 100th anniversary and its legacy of service and fellowship to Bethlehem and our entire Lehigh Valley community.

Elks Lodge No. 191 was officially instituted on March 31, 1891, with 25 charter members. And, according to the Bethlehem Daily Times newspaper account of the day, on its first anniversary members of the lodge dedicated its new quarters in the Kershner block of the city in a ceremony witnessed by representatives of every Elks Lodge in the country. At the dedication, the lodge's officers included Past Exalted Ruler Joseph A. Weaver, Exalted Ruler Dr. H.J. Laciar, Esteemed Leading Knight Dr. E.H. Schnabel, Esteemed Loyal Knight H.B. Chamberlin, Esteemed Lecturing Knight Frank Weiss, Secretary E.D. Whetford, and Treasurer C.A. Smith.

Another Elks Lodge, No. 1209, was instituted in south Bethlehem in 1910, under the leadership of Exalted Ruler Robert K. Berkemeyer. Lodge No. 1209 soon moved to the fifth floor of the E.B. Wilbur Trust Co., where a cafe and grill opened. Records show that a full course Sunday dinner could be purchased there for a whopping 75 cents. Following the consolidation of South Bethlehem into the city of Bethlehem in 1917, Elks Lodge No. 1209 asked for and was granted permission by the Grand Lodge to merge with Elks Lodge No. 191, bringing all Bethlehem Elks into a single lodge.

In the years following the merger, Elks Lodge No. 191 met at 325 Wyandotte Street in Bethlehem, and while at that location played host to the Pennsylvania State Elks Association Convention twice, in 1925 and in 1939. In 1948, the lodge moved to its current location on West Union Boulevard in Bethlehem.

The Elks continue to carry on their worthy traditions through their support of charitable efforts ranging from the fight against cerebral palsy to the D.A.R.E. program against drug abuse. Their longstanding commitment to education, through the awarding of scholarships to deserving young people, takes on even greater significance as our Nation strives to improve its education system.

Efforts to improve the community have been augmented in the past few years by the work of the members of ladies auxiliary of Lodge No. 191. Their participation has helped strengthen the lodge's commitment to community service; and has provided a most welcome break from the early days, when women were permitted in the club quarters only two Thursdays of every month.

Mr. Speaker, as Elks Lodge No. 191 completes its first century of service to its members, it can look back on a rich history in which its members have shown themselves to

be dedicated to the Elks' guiding principles of "Charity, Justice, Fidelity, and Loyalty." As a member of Lodge No. 191, and as one who was proud to receive its Citizen of the Year award, I am delighted to have the chance to salute this fine organization.

I ask you and my colleagues to join me in congratulating Exalted Ruler Charles Reinert and the members of Elks Lodge No. 191 on its 100th anniversary. I thank them for their many contributions to our community and to the people of the Lehigh Valley, and I wish them many more years of fellowship and joy.

BAKER IN CHINA; SLAVE LABOR PRODUCTS IN THE UNITED STATES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. STARK. Mr. Speaker, while Secretary of State Baker visits the People's Republic of China this week, the Chinese are busy in California selling slave labor products.

It is against longstanding U.S. trade law to import products from prison camps. The Chinese are flagrantly violating that law and selling a wide variety of slave camp products on the west coast and throughout the United States.

The Secretary has to deliver the message: No more Chinese exports to America made by the prisoners from Tiananmen Square.

The Congress will not approve the continuation of lower tariff rates on Chinese goods given this continuing, flagrant violation of all standards of human decency.

ORTRIE D. SMITH ELECTED PRESIDENT OF THE MISSOURI BAR

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. SKELTON. Mr. Speaker, at the recent annual meeting of the Missouri Bar, a resident of Nevada, MI, which is in the Fourth District, was elected president of that organization. Ortrie Smith is a partner in the Nevada law firm of Ewing, Carter, McBeth, Smith, Gosnell, Vickers & Hoberock. He received his undergraduate and legal degrees from the University of Missouri. A member of the board of governors of the Missouri Bar since 1978, he is a former member of the State bar's Young Lawyers' Section Council. In addition to membership and involvement with a number of State bar activities, he also is a member of the Vernon County Bar Association and the American Bar Association.

Along with his many bar-related activities, he has been active in a variety of civic and charitable causes in Nevada. Those efforts in the local community have been recognized with a number of awards and honors. Also, Mr. Smith is an active member of the Baptist Church in Nevada.

Through the years, Ortrie Smith has worked hard to further the cause of justice through his practice and this association. I know Members of this body join me in sending congratulations to my friend through the years, and the new president of the Missouri Bar, Ortrie D. Smith.

HONORING THE USC SCHOOL OF MUSIC FRANK KERZE, JR. FUND

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. COX of California. Mr. Speaker, this Saturday, November 16, 1991, the University of Southern California's Symphony Orchestra will be performing in Concert Hall at the Kennedy Center here in Washington. Conductor Daniel Lewis and the USC Symphony alone generate enough beautiful music for an afternoon, but this Saturday, they will be joined by one of America's most talented and renowned classical musicians—cellist Lynn Harrell.

Bringing this entire wonderful west coast orchestra 3,000 miles east to join with Lynn Harrell is not easy. But we will be graced by their music because of two sisters who never attended the University of Southern California. Although not alumni of USC, Therese and Florence Kerze founded the Frank Kerze, Jr. Fund at the USC School of Music in honor of their late brother. Their generous donation is used to encourage young American cellists to fulfill and utilize their talents. Saturday's concert will be just one result of their good work.

Frank Kerze, Jr., the man honored by his sisters, was one of our Nation's leading nuclear chemists. A former professor of nuclear engineering, and a former team member of the Manhattan Project, Frank Kerze, Jr., died in 1985. While he loved his vocation of nuclear chemistry, his real avocation was the cello. In fact, Frank Kerze, Jr., had the option in college of pursuing a career as a cellist. He opted for chemistry, but never stopped playing the cello. Frank Kerze, Jr., was active until his death in community orchestras throughout the Washington area.

Through the foresight and generosity of Frank Kerze, Jr.'s surviving siblings, his beloved cello music lives on for all of us to enjoy. I hope that my colleagues will be able to join with me on Saturday, November 16, 1991, at the Kennedy Center to do just that—to listen to the beautiful music of the USC Symphony and cellist Lynn Harrell, compliments of Therese and Florence Kerze on behalf of their brother, the late Frank Kerze, Jr.

THE SARAH VAUGHAN CONCERT HALL—A TRIBUTE TO A NEWARK GIRL WHO SANG JAZZ

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, this evening, a special tribute will be bestowed in my hometown on two of Newark's prize jewels—the late Sarah Vaughan and the Newark Symphony Hall. This evening, the main hall of Newark's Symphony Hall will take on the name of the Sarah Vaughan Concert Hall.

Sarah Vaughan, known to her friends and fans as Sassy or the Divine One, was born in Newark, NJ, on March 27, 1924. Her outstanding career as a world-famous jazz diva began in a theater much like Newark's Symphony Hall. Although Sarah traveled the world, she never forgot her hometown. It's been noted that she often referred to herself as "just a Newark girl who sings jazz."

This year the Sarah Vaughan Jazz Festival at Newark was instituted. The festival, featuring events over a 9-day period, has attracted many luminaries in the jazz world, as well as bringing recognition to local talent. Tonight's gala event will feature Joe Williams, Abbey Lincoln, the Count Basie Orchestra, and other great artists.

The Newark Symphony Hall is New Jersey's largest and oldest showcase. Seating 3,365, it is larger than Carnegie Hall and its acoustics are on par with Boston's renowned Symphony Hall. The hall is home of the New Jersey Symphony Orchestra, the Newark Boys Chorus, the New Jersey State Opera, the Garden State Ballet, the New Jersey Ballet Company, and the Theater of Universal Images.

Newark Councilman George Branch is to be commended for sponsoring a resolution, which was unanimously passed by the Newark Municipal Council, renaming the main hall in honor of the Divine One, Ms. Sarah Vaughan. Last year's death of Sarah Vaughan marked the end of an elegant era in the jazz world. The Sarah Vaughan Concert Hall will make certain that her legacy and memory will live on, especially in Newark. Mr. Speaker, I am pleased and proud to let my colleagues know that the place she never forgot will never forget her.

A CONGRESSIONAL SALUTE TO CROSS ROADS COMMUNITY CHURCH—UNITED CHURCH OF CHRIST

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 15, 1991

Mr. ANDERSON. Mr. Speaker, on November 17, 1991, Cross Roads Community Church will celebrate its 40th anniversary of worship services. It is with great pleasure that I rise today to pay tribute to this church and its congregation.

Cross Roads Community Church has grown from its humble roots of holding Sunday school classes in various neighborhood homes to the thriving, dedicated congregation it is today. The church under the leadership of the late Rev. Barron McLean was incorporated in August of 1951 and purchased the property where the sanctuary, fellowship hall, and classrooms now stand. In 1954, the congregation became affiliated with the Congregational Christian Churches whose beginnings date back to the pilgrims of New England. The Congregational Christian Churches merged with the Evangelical and Reformed Church in 1957 to become the United Church of Christ.

Their doctrine seeks to tear down the dividing walls between Christians of all denominations and to unite them in fellowship. The Cross Roads Community Church cooperates in joint worship services and community action through South Coast Ecumenical Council, an organization comprised of both Roman Catholics and Protestants.

The "community" in this church's name is much more than just a word to the congregation. The Cross Roads Community Church provides food, counseling, and referral services for the poor and homeless through the Mid-Cities Help Center in Bellflower. It opens its doors to provide day care, and before and after school care for children through the Mothers at Work Children's Center and it offers meeting rooms to 7 different groups of alcoholics anonymous. In addition, the church is actively involved in glass and newspaper recycling, assists with a scholarship for an agricultural student at the Philippine Christian University, serves as companions for a disabled person, and provides summer camperships for children.

My wife, Lee, joins me in congratulating the coministers, the Reverend Grace Moore and the Reverend Richard Moore, and the entire congregation of the Cross Roads Community Church on their 40th anniversary. We wish them all the best in the years to come.