SENATE—*Wednesday, February 27, 1991*

(Legislative day of Wednesday, February 6, 1991)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray:

In a moment of silence, let us remember with gratitude to God Senator John Sherman Cooper and Congressman Silvio Conte.

See then that ye walk circumspectly, not as fools, but as wise, Redeeming the time, because the days are evil. Wherefore be ye not unwise, but understanding what the will of the Lord is.—Ephesians 5:15–17.

Eternal God, perfect in truth and justice, in holiness and love, help us to understand that Thy will is good, acceptable, and perfect, leading to our full potential, individually and corporately. Help us to see that indifference toward Thee is rejection. Help us to overcome the reluctance which keeps us away from Thee. Forgive the pride which refuses to acknowledge human limitations and look to Thee for help in time of need. Midst the controversy and conflict of our daily affairs, lead us in paths of righteousness.

In Jesus' name. 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, February 27, 1991.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BINGAMAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time reserved for the two leaders, there will be a period for morning business not to extend beyond 10 a.m. with Senators permitted to speak therein for up to 10 minutes each.

At 10 o'clock this morning the Senate will resume consideration of S. 419, the Resolution Trust Corporation funding bill.

At 3 p.m. today there will be a briefing on the Persian Gulf for all Senators in room S-407 of the Capitol.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time, and I reserve all of the leader time of the distinguished Republican leader.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m. with Senators permitted to speak therein for not to exceed 10 minutes each.

Mr. SPECTER addressed the Chair.

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

TERMS FOR CONCLUSION OF THE GULF WAR

Mr. SPECTER. Mr. President, I seek recognition this morning to comment briefly on what this Senator considers to be the appropriate terms for concluding the gulf war. It is the hope of all of this body, all of America, and most of the world that the war will be concluded speedily with a minimum loss of casualties on all sides, and that justice will prevail with victory for the coalition forces.

The question has been posed: What are the appropriate terms for ending the gulf war? I commend the President for his position in response to the Soviet-Iraqi proposal articulated at about 2:40 a.m. Moscow time last Friday morning in insisting that there be the complete and unconditional withdrawal by noon on Saturday. I further commend the President for his refusal to accept as an appropriate way to conclude the gulf war the informal comments coming out of Baghdad radio.

Mr. President, the comments made about appropriateness have included the need for the appearance of the Iraqi representative at the United Nations to present himself to the Secretary General of the United Nations with appropriate documentation where Iraq accepts all the terms and conditions of the U.N. resolutions.

Mr. President, there has been an enormous undertaking by the world community establishing the principle of collective security which has been the dream for decades, really for centuries, of all the world's nations. This dream was articulated by President Woodrow Wilson at the conclusion of World War I in the ideas for the League of Nations, and has been embodied in the principles of the U.N. organization. The United Nations, for the most part, has been a debating society for much of its 46 years, until collective security was organized for the gulf war through the brilliant efforts of the President and the Secretary of State of the United States.

Now that the coalition in the United Nations is on the brink of victory, and there have been the informal suggestion of surrender, or concession, or withdrawal, it is important that the formalities be maintained and that the acknowledgment from the Iraqis be made to the United Nations.

There is no doubt, Mr. President, there has been a military victory for the United Nations. There should equally be no doubt that there has been a political victory for the United Nations.

There is no doubt that there has been a military defeat for Iraq, but similarly there should be no doubt that there has been a political defeat for Iraq.

We have struggled to understand the approach necessary for the Mideast and for the Arab world, and what the U.S. foreign policy and diplomacy should do to address the issues in a much more vigorous way.

This Senator has commented from time to time about what I believe to have been the failures of the U.S. foreign policy in dealing with the governments of the Middle East, the governments of the Arab world, and the governments of the Muslim world in telling them what our ideas were, and our expectations were, in attempting to influence their conduct. We have seen in the gulf war a failure of U.S. diplomacy in that respect.

It is problematic, Mr. President, whether it would have succeeded had we been perfect at it, but we at least

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

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should have tried and should have done a much better job than we have. But the formal recognition that Iraq was wrong, that Iraq has lost, and that the political victory belongs to the United Nations is very, very important as we take the next steps in structuring a new order, as articulated by President Bush, in the Mideast, a new order which will incorporate security and which will incorporate peace and justice for all the parties involved there.

Mr. President, in the acceptance of all the U.N. resolutions there will be the explicit recognition that Kuwait does not belong to Iraq, and Kuwait never has belonged to Iraq.

It is the hope of this Senator that as we structure the new order there will be a change in the organization of the Government of Kuwait so that the tremendous costs borne by the United States and the coalition will not result only in the reinstatement of the Emir of Kuwait, without any reform, without any effort at democracy, and without any effort at a sharing of the wealth.

Some of that wealth, Mr. President, I think rightfully belongs to those nations which have borne tremendous costs, the United States, the other partners of the coalition, Egypt, Turkey, Israel, all nations which have suffered very extensive costs.

Mr. President, another important item with respect to the recognition of the U.N. resolutions is the issue of reparations. When our Secretary of State spoke out a few weeks ago about foreign aid from the United States to rebuild Iraq, this Senator immediately disagreed. The American taxpayers ought not be called upon to rebuild Iraq for many reasons. One reason is that Iraq has the second largest proven oil reserves in the world and great potential wealth which should enable it to rebuild itself. Iraq should rebuild itself.

When it comes to the question of foreign aid, that is a very difficult item for the American people, to the U.S. national interests, as we appropriate funds for foreign aid.

Of the many subjects which this Senator addresses in open house town meetings in my State of Pennsylvania—including one in Harrisburg last Friday and one in Carlisle, PA, last Saturday—there is great misunderstanding as to whether foreign aid is humanitarian spending by the United States, or an expenditure made for our national self-interest. But there is no way to convince the American people, in my judgment, Mr. President, nor should there be any way to convince the American people, that United States tax dollars ought to be expended for the rebuilding of Iraq.

I was glad to see the President comment in a different tone to the suggestion made by the Secretary of State, but I do believe that the issue of reparations is one which Iraq ought to face up to. Reparations are embodied in the U.N. Charter, and are not a matter to be determined by the United States or any other single nation, but ought to be determined by the United Nations in accordance with international law.

There is another vital aspect of recognition of the U.N. resolutions, Mr. President, and that is recognition of the world legal order—who has jurisdiction on the issue of war crimes. Mr. President, many have commented about what is going to happen to the Iraqi leadership and President Saddam Hussein, and that is not an easy question, because there were problems with having the U.N. military forces proceed to Baghdad, in light of the U.N. mandate to liberate Kuwait. There is the issue about the response of the Arab world as to what steps are taken next by the United Nations and by the United States. It is recognized on all sides that we face a very difficult problem in the new order in the Mideast and in the Arab world.

But when the United Nations has spoken on the subject of war crimes, that is the appropriate approach to deal with Saddam Hussein and others in Iraq on the allegation of war crimes. I say allegation because we should pursue this issue, in my judgment, in accordance with standards of proof and legal process. There are precedents in the Nuremberg war trials following World War II which can be guideposts on the issue of war crimes.

This body, Mr. President, accepted the principle of an international court in a resolution which this Senator advanced in 1986 as it related to the subject of terrorism. The Congress further accepted a resolution, again advanced by this Senator in 1988, on the need for an international court as it related to the subject of dealing with international drug dealers. And last year the resolutions were again adopted with action to be taken by the State Department and the U.S. Judicial Conference.

And it is the hope of this Senator, Mr. President, that we may see an organization of an international court of justice on a permanent basis to deal with international crime so that where you have terrorists, where there is great reluctance on the part of a country like Egypt in 1985 to surrender a man like Abu Abbas to the United States, that the surrender to the international court is something which could be more easily accomplished.

The ACTING PRESIDENT pro tempore. The Chair advises the Senator from Pennsylvania that his 10 minutes have expired.

Mr. SPECTER. In light of the absence of any other Senator in the Chamber, so that no other Senator is seeking recognition, I ask unanimous consent to continue for an additional 2 minutes.

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

Mr. SPECTER. Mr. President, I was commenting about the range of where an international court might act and commented about the less complexity of having an international terrorist like Abu Abbas surrender to an international tribunal, this contrasts with a drug dealer like Mata who was taken into custody by Honduran authorities to be entrusted to the international tribunal, or Colombian drug dealers where the Government of Colombia has shifted its policy—in the opinion of this Senator, unwisely—to suggest forgiveness of drug infractions, drug violations, and the avoidance of extradition to the United States. There again, turning those criminals, or alleged criminals, over to an international court might be something that could be more easily accomplished.

Mr. President, as we look at the horrendous conduct of the Iraqis in the course of this war, what we have seen occur in Kuwait in terms of war crimes and what we have seen occur on the issue of using human shields, where for a time United States citizens were taken hostage and stationed in locations in Iraq to be human shields, and where we have seen Iraq fire Scud missiles into Tel Aviv, Israel, repeatedly into civilian populations, which had no conceivable military purpose is the quintessential example of a war crime. Those are issues which Iraq ought to face up to and issues which Saddam Hussein ought to face up to. Those are issues which everyone in the Iraqi chain of command should face up to, but in a principled way, in a way where it is not the United States which is taking on the police responsibility or the judicial responsibility, but in a way where an international court takes on that very important responsibility.

All of this, Mr. President, is embodied in the U.N. resolutions. They are embodied in the U.N. resolutions in advance of the fact, not ex post facto, a declaration on notice for all those in Iraq, including its President, Saddam Hussein, that this was the international expectation; that this was the international law, and now it ought to be enforced.

The appropriate procedure, I suggest, Mr. President, is for the Iraqi representative to appear at the United Nations to acknowledge acceptance of the U.N. resolutions, to acknowledge the military defeat of Iraq, to acknowledge the political defeat of Iraq, and then let international law take its course in a way which would bring fruition to the principles which Woodrow Wilson sought after World War I, and in a way which would establish binding legal precedence for the future, to discourage the kind of ruthless aggression we have seen in the gulf war.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

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

Mr. DOLE. Mr. President, I wish to thank my colleagues, the Senator from Michigan and the Senator from Ohio, for letting me make just a brief statement on Black History Month.

BLACK HISTORY MONTH

Mr. DOLE. Mr. President, as the Persian Gulf war winds to a successful conclusion, I want to pay a special tribute to black Americans, who, as they have for many years, play such a vital role in our Armed Forces.

Gen. Colin Powell and the other black Americans who comprise 25 percent of the forces in Operation Desert Storm continue a rich tradition of accomplishment, which America has celebrated during Black History Month.

Today, I want to salute the many black Americans who have been sons and daughters of Kansas.

There was Benjamin "Pap" Singleton, of Baxter Springs, who provided shelter for countless fugitive slaves.

George Washington Carver, who once homesteaded near Beeler, one of the most influential figures in American agriculture.

Hattie McDaniel, of Wichita, the first black American to win an academy award.

My good friend Arthur Fletcher, a college football star at Topeka's Washburn University, who would tackle the Nation's problems as Assistant Secretary of Labor, executive director of the United Negro College Fund, and Chairman of the U.S. Commission on Civil Rights.

Gordon Parks, of Fort Scott, Pulitzer Prize winning photographer, as well as a noted author, musician, and filmmaker.

And Capt. R.L. Pitts, of Wichita, the first black officer to be awarded the Congressional Medal of Honor, who was killed by enemy gunfire in Vietnam.

Each of them a Kansan. Each of them an American. Each of them building on the remarkable record of black Americans.

Mr. President, Black History Month offers an opportunity for all of us, individually, and as a nation, to look to the past and to reflect on the contributions of black Americans.

More importantly, however, it also offers the opportunity to look to the future, and to rededicate ourselves to working for a country and a society committed to basic civil rights and equal opportunity for all.

The best way, the only way, in which to celebrate Black History Month is to do all we can to reach that goal and not just during a month, but on every day of the year.

Mr. President, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KERREY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,174th day that Terry Anderson has been held captive in Lebanon.

WINNSBORO'S BEST AND FINEST IN THE PERSIAN GULF

Mr. HOLLINGS. Mr. President, today we appear to be in the final stage of the most massive, relentless, and successful air campaign in American history. On Saturday, President Bush ordered the infantry into battle to deliver the coup de grace, but make no mistake about it: it is United States air power that has brought Iraq's army to its knees.

Gen. Charles Horner of Shaw Air Force Base in Sumter, commander of the combined air forces of the anti-Iraq coalition, has become an instant military legend by planning and executing this brilliant air campaign. And I point out with pride that at the heart of General Horner's vast air armada have been A-10's from Myrtle Beach Air Force Base, as well as F-16 squadrons from Shaw and McEntire Air National Guard Base. These combat aircraft have been the scourge of Saddam Hussein's Republican Guard, and in 41 days of relentless attack they have shattered the Iraqi Army's will to fight.

Mr. President, I can tell you that there has been no more distinguished and heroic unit in this war than the 650 men and women of McEntire's 169th Tactical Fighter Group, which includes 25 F-16's, their pilots, plus hundreds of ground support and maintenance personnel. This is truly an elite reserve unit, winner of Top Gun honors in competitions pitting it against the best U.S. squadrons in the world, including full-time active duty Air Force units. On CNN, we have all seen the 169th's fighter jets returning from battle with "South Carolina" painted boldly on their tail fins.

There is nothing I can say in praise of the 169th Tactical Fighter Group that will speak more eloquently than the fact that it has flown more than 1,000 combat missions without a single loss either to enemy fire or to mechanical problems. This would be remarkable in peacetime training conditions, and it is truly exceptional given the stress of nonstop combat over a period of nearly 6 weeks.

Mr. President, the unsung heroes of this remarkable accomplishment are the men and women of the 169th Consolidated Aircraft Maintenance Squadron. Under the superb command of Maj. Charles E. Savage of Columbia, the ground crews of the 169th CAM squadron have achieved a reliability rating of close to 100 percent, meaning that close to 100 percent of the group's 25 F-16's fighters are fully mission capable at any given time. As you can imagine, that is an extraordinarily high rating, and it is a real tribute to the skills and dogged dedication of the CAM squadron's technicians working in unbelievably demanding conditions. I cannot speak highly enough of the job they are doing.

Mr. President, I know that no community in South Carolina takes more pride in this record than the town of Winnsboro and Fairfield County, which have 25 of their sons and daughters serving in the 169th Tactical Fighter Group. Twelve serve in the 169th CAM Squadron; they are T. Sgt. Albert L. Atkins, T. Sgt. Charles S. Frost, T. Sgt. Leonard E. Gregerson, S. Sgt. James R. Long, T. Sgt. George M. Martin, Jr., A1C Allen M. Mattox, S. Sgt. Steve C. Meisner, M. Sgt. Jud Pardue, M. Sgt. Julian Tanner, S. Sgt. Mark W. Tanner, T. Sgt. Steve Tanner, and A1C Ashley Wilson.

Others from Winnsboro and Fairfield County serving in the 169th include T. Sgt. William L. Dove, M. Sgt. Hugh J. Leitner, Jr., S. Sgt. Rock E. Sjodin, and S. Sgt. John S. Watts, all of the 240th Combat Communications Squadron; M. Sgt. Charles K. Kaiser, M. Sgt. John D. Mattox, Sgt. Sandra F. Roseborough, and S. Sgt. James R. Small, all of the 169th Resource Management System.

Also, S. Sgt. Ronald K. Evans and S. Sgt. Harry D. Kennedy of the 169th Services Flight; S. Sgt. Reuben E. George and S. Sgt. Julius C. Moore of the 169th Security Police Flight; and last, but far from least, one brave F-16 pilot, Capt. Dana A. Rawl, of the 157th Tactical Fighter Squadron.

Mr. President, it is entirely fitting that the town of Winnsboro has officially adopted the Air National Guard's 169th CAM Squadron as its own, and has issued a proclamation of pride and support for all Americans serving in Desert Storm. I will ask that the text of that proclamation be printed in the RECORD at the conclusion of my remarks.

Mr. President, the men and women of the 169th Tactical Fighter Group are

among our best and finest. They are doing an extraordinary job for their country, and they are doing South Carolina proud. My hat is off to every one of them, and I join all Americans in praying for their safe and speedy return. We will welcome them back as hereos.

I ask that the proclamation be printed in the RECORD.

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

MAYOR AND COUNCIL, WINNSBORO, SC, PROCLAMATION

On January 16, 1991, the President of the United States, with authorization by, and support of Congress, recognized the need to order military action against the hostile forces of Iraq.

Over half a million members of the Armed Forces are now involved in Operation Desert Storm. Whether we agree or disagree on the events that led us to this moment in history, we now stand united behind our troops and their families. In an effort to demonstrate our unmitigated pride in the men and women of the United States Armed Forces we do, by process of this Proclamation, adopt the United States Air National Guard Unit 169th CAM Squadron. Based at McEntire Air National Guard Base, under the command of Col. Jerry Risher, this unit includes a sizable contingent representing our own beloved town and county.

In this, our country's darkest hour, we should look toward the light—the lights of freedom and liberty, peace and justice. We feel it is of vital importance to show our troops that we stand as one at this moment, committed in purpose, and praying for a speedy conclusion to this conflict.

Now, therefore, be it

Resolved, That we, the governing body of the Town of Winnsboro, on this the 12th day of February, 1991, do hereby proclaim our unequivocal support for our valiant men and women in their efforts to restore peace in the Persian Gulf hostilities.

May God be with each and every one, and return them to us safely.

Quay W. McMaster, Mayor; Richard H. Burton, Mayor Pro-Tem; Keith E. Martin, Council Member; Timothy N. Glover, Council Member; John M. Goode, Council Member.

MILITARY COUP IN THAILAND

Mr. MOYNIHAN. Mr. President, we were profoundly disappointed to hear of the military coup in Thailand this weekend. We must condemn it loudly. The Thai military has halted Thailand's advancing democracy. Under the military, "Thailand," as an editorial in the New York Times said yesterday, "marches in reverse."

The news reports, including those by that most able of reporters, Steven Erlanger, tell us that the pretext upon which the Thai military staged the coup was corruption in the civilian government of Prime Minister Chatichai Choonhavan. Say what one wants about corruption in the Thai civil authorities, but they unquestionably learned all the lessons of corruption from the world's greatest practitioners: Thai military officers.

As the New York Times editorial states:

* * * the military cannot credibly pose as the champion of cleaner government. It directly controls the Burmese, Laotion and Cambodian border regions, where enormous profits are made running drugs, guns, refugees and contraband gems. Many army officers run border trading companies themselves, and the armed forces maintain vital lifelines to loathsome neighbors like the State Law and Order Restoration Council, or Slorc, in Myanmar and the Khmer Rouge in Cambodia.

Indeed.

The Bush administration has most appropriately cut off United States assistance to Thailand. The New York Times today also says we should consider the suspension of antinarcotics assistance. As their editorial says, "it makes no sense to cooperate with military men who protect drug dealers." This certainly is the record of the Thai military. Without any hope of a genuine antinarcotics effort from the civilian and democratic government that existed in Thailand until this weekend, there is no point in further ignoring Thai military involvement in narcotics trafficking. The stakes are too high. The heroin output from the Golden Triangle is soaring, and the Thai military is implicated.

Mr. President, the coup in Thailand is tragic. It is a blunt setback for growing Thai democracy. The 1989–90 report of Freedom House, that trusted guide to the state of freedom in the nations of the world, listed Thailand as "free." Since Saturday that is no longer true. The elected Prime Minister is under arrest, the press under censorship, and political rights crushed. Relations with the United States, already strained by growing trade dispute, have entered a period of crisis. It will only end when the Thai military finally and irrevocably accepts and respects the democratic freedoms of the Thai people. I hope that day is soon.

I ask unanimous consent that today's New York Times editorial and an article by Steven Erlanger be placed in the RECORD.

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

[From the New York Times, Feb. 26, 1991]

THAI ARMY PLEDGES GOVERNMENT SOON; MOVES TO ASSURE INVESTORS—ELECTION DATE IS IN DOUBT

(By Steven Erlanger)

BANGKOK, THAILAND, February 25.—The Thai military, which seized power on Saturday without firing a shot, said today that it would announce a provisional government in the next five to seven days.

In an effort to calm foreign critics and overseas investors, the caretaker administration is likely to be headed by a respected, senior civilian, military officials said, although military commanders would continue to serve in a role described as advisers.

The Thai stock exchange fell more than 7 percent today, the first business day after the coup. Investors said they were concerned that major development projects of the ousted Government would be held up by the military. But commercial bankers who met with the Army Chief of Staff, Gen. Suchinda Kraprayoon, said they saw no long-term economic effect from the coup.

The leader of the military junta, the supreme commander, Gen. Sunthorn Kongsompong, said today that new elections might take longer that six months to organize, contradicting comments by General Suchinda on Sunday. A committee would draft a new constitution in the next six months, General Sunthorn said, but elections would have to take place afterward.

NO BOREDOM IN BANGKOK

"We will try to get this over with as soon as possible," he continued. "We don't want the public to get bored."

Students at Ramkhamhaeng University here staged a small protest against the coup, the first in public. They called for a rapid end to martial law, a resumption of political activity and new elections within 90 days. About 15 students were arrested by the police for violating martial-law restrictions on political gatherings of more than five people.

The military also announced the creation of a committee to investigate reports of corruption by ministers and others in the ousted Government of Prime Minister Chatichai Choonhavan, who remains under arrest at an undisclosed location. The seven-member committee would have the right to confiscate the assets of those "who have become unusually rich," a military spokesman, Col. Banchorn Chawangsilp, said.

But he refused to say at a news conference how many people the military had arrested since the coup and how many were still being sought. Mr. Chatichai's son, Kraisak, and many of his advisers are on a list of names given to immigration officials, who are under orders to prevent them from leaving the country.

Western diplomats suggested that the military would use the corruption investigations, which would not necessarily involve formal trials or normal rules of evidence, to strike at the leaders of Mr. Chatichai's Chart Thai party, the country's largest. They accused the party of leading a "parliamentary dictatorship" similar to that of Ferdinand E. Marcos in the Philippines.

But the diplomats and some Thais privately scoffed at the military leaders' stated justifications for the coup, saying that corrupton was hardly new to Thailand or to the military itself, and that the revered monarchy was at no risk from Mr. Chatichai.

The coup, they suggested, was the result of a showdown over political control of the military, which has run this country for most of its modern history.

Mr. Chatichai had already shifted senior police commanders, who hold military ranks. Last week, he announced the appointment as Deputy Defense Minister of a rival to the current military leaders, all of whom graduated in 1958 from Chulachomnklao Royal Military Academy and are known as Class Five.

LOSS OF TRUST

"Government corruption was a factor," said Suchit Bunbongkarm, a political scientist and Dean of the Faculty at Chulalongkorn University. "But what ignited the whole thing was the confrontation between the military and the Government, who had lost trust in one another."

Mr. Chatichai, Mr. Suchit said, had broken "the gentlemen's agreement that the Government should not interfere in military affairs." While it might seem strange to a foreigner used to civilian control of the military, Mr. Suchit said, the Thai military has always fought to protect its prestige and autonomy, and regards itself as loyal to the nation more than to civilian politicians.

The former supreme commander, Gen. Chavalit Yongchaiyudh, who is widely expected to become the next Prime Minister under an amended constitution, has spoken with contempt of politicians. He has condemned the influence of businessmen and the middle class on elected officials, who need large infusions of cash for campaigns here, where vote-buying is rife.

[From the New York Times, Feb. 26, 1991]

THAILAND MARCHES IN REVERSE

Saturday's military coup in Bangkok is a calamity for Thailand and a setback for U.S. interests in Southeast Asia. Washington is right to condemn the interruption of a promising democratic experiment and to suspend most U.S. aid. The new rulers have already backed off from their promise to hold elections within six months. A return to military-dominated regimes would cloud the bright future Thailand seemed to have in store.

Gen. Sunthorn Kongsompong accuses Chatichai Choonhavan, the elected Prime Minister whom he seized at gunpoint, of corruption and sheltering enemies of Thailand's constitutional monarchy.

The first charge is probably true. Yet the military cannot credibly pose as the champion of cleaner government. It directly controls the Burmese, Laotian and Cambodian border regions, where enormous profits are made running drugs, guns, refugees and contraband gems. Many army officers run border trading companies themselves, and the armed forces maintain vital lifelines to loathsome neighbors like the State Law and Order Restoration Council, or Slorc, in Myanmar and the Khmer Rouge in Cambodia.

As for the charge that the Prime Minister encouraged foes of the monarchy, King Bhumipol Adulyadej himself has intervened to defend the Chatichai Government against military pressure. Personal ambition and military contempt for democracy are the real forces behind this coup.

The Thai military has attempted 17 coups since it put an end to absolute monarchy in 1932. But the last successful coup occurred almost 15 years ago. Since then, democracy has begun to take root, especially since Mr. Chatichai, himself a retired general, took office in 1988.

The Chatichai Government's progressive deregulation of the economy spurred double-digit growth rates. The boom worsened already severe social and environmental problems, but Mr. Chatichai responded with initiatives like a ban on logging exports from vulnerable rain forests. Mr. Chatichai also worked hard for a Cambodian peace.

Washington has not suspended anti-narcotics aid. Thailand is the main base for U.S. Drug Enforcement Agency operations in the opium-growing Golden Triangle region, spanning Thailand, Laos and Myanmar. Slowing the flow of drugs sometimes requires cooperation with undemocratic regimes.

But, as Americans learned in Panama, it makes no sense to cooperate with military men who protect drug dealers. Unless Bangkok's new rulers show speedy progress against corruption and quickly restore civilian control, Washington may have to cut anti-narcotics aid too.

TRIAL FOR WAR CRIMES COMMITTED BY IRAQ

Mr. COATS. Mr. President, yesterday I made public my support for the proposal to bring Saddam Hussein and his military leaders to trial for war crimes committed by Iraq during the Persian Gulf War.

The atrocities we have witnessed during the conflict, including Iraq's treatment of POW's, genocide against Kuwaitis, environmental terrorism, and unprovoked missile attacks in heavily populated civilian areas of Israel, a noncombatant, serve as painful evidence to this case.

In my own State of Indiana, the State legislature shares my position in this matter and has passed a resolution urging that Saddam Hussein be held personally accountable and punished to the full extent of the law for his war crimes. I wish to thank the members of the Indiana Assembly for supporting our efforts in ensuring that if found guilty, Hussein will be forced to face the consequences of his actions.

Iraq, as a signatory to the Geneva Convention, is bound to that treaty's guidelines on the just conduct of war. I said this in my statement yesterday, and it is mentioned in the resolution agreed to by both Houses of the Indiana Assembly. The Geneva Convention prohibits the use of POW's as human shields, as well as the use of pressure on prisoners in coercing them to supply information to an enemy.

The crimes of Saddam Hussein and his military leaders are crimes of universal jurisdiction, and may be tried by the United States and its partners in the coalition. Within the context of the Geneva Convention are remedies agreed upon by its signators to punish those who have broken the rules. Once the military conflict has ended in the gulf, I urge that Saddam Hussein and accomplices to his acts be taken into custody for trial.

ARIZONA GUBERNATORIAL ELECTION

Mr. DOLE. Mr. President, for the past few weeks, much has been written and said about the Governor's race in Arizona. Charges, countercharges, and accusations have been leveled—not only in Arizona, but here in Washington, as well. It seems that everyone had something they wanted to say about this race.

Yesterday, finally, it was the voters turn, and loud and clear they said that their choice for Governor was Fife Symington.

I want to extend my congratulations to Governor-elect Symington. He has a big job ahead of him, but I am confident he will prove to be an outstanding leader for his great State.

I also want to congratulate the voters of Arizona, who were able to understand that accusations and accuracy do not go hand-in-hand, and that they can make their own decisions just fine, thank you, without help from Washington.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Chair announces that morning business is closed.

RESOLUTION TRUST CORPORATION FUNDING ACT

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 419) to amend the Federal Home Loan Bank Act to enable the Resolution Trust Corporation to meet its obligations to depositors and others by the least expensive means.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, years ago Congress made a commitment to the public that their deposits in savings and loans would be protected in the event of insolvency. That commitment puts this body in a very difficult position. We really have no choice but to provide the RTC with billions and billions of dollars to fund the bailout. Under these circumstances, I am prepared to support the large appropriations that are necessary, but I will support them if, and only if, I believe and am convinced that the RTC is operating as a public servant rather than as an entity accountable only unto itself.

I regret to say that my experience leads me to conclude that the RTC believes it is accountable to no one, including the U.S. Congress. There are a number of reasons why I feel this way, and I will attempt to lay them out in rather specific details.

Let me first address myself to the so-called 1988 deals. Prior to the passage of FIRREA, the Federal Home Loan Bank Board was charged with the responsibility of selling failed savings and loans in order to take them off the Government's hands. But instead of disposing of a costly problem, these transactions have added billions of dollars to the bailout costs. The disgraceful manner in which the so-called 1988 deals were put together by the Federal Home Bank Board, the RTC's predecessor, has proven one of the biggest blunders in the entire bailout.

In order to fully appreciate the critical role the RTC is required to play in resolving the issues surrounding the

1988 deals, let us review for a moment what happened.

As the clock ticked toward New Year's eve in 1988, it became apparent to potential purchasers of failed savings and loans that a lucrative tax break would expire on January 1, 1989. This set off a Federal frenzy involving some of the sharpest sharks in the business world. In the confusion of around-the-clock negotiations and dealmaking, the Federal Home Loan Bank Board put together deals which amount to nothing more than fire sales.

Some of our Nation's savviest, most aggressive financiers, corporate executives and takeover artists, sensing an opportunity, got the steal of the century. For a relatively modest amount of money, investors acquired not only an S&L and its assets, but huge sums of Government guaranteed subsidies. Many investors were put in the enviable position of having the most to gain and the least to lose.

To make matters worse, all of the Federal assistance given to these investors is tax free—tax free. In many cases, the tax breaks did not stay within the new thrift institution, but were used to shield income of a parent company, the company that owned the S&L. Tax breaks became the fuel that drove many of these deals. In fact, the tax breaks alone, in many cases, were equal to or greater than what the investors paid to purchase the thrift.

Not only did investors have an interest in the tax breaks, but the Federal Savings and Loan Insurance Corporation, otherwise known as FSLIC, the Government agency responsible for putting the deals together, itself had an interest in the tax breaks. Why? Because FSLIC was going to get a piece of the action. The more the FSLIC gave away in tax breaks, the more FSLIC could put in its own pockets. In other words, they would make a deal which provided that 30 percent of the savings in taxes or some particular number would be refunded to FSLIC.

So as a consequence, FSLIC had an incentive to give away more in tax breaks coming from the IRS and from the taxpayers of this country in order that the FSLIC would get back some of that money in future years.

FSLIC repeatedly negotiated deals in which the buyers agreed to return a portion of the tax breaks to FSLIC in the form of hard cash. Ordinarily, FSLIC did not receive appropriations from Congress and, therefore, relied on insurance premiums and the sale of assets to operate. The scheme cooked up by FSLIC, one of the most unbelievable schemes I have ever heard of in my years in Government, where the one arm of Government is trying to give away more of tax dollars in order that that arm of Government may share in those tax refunds. And so the scheme cooked up by FSLIC to share the tax breaks with the acquirers amounted to nothing more than back-door appropriations designed to circumvent the congressional appropriations process.

Tax breaks went from the Treasury to the acquirer, and then to FSLIC. A classic example of one arm of Government milking another arm.

In the last few days of 1988, the distinguished manager of this bill, Senator RIEGLE, and I strongly urged Secretary Brady and others in the administration to stop the rash of chaotic, uncontrolled dealmaking. I remember so well, it was during the Christmas recess at that time, and Senator RIEGLE, from his point, wherever he was located, was speaking with Nick Brady, the Secretary of the Treasury, and urging him not to make any more of these deals. And I, from where I was at the time, was calling him to the same effect. My recollection is that the Secretary was somewhere down in the Caribbean islands.

As a matter of fact, an uncontrolled dealmaking was covered by me in a December 29, 1988, letter to the then Chairman of the Federal Home Loan Bank Board. We were trying every way possible to say: Stop, halt what you are doing. You are costing the American taxpayers billions of dollars.

In that letter I wrote:

> The haste with which you are proceeding may prove to be shortsighted, irresponsible, and ultimately unfair to the U.S. taxpayers.

In spite of that warning, and the warnings of many of my distinguished colleagues, including the distinguished chairman of the Banking Committee, and others in the House, the deals continued. For those who would say that a December 29 letter announced nothing more than a last-minute warning, let me tell you that deals were being made up to the very last hour, the last minute, the last second of 1988 to get under the wire so they could get these tax giveaways.

Out of the 96 deals made in December 1988, 25 were slapped together in the last 2 days of December 1988. Let us not kid ourselves. These are complicated deals. These are deals that took a lot of understanding, to know the numbers, to know the language of the contracts. On one side of the table were seated some of the sharpest, savviest, wheeler-dealers in this country, and on the other side were some Government employees trying to get it done in a hurry. Twenty-five deals in 2 days, 98 deals in 31 days? As a consequence, we got took. Plenty of people got took. We paid the price, and we are paying it now.

Mr. RIEGLE. Will the Senator yield at that point, because this is important history?

Mr. METZENBAUM. I certainly do.

Mr. RIEGLE. He is describing the problem as it existed at that time, and he and I talked together and attempted to do something about it.

But I want to just add a little bit more to that history because we have not really discussed this before as fully as this.

At that particular time, at the end of 1988, of course, the tax laws were about to change, so part of the rush up against the end of the year was to try to consummate these deals using these tax credits as the sweetener, these tax benefits prior to the time that the law would change. Of course, what that meant was it was essentially spending public money, but because you were using tax breaks it was not like actually writing a check to somebody. It meant that they would not have to write a check that they owed the Government in the future. So it was a little harder to track.

But I remember the Senator and I spoke at the time. I called the Secretary of the Treasury, as did the Senator, to say that we were concerned about the fact that that approach was in effect spending a large chunk of public money but it was really outside the normal budget process. The Senator will recall that he said that he, too, was concerned about it; that he would look at it to see if he had a basis upon which to intervene.

Then as I recall, a day or so later the message came back that he felt he was not in a position to intervene in that situation to have an impact on this flood or rush of deals that was occurring up against that December 31 date.

It also should be said that at that time I was not yet the banking chairman, because we were changing; Senator Proxmire was leaving, and so while I was to be incoming banking chairman, I was not at that point the banking chairman.

But I nevertheless sent a letter to the GAO, which I made public, asking the GAO to move in right then to get hold of the facts and the documents and the dealmaking information as it existed right then so we would know what was happening, and so those people who were doing deals would know that they would be accountable for what was done because there would be an independent, third-party look at what was happening.

So GAO was asked to go into that dealmaking process at that time in order to put everybody on notice that things which were done late at night, when everybody was fatigued, and this rush to try to do all these deals would not be something that would escape full and careful examination and have to be looked at later.

It is interesting; a study which was done for the Banking Committee, indicated that on average for every dollar of tax benefit that was spent to force these deals into place, the Government only saved 50 cents in terms of the actual economy gained by having done the deal. So that the tax deals on their face were a net loser to the Govern-

ment even within the context of the way the deals were structured.

So that not only were enormous advantages given out in terms of these tax benefits and tax savings but it was a bad economic bargain because we ended up spending more in tax benefits than we ever received in savings in these deals, according to the study that we have had done that goes back and does the anatomy on these deals taken as a whole.

I thank the Senator for yielding.

Mr. METZENBAUM. I thank the chairman of the Banking Committee for his further elaboration upon the facts as they occurred at that time. Certainly he was very alert in getting the GAO to move in at that point. Unfortunately, there has been insufficient followup or coordination, and the American taxpayer is winding up stuck with the bill.

One point that I do want to add concerning his communication and my communication with the Secretary of the Treasury is that he did indicate he was not certain what his authority was and not sure what he could do. This Senator stands on the floor of the Senate today and says what I have said previously, and that is that if the Secretary of the Treasury had said "stop," I do not believe that any persons who held lower-level positions in the Government would have continued. Had he taken the position at that point not to go forward, those deals would not have gone forward, because I do not think he would have had to prove that he had the legal authority; he had sufficient prestige and sufficient responsibility, speaking for the President of the United States as a Member of his Cabinet, as the Treasurer, to say, put a stop to them, and they would have stopped. I regret that he did not see fit to do so, and the American taxpayers have a special reason to regret that he did not do so.

Since 1988, Congress has had an opportunity to take a close look at some of the 1988 deals. The findings have sparked a sense of outrage.

Let me give you one example, the Perelman deal.

In the wanning hours of 1988, Ronald Perelman, chairman of Revlon, Inc., and the fifth richest person in America, according to Forbes magazine, purchased several thrifts now known as First Gibraltar. For his investment of $315 million, Perelman and his other investors got $5.1 billion in Government assistance. That is about 17 times the amount of their actual investment. Within 2 years, the Perelman investors recaptured their entire investment—within 2 years they recaptured their entire investment—and wound up owning an institution with almost $10 billion in assets.

Now, some may ask, what is wrong with the Perelman deal? Everyone is entitled to make a profit.

I will tell you what is wrong with the Perelman deal, and many of the other 1988 deals. The main reason the Perelman deal was such a lucrative investment for its investors is that the Government overestimated the cost of cleaning up the thrift by $1.6 billion—overestimated $1.6 billion. As a result, they gave Perelman far bigger subsidies than were needed including $461 million in cash in the first year and additional amounts in subsequent years.

In addition, the losses of First Gibraltar can be deducted from the profits of Macandrews and Forbes, the holding company through which the purchase was made. In other words, the savings and loan will not get the advantage of the tax deduction; the holding company that owns the savings and loan is going to get the advantages because probably there would not be that much in profits for the savings and loan itself.

As a result of special tax benefits Macandrews and Forbes and not the thrift saved more than $121 million in taxes in 1989, that is in addition to the thrift's $129 million in profits.

To top it off, FSLIC and Perelman had a tax-sharing agreement whereby Perelman greased the pockets of FSLIC's to the tune of 30 percent of Perelman tax breaks. That was one of those cases where the more they gave away in tax breaks, the more you took out of the Treasury, the more you put into the pockets of FSLIC.

In the Perelman deal and in many of the other deals, the Government was working from a distinct disadvantage. Buyer and seller were not on an equal footing. Sophisticated investors had negotiating skills and other professional expertise far beyond those of the Government. The Government and the taxpayers are the losers. And those deals were made with heavy teams of accountants, lawyers, and business people, people who were sharp and understood what it was all about. And the Government did not know what they were doing and gave away billions of dollars.

The Perelman deal and the other 1988 deals are costly yet excellent illustrations of how the Government has bungled the savings and loan rescue and wasted billions of dollars.

I am not the only Senator who warned about the 1988 deals or who has complained about them since.

I see the chairman of the Banking Committee on his feet seeking recognition.

Mr. RIEGLE. If the Senator will yield, there is another related point. The Senator from Ohio laying out some key history here that has not been developed as fully as before; that is, there was another problem here as to who got the chance to do these deals. One of the problems was that we were hearing from other interested parties that wanted to bid in certain instances, say, on a failed savings and loan; that some were allowed to get into this negotiating process, and in turn ended up with these good tax benefit type situations and others were not allowed to compete on an equal footing.

One of the questions that we were asked repeatedly at that time and were never able to get an answer to is why is it that some people were able to pursue these to conclusion and other bidders were not accorded the same treatment? What happened very often is that a preferred bidder was identified, and it was never quite clear why a particular company or a particular individual was seen as the preferred bidder. But that preferred bidder then got into the position of going on down through the process and other bidders who wanted to be involved—and who might in fact have offered a better deal to the Government—were at some point along the way shut out of it. It was never clear, and it is not clear to this day, as to how the decision was made that one individual got a chance to go on down through and close these deals and other qualified and topflight bidders—I am talking about bidders whose names are well-known, corporations and others—were told sorry, you are out of the running on this when so and so has the inside track. But just so it would be clear, there was that element in this puzzle as well at that time.

Mr. METZENBAUM. I thank my colleague and friend from Michigan. He is 1,000 percent on target because I know too of many who wanted to get the door open to come in to make a competitive bid, who thought that they were fully capable of running these savings and loans, and who were prepared to put up their own dollars to do it. They were kept out. Who decided that this one was right and that one was wrong?

The chairman of the Banking Committee is right on target. The question has never been answered but me thinks that there were some elements of favoritism involved. I have no factual basis to confirm that but I cannot believe in the reality of the world in which we live that when some people are picked out and others had the door shut on them—and that occurred across the country—something funny occurred. The Congress and the people of the United States do not know all the answers. I wish we did. I appreciate his adding that factor into this debate this morning.

Many of my colleagues have raised serious and legitimate questions about why the Government negotiated such giveaway terms and was so incompetent in protecting the taxpayer. They wonder whether in some of the contracts in which the 1988 deals are based the private parties acquiring the thrifts broke the law thereby providing the Government grounds to rescind or force the renegotiation of the contracts

and thus save taxpayer dollars. And they also wonder whether in other contracts where the Government simply made a bad deal with contracts can be restructured even as of now to save the taxpayers' money by exercising options in the contract.

As part of the 1989 bailout law, the so-called FIRREA legislation, Congress addressed itself to these issues. They tried to answer these questions by ordering the RTC to scrutinize each of the 1988 deals and look for ways to save taxpayer money. In addition, the RTC was specifically required to exercise all legal rights to rescind or force the negotiation of a deal where there were legal grounds such as fraud or misrepresentation.

They were also ordered to exercise all legal options in the contracts to restructure some or all of the giveaway terms the Government had agreed to.

With the passage of FIRREA, I had hoped and many others had hoped that the Government would finally act to protect the American taxpayer. I and many others had hoped that the RTC would take seriously that the Congressional mandate was not just a wish—it was a mandate to take certain action—and that RTC would take fast and aggressive action to get the job done.

I and my colleagues in Congress who are concerned about this issue were wrong on both counts. The RTC has done nothing short of ignore the Congressional mandate.

I have served in this body for about 15 years. And I was not unfamiliar with governmental actions prior to that time. Never in my political career or my private career have I seen any agency of Government so spit in the eye, flaunt the will, of the Congress of the United States—which was ordered to do something by the Congress of the United States and just failed to do it.

I will address myself further not alone to this instance but to additional instances where Congress has mandated the RTC to act, and RTC has just said, "Tough. We are not going to."

The RTC's performance to date has been an outrage and a disappointment to the American taxpayer and to the Congress of the United States. In the year and a half since the passage of FIRREA, the RTC has not taken action to undo or alter a single 1988 contract. Instead, the RTC has wasted all of the precious time since the 1988 deals doing studies. They ought to put it to music. They were going to do a study, another study, another study, studies that tell us nothing more than what is self-evident, that the Government handled the 1988 deals poorly, and the Government can exercise options in the contracts to buy back assets and payoff promissory notes.

Can you believe it? The RTC has spent millions to tell us about a first year loss which could have been told to us on a homework assignment.

The first study the RTC did took 13 months to complete. It was submitted by the RTC on September 18, 1990. The Congress had told the RTC to review and analyze all of the 1988 deals and actively review all means by which it can reduce costs.

I am reading statutory language.

By not compelling testimony or going beyond just the words of the documents, the first study fell seriously short of the FIRREA directive. The study did little more than summarize and categorize the terms and forms of assistance contained in the 1988 contracts.

It was a farce. It was absolutely stupid. I guess they paid $3.5 million for that study—I think that is correct—to tell them what the words said in the contracts, whether the t's were crossed and i's dotted and whether they used good grammar. They did not do anything about the contracts themselves in restructuring, rescinding them, or renegotiating.

I called to complain to the head of the RTC about their failure to have done anything in that first study, and he assured me there was a second study going on, and a second study was going on. That one, I was assured, was going to get to the nitty-gritty, to the real problem, to see how the RTC can save the taxpayers some money.

The second study was submitted by the RTC on December 26, 1990. It was equally lacking. The focus of that study was on the competitiveness on the bidding process—the matter to which the chairman of the Banking Committee just referred—used in making the 1988 deals.

The study goes to great lengths to describe the various bidding processes used by the bank board, but it does little more. The study concludes that the Federal Home Loan Bank Board's Southwest plan, a plan specifically designed to handle the sale of thrifts located in the Texas area, did not provide the same opportunities for all potential bidders to compete on a fair and equitable basis.

That was the finding of that study, and that point is one with which I agree. The question is, does that mean that the bidding and negotiating processes were not competitive? If so, the report should make that clear in plain English instead of trying to dance around the issue.

If bidding and negotiating processes were not competitive, why not? Why was there not competition? Was there any basis to undo the contracts because of irregularities in the bidding process? These are questions that the second study should have answered. It did not.

You may ask why were those questions not answered. FIRREA was certainly clear enough in outlining what it expected the RTC to do. These questions and others were not answered because the law firm doing the study, Steptoe and Johnson, did not understand it to be part of their job to answer these questions. Steptoe and Johnson state in their report that:

> We did not understand our task to have been to make findings as to violations of law.

What else did they think they were supposed to be doing? That is exactly what their task was supposed to be. If they did not understand they should have been looking for possible violations of law and other irregularities in the bidding process, which could have served as a basis to open some of the deals, then they have wasted their time and, yes, wasted more of the taxpayers' money.

I am not saying that Steptoe and Johnson had to make findings of fact as to whether indeed there were violations of the law. That is the responsibility of the courts. What I am saying is, in doing its study, Steptoe and Johnson should have been looking for irregularities in the bidding and negotiating process and how that bidding and negotiating process was conducted, and whether or not others were permitted to bid or whether the door was slammed in their face, and how it was decided who would have a right to bid and who would not have a right to bid.

Such findings could have served as a legal basis to rescind the contract or serve as a basis to force the renegotiation of the contracts. That would have been something worthwhile that could have ultimately led to savings for the Government.

Any irregularities should have been reported to the appropriate Government agency for further investigation and possible litigation or prosecution.

That report did nothing to meet the mandate of Congress, which was to find ways in which the Government can reduce costs.

In the second study there was still nothing done to meet the mandate of Congress about trying to do something about the deals to save the taxpayers money.

After waiting for over a year for the RTC to scrutinize the 1988 deals and do something about them, I decided to ask private law firms, some of the most prestigious law firms in the country, if they would be willing to do the job for the Government on a contingency fee basis.

The Nation's most prestigious law firms responded with enthusiasm and with an understanding that there was a pro bono aspect of getting involved and doing something they did not normally do.

I provided the RTC with a list of those firms. In response, the RTC told me they planned to do yet another study.

What an unbelievable series of reactions from a Government agency, which some people thought was going

to do a pretty good job when it was first setup. Can you believe your ears? The RTC wants to do another study. How do they want to do that? They have said to these very same law firms who had gone out of their way, who had indicated a willingness, at my behest, to handle the cases, to renegotiate, rescind, restructure these contracts on a contingency fee basis, and only get paid if they were able to save the Government money, and to get a share of that saving. I do not know what that amount would have been, but they were willing to do that. The RTC does not use them. No.

The RTC is cute—maybe cute and stupid—and I do not know what else, as well. The RTC now says to these law firms that they want them to study how to determine whether there are legal grounds to rescind or force the renegotiation of a 1988 deal.

How absurd can they be? The RTC will not hire these firms on a contingency fee basis, but is now saying to them that they want to do this study as to how to renegotiate or rescind these deals, and they are saying to these law firms "You ought to do it for nothing, you ought to do to pro bono."

It so happens that I do not have much truck with these particular law firms. They are some of the largest in the country, and it is my guess that they would never be supporters of the man who is making the statement at the moment. But they responded, and responded well, because they understood the responsibility of government, and they understood the question of what was right for the American people.

Now the RTC has the audacity to come in and say that they want another study, and they want these firms to do it pro bono, free.

Maybe the RTC hopes to appeal to their sense of national duty and responsibility, but I do not expect that the firms will do this for nothing. Frankly, I do not blame them.

Can you imagine, the RTC is willing to pay for outside counsel to do studies, but is not willing to offer a contingency-fee basis which is without cost to the Government to lawyers willing to seek legal grounds to save taxpayer's money.

So what is the Congress left with? I will tell you: A finger in your eye. The RTC has simply ignored the specific mandate in the FIRREA legislation. The RTC has not scrutinized each of the 1988 deals. The RTC has not even attempted—not even attempted—to exercise legal grounds to rescind or force the renegotiation of 1988 deals where there was misconduct such as fraud or misrepresentation.

The RTC has done little—maybe it would be better described as nothing—to restructure the 1988 deals where the contract itself gives them the right to do so. The RTC has failed miserably in its responsibility to the public and in complying with the congressional mandate.

But that is not the end of it. It gets worse, much worse, because by delaying action against the 1988 deals, we significantly reduce the amount of taxpayer money that can be saved.

Many of the 1988 deals are constructed in such a manner that the highest Government subsidies are paid in the first 2 to 3 years of the contract. With each year, with each month, with each day, the total amount of subsidy declines.

Thus, the longer the RTC delays in taking action, the less the Government stands to recoup.

You say, "Come on, Senator; how could this happen?" The Congress knew there was money to be saved. We directed the RTC to attempt to save it in the FIRREA law, but the RTC is accountable to no one, least of all the U.S. Congress.

You might say, "Well, did we give our RTC too tough a job? Maybe what we want cannot be done." That is unadulterated nonsense; that is bull. It can be done; it could have been done; it should have been done.

At about the same time the RTC was doing studies on the 1988 deals, the Judiciary Subcommittee, which I chair, conducted oversight hearings on just one of the 1988 deals, the Bluebonnet deal purchased by James Fail.

I selected Bluebonnet, not because I suspected any wrongdoing on the part of acquirer, but because Bluebonnet's profit margin in 1989 was considered to be the highest of all savings and loans in America, 62 percent.

Can you imagine that? Due to huge Government subsidies, a 1988 deal for 15 failed thrifts in Texas became the most profitable savings and loan in America in 1989.

As brought out in those hearings, the Bluebonnet deal involved favoritism, poor Government staff work, and huge Government subsidies to James Fail, who due to his prior legal troubles should never have been eligible to take over a thrift. In short, there were numerous grounds to keep him from taking over the thrift, including misrepresentation, and other grounds as well. They provided a sufficient basis to seriously consider rescinding or forcing the renegotiation of the contract.

The RTC did nothing, did not lift a finger, and continued to pay the huge monthly subsidies to Mr. Fail's savings and loan.

We even found in that investigation, and we reported it to State insurance commissioners, transactions that appeared to violate State insurance laws. Several of Mr. Fail's insurance companies have now been taken over by those States. All the while, the RTC has done nothing.

Bluebonnet was only the tip of the iceberg, one of the many rotten deals made in the closing days and months of 1988. If we could find grounds to possibly rescind the Bluebonnet acquisition with the limited resources that a single subcommittee has, imagine what the RTC could find if they were committed to the test we gave them of saving the taxpayer money.

So, you say, surely the RTC has done something beyond those two studies. Yes, they did. Late last year, they asked Congress for money. Oh, they are good at that. That is what we are here about today. At that time, they asked for $22 billion to make payments on the 1988 deals; $10 billion of that was to restructure the deals by exercising options in the contracts, like prepaying notes. They told us they could save $2 billion by spending that money.

We took that RTC at its word and gave them the money, but Congress attached another mandate. I do not know why we keep mandating the RTC to do certain things, because they do not do it. And maybe the only way you can force the RTC to do that which has to be done is by withholding the money and making it clear why—why—the money is being withheld.

Under the new law, the RTC is now required to give Congress a monthly report on a case-by-case basis, describing any action taken by them on the 1988 deals. In addition, Congress repeated a requirement from FIRREA that the RTC is required to exercise any legal right to rescind or force the renegotiation of a deal where there are grounds like fraud or misrepresentation, or, second, to restructure a contract based on options in the contract, if the exercise of those legal rights would save money.

And last, before expending any of the appropriated funds, the RTC is required to certify to Congress for each of the 1988 deals that the RTC has completed a review of the deal; a determination has been made as to whether there is legal basis to rescind that deal, each of the 1988 deals; and the RTC has exercised or will promptly exercise all legal rights to restructure the deals, by exercising options in the contract, where savings would be realized. The language is clear.

Let me read you the language. The language of the law is very clear. Section 519(a):

> The Resolution Trust Corporation shall report to the Congress at least once a month on the status of the review required by section 221(a)(b)11(b) of the Federal Home Loan Bank Act, and the actions taken with respect to the agreements described in such section.
>
> The report shall describe for each such agreement the review that has been conducted and the action that has been taken, if any, to rescind or to restructure, modify, or renegotiate the agreement.
>
> In describing the action taken, the corporation is not required to provide detailed information regarding an ongoing investigation or negotiation. The corporation shall exercise any and all legal rights to restruc-

ture, modify, renegotiate, or rescind such agreement, notwithstanding any other provision of law where the savings would be realized.

That says that they have to give us, give to the Congress, a report on a monthly basis of what they have done in connection with each deal.

This is their unbelievable answer to the mandate to report as to what they have done in connection with each of the deals.

This is what they have said:

Activities in November and December.

During November and December RTC completed its review of each of the 1988-89 FSLIC assistance agreements. The first report on the cost of each agreement was forwarded to the oversight board and the Congress on September 18, 1990.

This is prior to enactment of this new mandatory legislation. The second report on the bidding and negotiating process was forwarded to the oversight board and the Congress on December 27, 1990.

On December 20, 1990, the RTC board of directors authorized the RTC staff to forward its recommendations for restructuring, modifying, and renegotiating the 1988-89 FSLIC assistance agreements to the oversight board. In authorizing the transmittal of staff recommendations, the RTC board of directors requested the oversight board to advise it whether the oversight board wishes the RTC to spend the FSLIC resolution fund's FY '91 appropriated funds or attempt to extract savings without significant cash outlays. The transmittal of recommendations was requested by the oversight board in order to comply with their mandate to develop and establish overall strategies, policies, and goals for the restructuring of 1988-89 FSLIC assistance agreements.

It goes on, a last paragraph:

Rescissions, Modifications, Restructurings, and Renegotiations.

While preliminary discussions have begun with a number of FSLIC-assisted institutions, no agreements were rescinded, modified, restructured, or renegotiated during November and December 1990.

Now, what I am saying is simple. That is the most impertinent response to a mandate of the Congress that is possible to conceive of. We said to them, we want a report on every single deal and what you have done in connection with it. And instead of giving us that, they gave us this gobbledygook in a half a page on a single piece of paper.

We are not saying that the RTC is required to take any particular action on any particular deal, but it is required to determine whether certain legal grounds are available to challenge 1988 deals, and it is required to act to save money. They have not done a darn thing to achieve that objective.

It was my hope that by requiring the kind of reporting that is required in our enactment at the close of the last session and by the amendment that I had offered on the appropriations bill, I had hoped that, by requiring that kind of reporting and certification, the Congress would ensure that the RTC would finally take action to save the taxpayers money. I was wrong once again.

It has been 4 months since we passed the new mandate. The RTC has submitted that one report, and that came on a one-page report. The RTC has made a mockery of this third congressional mandate.

It is easy to summarize what the RTC has done about the 1988 deals since August 1989 and the FIRREA legislation. The RTC has, one, conducted two meaningless studies and prepared for a third. Two, they have asked Congress for $22 billion. Three, they have sent notice to some 1988 deal owners that the RTC may prepay some notes, and they have come to Congress today for $30 billion—$30 billion—and, in addition, that $30 billion will make it possible for them to borrow an additional $48 billion. So they have done nothing. But we are called upon today to pass a piece of legislation making it possible for them to raise $78 billion. Can you believe it?

We come out here and we fight for $200 or $300 million for some worthwhile project to help children or seniors or people who are not working or people who have certain kinds of illnesses. We have begged for money for cancer research and for AIDS research and Alzheimer research. But in this one fell swoop, $78 billion is being asked by an agent that just will not do anything to save the taxpayers money and has flaunted the will of Congress time and time and time again.

Let me tell you what the RTC has not done. The RTC has ignored the congressional mandate in FIRREA to determine for each 1988 deal whether there were legal grounds to rescind or enforce the renegotiations of the deal. Two, the RTC has ignored the congressional mandate in FIRREA to take action in each 1988 deal. Three, the RTC has ignored the congressional mandate in the 1989 appropriations bill to tell Congress what it has done with respect to each of the 1988 deals. And, four, the RTC has failed to save taxpayer money by taking action against the 1988 deals.

This is an absymal record. It says one thing loud and clear. The RTC, according to them, is not accountable to the U.S. Congress. The RTC refuses to abide by the law. It is a power unto itself. And Congress can go fly a kite. The RTC is off on its own, ignoring Congress, and setting its own priorities.

Mr. President, the 1988 deals are not the only place where I have firsthand knowledge of the RTC's poor performance. I would like to pause for a few minutes, but I intend to come back to go into further discussion of the RTC's failure to meet its responsibilities.

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

The PRESIDING OFFICER (Mr. KOHL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERREY. 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. KERREY. Mr. President, I rise again in support of the intent of the Senator from Ohio, who is trying to get the body, and I think has been successful in doing so, in getting our colleagues to focus our attention on the lack of accountability present with the Resolution Trust Corporation. There is none.

Quite simply, Mr. President, almost everyone who has observed the current activity of the Resolution Trust Corporation has concluded it is not working, that something is wrong. I hear the administration saying we are going to lose money if we do not get money approved right away. The fact is we have been losing money right along with the appropriations of the Resolution Trust Corporation. The policy that they have been attempting to put in place simply has not worked.

Mr. President, I have for some time now been trying to focus on this policy question and the accountability question and the absence of it and the difficulty that we as representatives have in discovering what is going on at Resolution Trust Corporation, let alone have an entity that can make decisions. They are struggling to make decisions. They have right now in conservatorship approximately 100 institutions, 150 institutions, about 100 billion dollars' worth of assets in conservatorship. They are running advertisements to find people to come in and manage these institutions, while they hold onto them to try to figure out what to do with them. They are terrified to make decisions. They announced a grand auction last fall to auction off assets. They became paralized by the possibility that something would go wrong and canceled the auction and now the auctioneer is suing them.

They are struggling to make decisions, I believe, because of the way we have organized them.

I have tried to focus my attention on this policy board, the oversight board. We created an oversight board in statute and they were supposed to be evaluating the policy, saying here is where we think the policy is right. So if you have a Member of the U.S. Congress who disagrees with the policy, he or she can go before the board and say here is where we think the policy ought to be changed, here is where it ought to be adjusted. Instead, every single time we have a policy dispute we have to amend the statute, which may indeed create additional inflexibility and create additional problems in resolving the sale of the assets. We could come to the board directly and make

suggestions how the operations could be done better. And the public as well would have the opportunity to come before the policy board and make suggestions about how it ought to be operated, in open hearings and meetings, regular hearings and meetings to talk about what is going on.

Mr. President, that is not what is going on at the oversight board. The history of the oversight board shows them having four open and three closed meetings. They meet about once every 2 months, the policy board. That is the board charged with the responsibility of analyzing the policy and making, to the American people and the Congress, recommendations of how it can be improved, perhaps administratively at times if speed and timing is of the essence.

The Senator from Ohio has done us a great service in opening up the 1988 deals, showing us what happens when behind closed doors decisions are made. They do not get made based upon democratic principles; they get made based upon who you know.

It seems to me what has happened in the wake of the exposure that has been given as a consequence of these hearings is that now we have people down at the RTC who are afraid to act, afraid to move, afraid to do things. As a result, the assets get held. As a result, we continue to lose money. Then they come up here and ask for some additional money.

It simply is not working, Mr. President. We are losing money and I do not believe we can afford to wait to change that part of it.

The amendment I will offer later does a very simple thing. It says let us create the policy board. Let us have a strong chair. Do not take away the authority of the President; give the President the authority to appoint this board and require the Senate to affirm. But create a powerful position.

I recommend the President seek out for the chairman somebody who does not want the job rather than accepting the applications of people who are hungry for the job so perhaps they can improve their résumés and seek higher paying employment in the private sector. Find somebody who does not want the job, somebody who has enough credibility that can establish trust immediately, reestablish trust that has been lost. That is the reason we are struggling with this right now.

Yesterday the Banking Committee was unable to get the votes to recommend any expenditure of money because we all know if we vote for more money right now, we are voting against the will of the people. They do not want it. We can say they just do not know what is going on, they are not smart enough to figure it out, they just do not have all the information we have to muster the courage and do the right thing.

The truth is the people smell something and they do not like it, and they are right. This thing has been operating outside of the public view. And I argue, because it has been outside of the public view, that creates the very paralysis that increases the cost and increases the length of time required for resolution.

Mr. President, the amendment I will offer is very simple. There have been some who suggest we ought to abolish the board. That would be the worst of all things to do. If we abolish the board, then we have the FDIC Board. And, for my colleagues, I will tell them how that operates. The FDIC has its meetings chaired by Mr. Seidman, adjourns the meeting, puts up a new sign and then conducts the RTC meeting.

All of us know the problems the FDIC is having right now. We understand the awesome responsibility. They are asking for authority to borrow $10 billion with additional authority to raise deposit insurance to 23 cents per $100. That gets passed on, by the way, to every one of our home borrowers and every one of our commercial borrowers. It is no wonder that simply raising interest rates simply did not get the job done. Money is not available no matter what we do through the Federal Reserve.

It is not accidental that we have a 30-percent decline in home construction in the United States right now. It is not just because of a recession in manufacturing. It is because it has become difficult to provide credit. These things are connected. We have to resolve this problem we have with large amounts of assets being held, inactive, that have no value. These institutions that are in receiverships not only are losing money, Mr. President, but they are insolvent on the face, looking at the balance sheet. Nobody wants them. And we make matters worse, it seems to me, when we try—loosely using the word "conserve"—to conserve them until we can find a buyer, knowing from the record that we have at hand it is likely the longer we hold them in conservatorship the less attractive they are going to get for any potential buyer.

Thus, we find ourselves in an ever-deepening spiral that causes us to doubt that these expenditures are going to do anything other than just tide us over and get us by the next election.

I urge my colleagues on both sides of the aisle to look at this recommendation I am making, at this amendment I am proposing. It is a simple one. It does not require us to get into the details and try to figure out how the structure of the RTC itself ought to operate. It just has us placing a very high value on policy itself—and the details of the policy are complex—and a very high value, as well, on accountability.

If we give the public all the information and create the opportunity for the public to see through this Iron Curtain we have created around the venture, even if the public may not like it, if they know and trust they are getting the information, then they will give us permission to vote this money. In the absence of that sense that the money is being spent in a way they understand, they will not.

We may vote to give them the money, Mr. President, but we will indeed be voting against the will of the people. And it is a very uncomfortable position. It is not comparable to the 1986 deals. In 1986, which is referenced an awful lot, Congress underestimated the size of the problem. Today, very few of us underestimate the size of the problem. Most of us tend to overestimate the size of the problem, if we err at all in calculating the total dollar amount that is likely to be spent on this great American tragedy.

The simple amendment I will offer reinforces everything the Senator from Ohio has been attempting to do, which is to take out the flashlight, shine it and expose those little corners where deals have been made, where the citizens have not had the opportunity to get adequate information, where they have not had the opportunity to get the kind of oversight that indeed they require even from spending programs of much smaller size.

If we have a $10 million program designed to help children or improve the health of American citizens, almost every single Member of the Congress wants to make sure we have oversight, we know how the money is being spent; that it is accountable and we have an opportunity to hear and criticize and know whether or not the program is working. Under this proposal we do not. We get regular reports, but they are meaningless. They do not provide us with real-time information.

Again, the impact is they are not making decisions. The impact is they do not move. They are terrified of doing something that will embarrass somebody politically, so they do nothing.

The RTC is an organization that has a large number of people who were previously examiners, and that mentality is not necessarily very healthy in making the kinds of decisions this organization needs. If we open it up and bring real policy oversight to this, then I think this organization will move a lot faster. We will resolve these problems a lot better. And, though the American people may not like spending the money, they will feel at least that they know what is going on and they can hold whoever needs to be held accountable, accountable for his or her actions. That, Mr. President, it seems to me, is the real strength of American democratic institutions.

Again, I applaud the Senator from Ohio. He has done an awfully good job in helping us see what is going on. What we need to do now is respond to him, not with a whole series of detailed amendments trying to accomplish this environmental objective or this consumer objective or all this sort of thing. It is precisely because we do not have oversight that we find ourselves needing to improve this thing at the margin.

We need policymakers out there that are watching what is going on. If we have that, Mr. President, it seems to me that this thing will advance faster, we will get it behind us, we will set it behind us and have the capacity then to strengthen and rebuild our entire banking system.

So, again, I thank the distinguished Senator from Ohio for the fine work he has done. We in this Congress dare not simply ignore his words. If we try to run from this, if we try to hide from this, if we try to turn away from this, it will indeed get worse.

This is not a problem that will go away. This is not something that will simply yield to our saying we hope we can push it beyond November 1992. We hope somehow it will take care of itself.

It will not take care of itself. It will require in the end action by us, or it will require in the end spending by us. I hope, Mr. President, that it is spending inside of greater accountability and not the absence of accountability we currently have in place. I yield the floor.

Several Senators addressed the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I want to say how much I appreciate the thoughtful and decisive thinking of the Senator from Nebraska. As usual, he is right on target. I am very grateful to him for his kind remarks concerning my own position on this matter, and I look forward to working with him as this matter develops on the floor of the Senate.

Mr. President, as I indicated earlier, I have much more that I wish to say concerning this entire matter.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 13

Mr. D'AMATO. Mr. President, I thank my distinguished colleague from Ohio for giving me this opportunity at this time to bring up a very important matter that concerns a growing number of people in my State and I think you will see in the not too distant future in other States.

It is a situation that takes on urgent ramifications as it relates to the people who are affected. It is a situation that comes about as a result of a rather misguided policy recently adopted by the Resolution Trust Corporation.

The RTC recently announced it will evict tenants in New York and other areas around the country in spite of State and local laws designed to protect tenants from eviction. The amendment which I will offer seeks to protect working middle class families in New York from this consequence.

Certain State and local laws such as those in New York protect tenants from eviction when the ownership of units is transferred due to sales or foreclosures. However, the RTC intends to use language included in the Financial Institution Recovery Act known as FIRREA to attempt to override State and local laws.

What are we talking about? We are talking about when the RTC comes into possession of a building, and it wants to sell that building; we have tenants who are in there who have rent control properties and who do not own but want to continue to rent. They do not have the money to go out and purchase that as a condominium. They were protected. Now RTC says you are out. We are going to put you out on the street because we could get more money. That is just simply wrong.

I wrote to the RTC and it took about 3 months for them to respond; 2 months to respond. It was a rather feeble response in which they said, "Well, as it relates to low-income families, Senator, we are going to adopt a policy that protects them." Apparently they have made some movement in that area. They have said those people who have incomes of 115 percent of median income would not be forced to vacate the apartments.

What does that mean? That means if you have a family, a working family with four children with an income of $42,000 or less, their lease cannot be terminated and they cannot be dispossessed.

What if you earn $43,000? Let me suggest to you that is not an inordinate amount of money for a working family or families in our metropolitan areas. That means the RTC puts you out. So anyone earning more than $42,000 per family will be evicted.

That is a nonsensical approach, and I do not think Congress wants to be putting people who cannot get affordable housing out on the street, terminating leases, and saying you are out because we could sell this property for more money. In many cases it is very doubtful they are going to be able to raise substantially more money. Second, I do not think we want to do it on the backs of working middle-class Americans.

I am going to be offering an amendment that is rather simple in nature. It seeks to protect working families. It seeks to protect working middle-class families. In particular, it is not the tenants protection act for the wealthy because we put a cap on it. We say 175 percent of median income.

My staff indicates to me that would give working families of up to $65,000 per annum protection. I do not think families who are making $42,000 per year are going to find such an easy time in metropolitan areas to find housing if their leases should be terminated, and through no fault of their own the property falls into the hands of the RTC; we strip away their rights because it seems in the FIRREA bill Congress may have given RTC this ability to foreclose on properties and wipe out existing leases. That was not our intent.

Our intent was to give them the opportunity to cut through the legal entanglements that would hold up in orderly disposition of properties; but to say we are going to put working middle-class families out on the streets because we could gain a few more dollars rent from an apartment or because we could sell it, condo it, and therefore get those extra dollars, that certainly is not the congressional intent.

So I did not say in this legislation everyone will be held harmless. If you have people who have incomes of $150,000 or $200,000 who are in rent-controlled apartments, fine, let them go out and look for alternative sources. Let us not let the Federal taxpayer subsidize that. But in the real world as it exists today, if you are in a metropolitan area, a family with $65,000 is certainly not inordinate. That is the purpose of this amendment.

Let me say this to you. We are working with the people at RTC. We have spoken to their legislative people. I have spoken to some of the members of the oversight board. I hope this legislation might become academic and not necessary because I am mindful of the fact, if one amendment comes up, there are others and others, and everyone has to justify matters they believe can be handled by this bill.

So if indeed we can get a statement, a clear statement of policy from the RTC that they will accept or increase the level of 175 percent of median income, then it would seem to me this legislation would be academic and we are giving protection to middle-class families, middle-class areas, and they are not going to have to be put out on the street or face the eviction. This becomes academic. But until I have that assurance in writing I am constrained to go forward.

So at this time, I send this amendment to the desk.

(Purpose: To amend the Federal Deposit Insurance Act to protect tenants from unnecessary eviction by the Resolution Trust Corporation)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York, [Mr. D'AMATO] proposes an amendment numbered 13.

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

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

The amendment is as follows:

At the appropriate place in the bill, add the following new section:

SEC. . RESIDENTIAL TENANT PROTECTION.

Section 11(a)(1) of the Federal Deposit Insurance Act is amended by inserting at the end of section 212 (e)(1)(c) the following language:

"(D) The right of a conservator of receiver for any insured depository institution to disaffirm or repudiate any contract or lease shall not apply to a residential lease or tenancy that is required by operation of state or local law during the effective term of the lease or if the leased residence is occupied by a "qualified tenant." For purposes of this subparagraph a "qualified tenant" means an individual or family who uses the leased property as the principal residence and whose income does not exceed one hundred and seventy-five per cent of area median income, as determined by the Department of Housing and Urban Development."

Mr. D'AMATO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. D'AMATO. I ask for the yeas and nays once again.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. D'AMATO. Mr. President, now that the matter has been laid at the desk, I hope that we can continue. I want to thank Senator METZENBAUM, my colleague from Ohio, for giving me this opportunity to raise this issue.

I hope we will not have to press forward for a vote on this because I would like to have a vote on the merits. But I would like to avoid that.

I would like to have the RTC recognize the merits of not placing any one family in a precarious position. Sometimes it becomes difficult. You look at numbers. At the present time there are 700 or 800 families who may be placed in a precarious position. That number is going to grow. If it is one family, that is a family. That is a concern. Why should we undertake that act? I know it is many more. If it is 500 families—we use these numbers. It does not sound like much except, if it is your family, you are hurt; except if you are the person who is being the pensioneer over their being placed out.

So I think we need to give these people some clear deadlines. Certainly leases that are in existence should be adhered to regarding that principle of law which is embodied in this legislation so those people who have leases, if it is another year, 18 months, are given the protection of being given 18 months. If they have incomes less than 175 percent of median income, it should be made known they are not going to fall victim to this situation, one not of their making.

Mr. President, I yield the floor.

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. METZENBAUM. 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. METZENBAUM. Mr. President, when I was speaking before I was addressing myself to the 1988 deals. They are not the only places where we find firsthand knowledge of the RTC's poor performance. Unfortunately, the same story is being played out with the RTC's efforts to investigate and prove liability on the part of officers, directors, lawyers, accountants, investment bankers, appraisers and others for causing thrift failures and other losses. As well with well-known corporate law, there are certain fiduciary responsibilities, certain legal responsibilities of officers and directors of a corporation.

When they fail to meet those fiduciary responsibilities and legal responsibilities, they become liable to the corporation, which in turn is to protect the interests of the corporation's shareholders. But now the rights that the shareholders had have passed over to the RTC, which has come forward with the money and taken over these savings and loans.

So the RTC is in a position to bring action to recover those dollars from the officers and directors. Every dollar that the RTC recoups, suing those negligent directors and other professionals, is a dollar that the taxpayer does not have to pay for the bailout.

Since so many savings and loan managers and owners use their thrifts as giant slot machines, without regard to prudent business principles, these types of lawsuits can be a meaningful way to reduce taxpayer costs.

I took a look at how the RTC is handling the question of director and officer liability by conducting an investigation of one failed savings and loan, Southwest Savings & Loan of Phoenix. The subcommittee found that two separate divisions of the RTC, over the course of 15 months, had shut down, frustrated, stymied, or ignored an investigation of any director or officer's liability at the savings and loan.

We found out that Southwest was owned by possibly the richest man in America, Daniel K. Ludwig. He had done something that is unusual to have done in a corporation. He had promised, in writing, to use his funds to pay any claims resulting from negligence at the thrift.

Despite the billionaire's commitment and a $250 million loss to the taxpayers, because of the failure of the savings and loan, the RTC did not conduct a professional liability investigation for at least 18 months, and still has not filed a single lawsuit 2 years after the thrift's failure.

Now there is credible evidence that this delay did not just happen; there is credible evidence that it was intentional. The investigator assigned to the Southwest Savings case testified before the Antitrust Committee. He said under oath that a top RTC official told him not to conduct interviews of Southwest executive officers or directors. That official's contemporaneous report corroborates the testimony.

The investigator also testified that his superior later told him to do nothing on the Southwest case, and he was told to "sit on it."

A year later, an RTC lawyer tried to reopen the investigation. He also testified before the subcommittee under oath. His testimony was that senior RTC lawyers told him to "forget about" the Southwest Savings investigation. His testimony was also backed up by memos that were written at that time.

The investigator and the lawyer wanted to investigate, because they were aware that Federal examiners had concluded years before that Southwest had been operated in "an imprudent, unsafe, and unsound manner," and that this had caused "sustained and increasing losses."

In other words, the Government's own reports raised serious questions that needed an investigation and indicated that negligence was a material cause of Southwest's losses. Yet, the RTC delayed conducting the first interview for at least 18 months. Because evidence in a professional liability case grows cold or disappears over time, that delay has seriously disadvantaged any RTC lawsuit that may yet be filed.

The RTC's response to the subcommittee inquiry into Southwest Savings was to stonewall the Congress. I was talking before about the 1988 deals, and I indicated that the RTC just would not follow the mandate of the Congress. In this instance, we find them stonewalling the Congress. The subcommittee had to ask twice for all records concerning any Southwest investigation before they would even respond. The response was to say that they would give us no response.

Who do they think they are, to say to the Congress of the United States that we cannot learn the facts about their misfeasance, malfeasance, or nonfeasance? Who is this RTC that comes before us today and asks for $30 billion? Let us not kid ourselves, they are asking for $78 billion; $30 billion is in the bill, and under the procedures that are possible, they then will be able to go out, using the full faith and respon-

sibility of the Federal Government, to borrow another $48 billion.

Where it sits now, a quarter billion dollars has been lost with respect to Southwest Federal Savings & Loan, which the public has to pay, and the RTC is just now getting around to asking some of the questions of those responsible for the losses.

Unfortunately, the story will not end with this one botched RTC investigation. A Washington Legal Times article published last week provides another glimpse at the RTC's sad state of affairs. John Beatty, an assistant general counsel in RTC's professional liability section, was quoted as saying, "The RTC's effort is a recipe for disaster."

The article reports that Beatty is describing the workload of each of the lawyers who works for him as four to eight times greater than what is desirable.

The article also quotes an RTC lawyer, who did not want to be identified, as saying, "We come up to the statute of limitations, and everything is done on a rush-rush basis. So things are not done as well as they should be done, and we have to make decisions based on inadequate information."

How can we be so far behind on finding and prosecuting the individuals responsible for the billions of dollars lost through negligence and mismanagement? What is it about this Government that the RTC just is not willing to face up to its own responsibilities to the American people? Does the RTC really believe that there is an unending source of funds, and all you have to do is come to Congress and say, "Look, we are in trouble. If you do not do this, the whole world is going to come to an end."

We gave them $22 billion. They already had $107 billion. They are now before us for $78 billion more. In 1990 alone, the RTC and the FDIC spent a king's ransom on lawyers—on lawyers. They spent, in 1990 alone, $733 million on lawyers. That makes them the largest employer of lawyers in history.

They spent $118 million on more than 1,000 staff attorneys, and $615 million to hire more than 1,000 private law firms. The press has accurately described this as the largest legal effort in history.

(Mr. SHELBY assumed the chair.)

Mr. METZENBAUM. I consider it the largest legal boondoggle in history. Remember, this is the same RTC that was not willing to hire lawyers on a contingent fee basis where they get paid only if they save the Government some money. That they would not do. But to go out and hire more than 1,000 lawyers and spend an unbelievable amount of money is beyond comprehension. The RTC acts like the Lone Ranger, only they do not have a white horse to ride; theirs is rather black. They are out on their own. We know little about what they do with their money at any particular time or for any particular program. We have no inventory. We do not have any knowledge as to what they are holding now in their asset portfolio. We do not know how they dispose of it. As Senator KERREY pointed out this morning, they set up an auction of the assets and called off the auction and wound up getting sued by the auctioneer. I know the RTC needs to sell assets, and that calls for a lot of lawyers, but how can it possibly cost $733 million?

With these unbelievably large legal resources, you would think they would accomplish something. How could the RTC fail to focus on saving taxpayers' money by suing negligent directors, officers, and other professionals who cause thrift losses? But, no, they do not do that; $733 million in lawyers and they cannot get around to instituting a lawsuit against a billionaire whose hand-picked executives left the taxpayers with a $250 million bill. When the RTC does go after people, why is the RTC restricting its lawsuits only to directors and officers who have more than $5 million between them?

I saw this memorandum that went from John B. Thomas, assistant general counsel, to William Seidman, and the memo provides as to D&O investigations—that means directors and officers investigations—where there is no D&O insurance. "We do not expect to pursue these matters unless our best estimate is that the proposed defendants include at least a couple of individuals with a net worth of at least $500,000 and a collective net worth of at least $5 million."

I am frank to say to you I do not know if that is their policy or not, but I have to assume it is their policy. I do not know. But, if it is their policy, it is an absurd one. We do not sue directors and officers who have combined less than $5 million in assets. Why? What if one of the officers has $4 million in assets and all the rest together have $700,000 in assets, should he not be collectable? Imagine if the IRS felt you had to have $5 million before it would go after you for back taxes? I realize the people have to have some assets before they are sued, but I cannot believe, I cannot believe, it has to be $5 million. The IRS goes after people who owe $87. They will put a lien on your house, freeze your bank account, garnishee your wages, and put you to the wall to get you pay your taxes, to cover what? To get you to pay that $87 you owe the IRS, so we can bail out the RTC and the savings and loan with $180 billion, as of about now under this bill, and there will be much more coming. The RTC wants us to give them more and more and more billions but it does not want to do what Congress mandates it to do. It does not want to go after thrift executives who bankrupt the thrifts, unless they have $5 million.

I have to tell you. I do not know how they are so smart over at the RTC that they know whether John, Joe, George, or Peter is worth $5 million. What do they have? Some "open sesame" that they can tell whether somebody owns something or does not, whether that individual's stock portfolio is going up or down, whether that individual's home is worth more or less, whether that individual's investment in his company has a value of $1 million, $2 million, or $20 million? The RTC just conducts itself in an absurd way.

I may be wrong about the $5 million criteria. I do not know that it is the fact. I know that that was the recommendation of the assistant counsel to Mr. Seidman. As far as I know, he followed it. I may be wrong. But if that is the policy, it is an outrage to the average citizen, citizens who work and pay their taxes, taxes which pay for a bailout caused in part by savings and loan executives who get off free because of that policy.

If the director has been guilty of negligence and he caused the thrift to do that which it should not do to meet its responsibilities, to violate conflict of interest laws, or whatever the case may have been, just plain negligence, but if that director has a $1 million house and he vacations in a second million-dollar home and he manages a portfolio of several million dollars, he is safe and comfortable from the RTC. He will never need to work again, while the average taxpayer will be working to pay for the bailout, worried that the IRS will be after him or her for their last nickel.

There is another problem with this policy beyond the basic unfairness of letting off negligent officials, and that comes down to the question of determining who and when and where they are going to sue. The RTC ought to be taking an aggressive position. It ought to be going after the officers and directors. It ought to let the officers and directors come in and plead poverty, if that is the case, instead of determining before they ever bring the lawsuit that the individual does not have sufficient net worth for them to file a lawsuit.

The RTC will come before us and tell us, "Well, Senators, we have to set priorities, we are so very busy." They have to use limited resources against larger cases with greater returns. When you spend $733 million on lawyers in 1 year, do not tell me you have limited resources. When you fail to investigate a $250 million loss in an S&L backed with the personal guarantee of a billionaire, do not tell me you have to set priorities. When you rule out suing individuals who cause this $5 billion fiasco because million-dollar homes do not provide a sufficient target, do not tell me you are protecting the average American who is coughing up hard-earned tax dollars.

Once again, I will say to my colleagues that the RTC is not accountable for its action and it has flaunted the will of Congress.

They are making critical decisions with billions of dollars at stake, yet their answers to my subcommittee investigation was that the documents are confidential and unavailable. Why? What is so confidential and unavailable that they can know it, do nothing about it, and refuse to tell the Congress? Who told them they have the right to protect these indications of malfeasance and misfeasance, nonfeasance, and not share that information with the congressional committee? Where do they get that right? I do not think they have the right.

That is the reason I think we ought not to be moving this bill that promptly. I recognize some responsibility, but we do not need to meet that responsibility with $78 billion.

I commend the House for indicating their frustration and despair with the RTC by voting down the bill last night.

There will be a bill all right because we are not going to default on the obligations to the depositors. There will be a bill, but there will not be a bill as spelled out in this legislation if this Senator has anything to say about it, and I have heard from colleague after colleague that they are not willing to vote the $78 billion. The public deserves better than the RTC has been giving us, and it also deserves some answers before we shell out another $78 billion in taxpayers money.

Aside from failing to aggressively take action to resolve the 1988 deals, and failing to vigorously pursue directors' and officers' liability obligations, the RTC has fallen down on the job in other areas as well. This past December, the GAO identified the RTC as 1 of the 14 Federal programs most vulnerable to potential financial loss to the Government because of internal control problems and mismanagement.

In that recent GAO report, the GAO found serious flaws in the RTC management practices and operations. According to the report, the RTC lacks sufficient oversight of its employees who manage thrifts in conservatorships.

According to the GAO:

> The RTC headquarters has provided no specific guidance on how the region should supervise such thrifts and ensure compliance with its own in the Office of Thrift Supervision's requirements.

In several cases the management agents do not have the fundamental skills required to manage the thrifts. According to the article that appeared in the May 21, 1990, Newsweek magazine, the bureaucrats entrusted with running the thrifts while they are in conservatorship lack the entrepreneurial mindset and expertise. According to Newsweek:

> Staffers at some confiscated thrifts complain that they have had to teach their new bosses such elementary tricks as interest rate swaps.

To make matters worse, the chain of command at the RTC lacks effective and streamlined communication. In many instances the right hand does not know what the left hand is doing. For example, last April the RTC took out an ad in the Wall Street Journal encouraging investors to contact regional offices about thrifts that are available for sale. When RTC supervisors at the Atlanta district office heard about the seminars and sales, they called Washington to find out if they could attend. Much to their surprise and amazement, the supervisors were told that they were the ones who were supposed to be running the seminars.

The GAO also points out that the RTC lacks a comprehensive system for managing its portfolio of securities. With inventories of assets from all over the country, the RTC has failed to develop a comprehensive system for maintaining and tracking its securities. How can you expect the people entrusted with selling thrifts to accomplish their mission if they cannot provide interested buyers with basic information?

The Senator from Louisiana this morning was talking about selling of the real estate holdings of the various thrifts. Now several investment firms told the GAO that the RTC could receive higher prices for its financial assets by performing more thorough due diligence, providing more and better information to potential purchasers, marketing its agency eligible loans directly to the secondary mortgage market agencies and secure advertising of as many of its loan assets as possible, recognizing that a wider and more efficient market exists for securities than for bulk loans. In addition, the RTC contracting system, according to the GAO, does not appear to adequately protect the interest of the Government.

Listen to that. The RTC's contracting system, according to the GAO, does not appear to adequately protect the interest of the Government. How much stronger could they make it? In some cases, said the GAO, the lack of contract oversight has already left the RTC in the position of paying its contractors in full when there was only partial or poor performance.

Last fall, the GAO reported to the Senate Subcommittee on Federal Services, Post Office, and Civil Service that the Southwest and Western regional personnel had not implemented plans to monitor contracts or contractor performance. While this is alarming in itself, it is even more alarming because the Southwest and Western regions account for the majority of the properties under RTC management.

The GAO report notes several other problems with the way the RTC runs its shop:

> The RTC system of using regional sale centers staffed by its own employees to sell real estate conflicts and often duplicates the efforts of another RTC program which hires outside consultants to manage large real estate portfolios.

The GAO expressed concern over the way the RTC values its assets. According to the GAO, it is unclear whether the RTC is basing its prices on accurate appraisals. Locating properties controlled by the RTC can also be troublesome.

In testimony before the House Banking Committee last fall, we learned that RTC regional offices handle all of the assets for a failed thrift located in their jurisdiction. That means that if, for example, an institution is taken over in California, an investor wanting information on that institution's properties must ask the clearinghouse office in Denver for the information. The RTC's California office will not provide the information.

Sound confusing? Why do you have to go to Denver to get information about California property when there is an RTC office in California?

Well, I can only tell you it gets worse. To make matters even more complicated, assets were listed by institution rather than by location, and regional officers do not use the same information system for tracking properties. A Texas housing authority testified last fall before the House Banking Committee about the difficulties encountered when properties are not categorized by city or county. According to the housing authority, their listing of properties must be reformulated on a regular basis in order to include an accurate listing of RTC properties.

Such efforts are time consuming and costly. The chairman of the Texas housing authority estimates that these efforts cost the State agency $1½ to $2½ million a year. To add to this nightmare, investors and would-be homeowners have encountered innumerable stumbling blocks in their attempts to negotiate purchases of RTC held assets.

Complaints that the House Banking Committee has documented include allegations of uncooperative property managers, difficulties in you obtaining current and accurate appraisals, delays in contract negotiations, deteriorating condition of assets, and the inability of the RTC and many potential buyers to effectively communicate.

After clearing the hurdle of locating a property and negotiating a purchase price, the nightmare continues. The prospective buyers must complete the appropriate forms for their lender. One San Antonio couple testified before the House Banking Committee that they faced undue delays in buying a home because the RTC was using forms that

do not comply with most lenders' requirements. Low-income families in particular have been stonewalled in their attempts to obtain listings of and negotiating the purchase of affordable housing. To add to their frustration in many instances, once these families find homes they are interested in purchasing, they later find out that many of the homes have already been sold.

In addition to making it difficult for low-income families to purchase property, the RTC is evicting families from their existing homes. When the RTC took over Brookside Savings & Loan, a California thrift that had invested in the Mulberry Woods apartment complex in the Homedale section of Phoenix, AZ, 90 low-income families were evicted when the complex was shut down. Either that is stupidity or total inhumane concern.

Mr. President, I may address myself, and probably will, to many other problems concerning savings and loans as the days roll on. I have expressed this morning a short list of the many problems to the RTC.

Underlying all of these reports, stories, and investigations is one dominant problem. The RTC is not responsive or accountable to the Congress. In the last month I have spoken with many of my colleagues and virtually every one has registered similar complaints about the lack of accountability.

So, as we meet here today, we have to decide how much money will be spent before we rein in the RTC. How many congressional mandates will we allow the RTC to ignore before we say, enough? It is easy to vote no on spending more money on the RTC. That would be politically popular in the short run. But I am frank to say that I think it would be irresponsible. I do not rise today to argue for no money. Quite the contrary. I know we will have to vote many more times for billions of dollars for the RTC. But I want to know, and I think the American people want to know, that the money we have to spend will not be wasted. I want to know that the RTC is not spitting in the eye of Congress and the American people and that they will follow congressional directives.

It is unbelievable that they have had three separate mandates to act, and three times they have done nothing. Responding to congressional requests, they just have not cooperated.

I want to know that the RTC is not a rogue agency, out on its own, setting its own priorities. Before this bill passes, this Senator means to see to it that we work out some arrangement to make it clear that the RTC not only is going to comply, but before we pass the bill that they have complied. They have a responsibility to us under this law.

This is the most unbelievable thing I have ever seen. Congress mandates them to give us a report on all of the 1988 deals. They come back to us with a paragraph on one page of a letter. What kind of conduct is this for a Government agency? I want a report as mandated by the Congress on each of those 1988 deals.

It is time for them to move and to act. If we have to hold up this bill for 1 day or 2 days or 3 days or 3 weeks until they do it, I am prepared to help hold it up. I am willing to meet our responsibility, but I believe that the responsibility is theirs, first, to see that they conform to the congressional mandate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. RIEGLE. Let me just join the discussion with my colleague from Ohio. We have been going over it this morning and partly yesterday as well. I want to review a little bit of the history and then I want to come back to where we are now and what we might do to resolve this.

I want to go through a history here. We talked earlier about the concern that the Senator and I shared some time back to try to stop some of these deals from being made before they were made, and then to try to catch up to the implications of those later on down the line, and now to go ahead and get the renegotiations done to save what money can be saved.

I want to make several points here. I am going to move around in doing so. But we provided, as my colleague knows, last fall, to get this done, $22 billion expressly for the purpose of going back and renegotiating these deals where that was feasible, and achieving a financial saving. That is why the Congress acted and why it is now a matter of law. That money is there. So the whole point of providing it was to get this job done.

I just asked we double-check, and I have been told that to this date not a single one has been renegotiated. I am talking about the simple ones, the buyouts of high-cost arrangements that the money has been provided to accomplish. But the facts available to us now are that despite the fact we took that action precisely to accomplish the positive change, not a single one has been done. There is not a single one that has been done.

Mr. METZENBAUM. That is incredible.

Mr. RIEGLE. I have to say, frankly, I do not think there is a justification for that given the fact we have seen this problem now over a long period of time. I will give my colleague a little history, because we have had a number of RTC oversight hearings in the Banking Committee. I think the Senator will find this interesting.

We had, after enacting the bill in the middle of 1989, our first hearing, oversight hearing on the RTC, on October 4, 1989. That was about 2 months after the RTC was created, so they were just getting setup at that time.

I asked them at that time specifically what cost savings have been obtained on the 1988 deals. So that was a specific focused line of inquiry directed to them at that early date which was 2 months after they were established. They came back for their second hearing on RTC oversight about 4 months later, on January 31, 1990. It is just over a year ago. That was a review of their strategic plan. Of course that covered a whole series of things.

We asked them at that time what they anticipated in terms of the review of the 1988 deals. They said their review would be done by August 1990. So I asked at that time specifically what can be done to save the taxpayers some money between now and August? In other words, are there any that stick out like sore thumbs, that you can identify, that you can move on now as you are completing the study to look at the whole universe of these deals that would be relevant for consideration for renegotiation?

We had our third hearing on the RTC on May 23, 1990. I asked at that time what was being done in terms of selling the assets acquired by the Government in the 1988 deals, which were managed by the FSLIC resolution funds. Again we did not get much of a response at that time because, to give the Senator an idea of the fact that we have been endeavoring to try to pursue exactly the same point that the Senator from Ohio is raising today, they came back again on September 23, 1990—this was now our fourth oversight hearing on the RTC—and at that time Senator SANFORD asked whether the RTC was reexamining the 1988 deals to determine if any of the deals involved fraud or misrepresentation.

That is one category of problem that would be the basis for opening them up. Another would be just the fact that we were into high-cost arrangements that could be refinanced at a lower rate to save money and still keep the existing agreement in place, with just a lower financing cost. So that question was posed and discussed in the committee at that time.

Then, also we had another hearing. That was on the 13th. We had a fifth hearing just a week later on the 20th, indicating that the RTC report on the FSLIC 1988 deals was finished. I asked, at that time, the RTC to take steps then based on the study having been done to exercise any contract options they had to save this money, precisely in line with the point the Senator from Ohio had been making for some time and with which I was in 100 percent agreement.

We then proceed to provide $22 billion in an appropriations bill at the end of last year for one purpose and that was to go in and renegotiate these deals

and to get the costs down based on this study that we have been pressing to get over a long period of months. But I have to say to my colleague, and I think the agency itself has to provide some further answer to us on this, but as I stand here right now not a single one has been renegotiated that we are aware of. That is the current information.

I think one of the things we might consider doing, because I think it is a highly relevant point—we have tried in every way we know how to apply the pressure constructively and positively to require them to go back, examine these deals, come back with the information. We have given them the money to go in and do the renegotiation, and I think we are entirely within our rights and have an obligation to ask them in this context when we are going to see some action. Perhaps what we can do is invite somebody up from the RTC, even today, and have an opportunity for a discussion off the floor here to find out what is going to happen.

What I hear the Senator from Ohio saying is that, while he is sympathetic to the request for additional funds to shutdown insolvent S&L's in order to stop losses that they are accruing, that until the Senator gets some kind of an answer on this and some showing of action actually taking place, if I am hearing the Senator right, what he is saying is that he is not prepared to vote for this or even see it move forward, if I am restating my colleague right? If I am not I will let him summarize a different way.

Mr. METZENBAUM. I appreciate what the chairman of the Banking Committee is saying. I do not think we are in discord. I think there are three aspects to their failure to act; probably more but at least these three. One is the restructuring of the deals, which is possible under the terms of the contracts as written. It was for that purpose that they got $22 billion and, as the Senator has just indicated, have done no restructuring, and apparently the $22 billion has been used for other purposes.

Mr. RIEGLE. It is just sitting there, is my understanding. It has not been used. It is an unused authority that has been provided.

Mr. METZENBAUM. I would like some confirmation of the fact that it has not been used. I sort of wonder if it has been; if they have it sitting there. I am not questioning the Senator's word but I know he turned to the staff to ask. I think we ought to get the facts.

The second thing is the renegotiating or rescinding of the contracts by reason of misrepresentation, fraud, or other legal basis. That is a totally separate approach that does not cost any money and that is the one in which I had urged them to use lawyers on a contingent fee basis. To the best of my knowledge, nothing has been done in that area.

The third thing has to do with directors' and officers' liability and, to the best of my knowledge, here, too, they have been remiss in their responsibility.

So we have three areas where they had an obligation to act and have not. We then have the additional obligation that is not that direct but has to do with their living up to the mandate and responding to Congress specifically as provided in the FIRREA bill, as provided in the amendment that was added to the appropriations bill at the end of 1990.

So I say to my colleague, I think it does make sense, if they want this money, then let them send not somebody way down the line but somebody who is calling the shots, to explain to us why they are doing such a lousy job. They are not doing any job at all. Some people do a poor job. These people are not doing anything. They just are not doing anything except spending the taxpayers' money.

So I will be very happy to cooperate with the manager of the bill to see, before we appropriate any money, if we cannot force them to give us some action; at least as the first step, assure us of additional action immediately or shortly thereafter, give them some modest amount of money to tide them over and then come back to this subject in another month or 2 months and see where we are, to see if they are really doing what Congress has ordered them to do. I will be very happy to cooperate with my colleague.

Mr. RIEGLE. I guess I have the floor, and if he does, I ask him to yield. I am going to ask now that someone come down today and meet with us and with the Senator from Ohio to discuss this issue because I do not think it can be left in the air. It cannot, as a practical matter, because the Senator from Ohio has indicated he is not prepared to see this matter move ahead unless we have some clarification and some certainty that we are going to have movement here. I think it is in everyone's interest to get this issue pinned down.

Frankly, I have asked this question enough times in our oversight hearings without getting sufficient response. We need some additional indication as to what is going to be done and what can be done. I think that is entirely reasonable.

I want also at this point to add something else to the RECORD because what tends to happen here is these issues are so complex and they present many problems in today's timeframe. We tend to be so involved in today's aspect of the problem that there is seldom the time and interest to go back and look at what was happening 1 year, 2 years, 3 years earlier that directly relates to the train of events that brings us to the current situation.

But I want to go back to a committee hearing that we had in the Banking Committee on September 20, 1990. So this would be roughly 5 months ago. I want to just read into the RECORD a little bit of that hearing in terms of the statement that I made at the opening. At that time, Chairman Seidman was before the committee on this precise set of issues and related issues.

I am going to read from the committee record on page 1. I will read some of this into the RECORD because it is relevant and provides some foundation for our further discussion here. It reads in this manner:

> Today's meeting will focus on the report by the RTC on the 1988 deals that were done to try to resolve failed thrifts.
>
> Pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 [FIRREA], the RTC was charged with investigating those deals arranged by the FSLIC to determine whether cost savings could be realized by restructuring the deals according to the provisions that were actually contained in the contracts.
>
> The second part of the report, which the RTC should be able to present shortly, will investigate and lay out the facts on the fairness of the bidding process that was used by the FSLIC in those 1988 deals.
>
> It is very important to note that members of this committee have long been concerned about the deals that were negotiated late in 1988.

I say to the Senator from Ohio, on October 20, 1988, if you can go back to that time in your mind, I wrote to GAO, together with Senators GRAHAM, WIRTH, Chiles, Proxmire, and SASSER, and we asked at that time, this is October 1988, we schedule for a formal review of these transactions, these deals that were being done. This is in advance of year end 1988 which I am going to come to in a minute. I am just now going to continue to read:

> I will not go into the history of what followed that, but the GAO went to work on that.
>
> That was followed by a second letter that I sent to the GAO on December 30 when there was a flurry of activity just before the end of the year with some large deals still up in the air to ask the GAO to get involved at that point so that we had a way of understanding exactly what was taking place.
>
> In addition, at that time some of my colleagues were also expressing a concern about it.
>
> I called Secretary of the Treasury Brady who at that particular time, at the end of 1988, was out of the country but I managed to find him and we talked.
>
> I asked him at that point if he could get involved himself as Treasury Secretary and take a look at these deals that were pending, because I could see tremendous tax implications and tremendous revenue loss based on the tax concessions based in these deals.
>
> The Treasury Secretary listened carefully to what I had to say.
>
> He also I know received a telephone call at that time from Senator Metzenbaum on that same issue, because Senator Metzenbaum and I had both been discussing it with one another.

The Treasury Secretary said he would think about that. He did for a day or so and called me back and indicated that, upon reflection, I assume talking with the legal people in his shop, he felt that he did not have the basis upon which to inject himself into the proceedings at that time and decided that he could not do so.

In any event, there is a history here of which these requests to GAO and requests to the Treasury Secretary are only a part.

I think it is troublesome that without prior authorization by the Government that one Government agency could commit the United States Treasury to expenditures of roughly $70 billion, and that is in fact what took place, as this report laid out.

For the future we will have limited the ability of the RTC to make such large expenditures by placing a note cap on the obligations that are issued by the RTC.

I am not going to read on at this point, although I could, but only to say that then late last year, to enable the financing of these deals where we know at a minimum we could save at least $2 billion, we provided this money in an appropriations bill to get on with the job of going in and changing those provisions which were high-cost provisions where we had the absolute option to do it. We could go in and change those provisions simply by having the money available to change that particular term or condition and take the cost down.

So, quite frankly, the Senator from Ohio is right in saying there really is no excuse for not getting this done. There is a long history of our efforts to try to, first of all, prevent it from happening; second of all, try to clean it up after it happened; third of all, providing the funds to get it done, together with a mandate to get it done, as has been pointed out, and the fact that it is not getting done is really not a sufficient answer.

We cannot do it. We do not have the administrative ability here. That is not our role. Our role is to write the law to create the instruction and to provide the money and then the administrative people who have this responsibility have to be the ones to carry it out. We cannot make them do it.

Obviously, they are an independent branch of Government. We can give them the blueprint; we can give them the marching orders: we can give them the resources they need, but they have to go ahead and actually perform and get that activity done.

We are going to endeavor today, as I said just a moment ago, to ask that appropriate parties involved in this to come on up here today so that we can have a dicussion as we are working on this legislation, so that we have some way of getting this clarified, and, hopefully, getting some understanding to see if there is a way to move forward.

Mr. METZENBAUM. Mr. President, first I commend my colleague, the chairman of the Banking Committee, for his perseverance and his straightforwardness in the handling of this matter from the very inception. He has responsibility as chairman of the Banking Committee to bring this legislation to the floor, but he has been resolute in this efforts to keep the nose of the RTC to the grindstone, to see to it the American taxpayers' dollars were protected, to keep the 1988 deals from becoming a reality, and seeing to it that $22 billion is actually expended for the purposes intended, to save taxpayers' dollars.

My appearance here on the floor today is not in opposition to him and his leadership but actually in support of the previous efforts he has made along this line.

I am hopeful that perhaps we can work this out, but I am frank to say it is going to take more than conversation and words from the RTC that I have been getting and I think the Senator has been getting for the past couple years. Now it is time to insist that we get some actual action and maybe get that action prior to passing any funding in the legislation at all.

Mr. RIEGLE. I appreciate the Senator's generous comments and we will move along on that line.

I ask unanimous consent there be inserted at this point in the RECORD the letter sent to Mr. Bowsher, Comptroller General of the United States, dated October 20, 1988, on this issue, signed by myself, Senator Proxmire, Senator GRAHAM of Florida, Senator WIRTH, Senator SASSER, and Senator Chiles.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC, October 20, 1988.

Hon. CHARLES A. BOWSHER,
Comptroller General of the United States, General Accounting Office, Washington, DC.

DEAR MR. BOWSHER: A number of recent Federal Savings and Loan Insurance Corporation (FSLIC) assisted sales of failed savings and loan institutions that have been authorized by the Federal Home Loan Bank Board (FHLBB) have not been publicly scrutinized and fully analyzed. We therefore request that the General Accounting Office select five transactions, taking into consideration differences in location, size, and characteristics of the assistance and examine these transactions in detail.

In examining these transactions, we ask that you concentrate on two fundamental aspects: the bidding and selection process and the transactions themselves. In regard to the first aspect we ask that you consider the universe of potential bidders contacted, bid instructions, initial bids, the evaluation of the bids, and the negotiation and selection process plus any rebidding that occurred after a bid was selected and then interaction of the FSLIC staff with the Bank Board members and staff.

Next, we ask that you examine details of the selected transactions. Aspects to be analyzed should include: a comparison of the costs of the transactions with the costs of liquidating the involved failed thrift; the methods used by FSLIC to assure itself that the resolution of the failed thrifts is in fact final and that further FSLIC assistance will not be required; the risks accepted by FSLIC, including those in providing yield guarantees and capital loss coverage on covered assets; and the steps FSLIC is taking to protect itself against and compensate itself for, the risks it is accepting.

In addition, we would like you to provide comparable basic information on the background and experience of the senior officials at the Federal Reserve Board, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, and Federal Home Loan Bank Board.

We feel this information is necessary to properly evaluate whether changes should be made in the policies and procedures of the Bank Board so that it may better serve the American public.

We would appreciate your initial response to this request by March 1, 1989.

Sincerely,

Bob Graham, Donald W. Riegle, Jr., William Proxmire, Timothy E. Wirth, Jim Sasser, Lawton Chiles.

Mr. RIEGLE. I would also ask unanimous consent that a chronology of major events in the GAO/committee actions on the FSLIC 1988 deals which was prepared by GAO, dated July 16, 1990, which goes through the long chronology of events and actions, also be made a part of the RECORD at this point.

That summary runs three single-spaced, typewritten pages in terms of the succession of efforts and interventions to try to take and get action on this particular problem.

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

CHRONOLOGY OF MAJOR EVENTS IN GAO/SENATE BANKING COMMITTEE ACTIONS ON THE FSLIC 1988 DEALS

10/20/88: Senators Riegle, Graham, Wirth, Sasser, Chiles and Proxmire ask GAO to select five FSLIC-assisted transactions and to examine them with respect to the (1) bidding and selection process and (2) terms and structure of the transactions (including related cost, viability analyses, and FSLIC risk exposure). GAO is also asked to provide comparable data on the background and experience of the senior officials of the Federal Reserve Board (FRB), Office of the Comptroller of the Currency (OCC), Federal Deposit Insurance Corporation (FDIC), and Federal Home Loan Bank Board (FHLBB).

11/03/88: GAO sends a confirmation letter in response to the six Senators' 10/20/88 letter identifying the five transactions selected and detailing the issues to be addressed.

12/30/88: Senator Riegle asks GAO to examine FSLIC's December 1988 transactions, focusing on the bidding and selection process, the structure of the transactions, and the tax costs. GAO is asked to testify on the results of its work in March 1989.

01/89: GAO and Senate Banking Committee staff agree to merge the October and December 1988 requests and to focus the work in response to the latter request on 5 Southwest Plan transactions and 2 other transactions.

03/03/89: GAO writes to the six Senators with information on the background and experience of senior officials at the FRB, OCC, FDIC, and FHLBB in response to their 10/20/88 request letter.

03/14/89: GAO testifies before the Senate Banking Committee on "*Failed Thrifts: GAO's Analysis of Bank Board 1988 Deals.*" (The

Comptroller General's opening remarks are attachment I.)

03/14/89: During the hearing, the Committee Chairman, in reaction to GAO's comments on the lack of adequate documentation, asks GAO to continue work on the selection of acquirers.

03/14/89: Senators Riegle and Cranston jointly ask GAO to answer 11 questions relating primarily to FDIC. Question 8, however, asks GAO to compare the strengths and weaknesses of a FSLIC and an FDIC assisted transactions.

03/89: The Committee Chairman asks GAO to respond for the March 14 hearing record to 17 questions related to the FSLIC transactions and the Administration's proposal to resolve the thrift crisis and restructure the thrift industry.

Question 6 asked: "Do you observe any patterns of favoritism in the deals made last year. I am particualrly interested in cases where former insiders from the Federal Home Loan Bank System purchased failed thrifts or acted in some capacity to help arrange the deals. In how many of last year's deals were former senior Bank Board officials involved? Did they benefit from inside information in those deals?"

Question 7 asked: "Plese suggest standards and offer guidelines for the maintenance of adequate records regarding the deals."

Question 15 asked: "FSLIC contends that the thrift institutions resulting from FSLIC's December 1988 assisted acquisitions are adequately capitalized—despite having a low ratio of capital to total assets—because much of the institutions' assets consist of FSLIC notes and FSLIC-guaranteed assets, which are categorized as involving little or no credit risk. Do you agree? Has FSLIC succeeded in banishing the moral hazards of low capital, such as the incentives to take excessive risks?"

04/07/89: GAO responds to Senators Riegle's and Cranston's 3/14/89 request. The response to question 8 provides a summary description of FDIC's NCNB Texas transaction and FSLIC's First Gibraltar transaction.

04/07/89: GAO responded to the 17 questions for inclusion in the testimony record. (Responses to questions 6, 7, and 15 in attachment II.)

05/31/89: GAO officials brief Senate Banking Committee staff on the results to date of our Office of Special Investigations work on FSLIC's sale of thrifts to acquiers

05/07/89: GAO drafts amendments to the thrift bill at the request of Senate Banking Committee staff to help insure that the documentation and access problems related to the FSLIC deal cannot re-occur under RTC and that the RTC reviews the FSLIC transactions to identify cost-reducing actions. (Attachment III.)

08/09/89: FIRREA requires GAO to monitor the FSLIC deals and to estimate their cost. GAO/GGD initiates work on FSLIC's management of the assistance agreements and GAO/AFMD initiates work on their cost.

01/25/90: GAO testifies before House Banking on the preliminary results of its FIRREA-required monitoring work. GAO says that FDIC is not giving sufficient attention to its management of the FSLIC deals and identifies three areas where improvements are needed. (FDIC subsequently took the actions suggested.)

03/29/90: GAO refers items related to failed S&Ls to the Department of Justice. (Office of Special Investigations field work on the FSLIC deals ended late in 1989.)

04/02/90: GAO testifies before House Banking on differences between the RTC and FSLIC 1988 resolutions in terms of bidding and selection approaches and structure.

04/06/90: GAO testified before Senate Banking on the cost of the S&L crisis resolution. Estimated costs of the FSLIC Resolution Fund, which includes the cost of the FSLIC 1988 deals, are included. The FIRREA-required report on cost of 1988 FSLIC deals will be issued this summer.

04/26/90: GAO writes Senator Riegle summarizing past and ongoing work on the FSLIC deals for the Senate Banking Committee, as well as the status of the two RTC studies of these deals that were required by FIRREA. (Attachment IV)

07/19/90: GAO issues report "Failed Thrifts: FDIC Oversight Needs Improvement."

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. I thank the President for recognizing me.

Mr. President, I think one thing is unanimous when we are dealing with this request for an additional $30 billion for funding for the Resolution Trust Corporation is that there is not a single person in this body who is happy with the request or totally pleased or feels totally comfortable with this piece of legislation. The House of Representatives also is wrestling with the same very difficult decision of how to handle this very large national problem.

It is interesting to note that the House Banking Committee was not even able to get this legislation out of the committee. In fact, after a very embroiled session of the committee on the House side, they at least temporarily killed the administration's request for any additional new funds to keep the Resolution Trust Corporation on track.

It is very clear that no matter which direction we go, it is going to be one that is very uncomfortable for most Members, both in the House and in this body as well. The bottom line is that no one is comfortable with the problem; no one likes where we are. All of the answers that have been proposed, indeed, are far from being perfect in resolving this problem. And indeed the problem is quite large.

The Resolution Trust Corporation has seized literally thousands and thousands of properties around the country, with indications that they will be seizing literally thousands and thousands more as more and more savings and loans are closed. My own State of Louisiana is second in the Nation, a statistic that we are not particulary proud of, in terms of the number of properties that have been seized by the Resolution Trust Corporation and are being held by the RTC.

The State of Texas, it is my understanding, leads the Nation in the number of properties that have been seized and are currently being held. The last figures that I saw from the Resolution Trust Corporation indicate that they now have something like 20 billion dollars' worth of real estate properties in their portfolio, a book value of about $20 billion consisting of 41,529 pieces of property. That, of course, does not count other, more liquid assets that they also have.

What I would like to address for a moment is the amount of real estate that they have and how they are trying to go about disposing of it which is, of course, their mandate. The GAO when they looked at the RTC, when they judged their disposing of real estate clearly indicated that the RTC's performance in selling real estate "has generally been disappointing." That perhaps is one of the greatest understatements of any GAO report that I have had the opportunity to review.

The way the RTC currently goes about trying to dispose of those 41,000-plus pieces of property is to basically put them on the market at the appraised price and then continue to lower the asking price until eventually they have a seller who comes up and says, "It is now low enough; I think I can take it over, and I will be happy to do so."

The problem with that approach, Mr. President, is that it has a particularly negative effect on the real estate values in a local community. If the RTC has a hotel, a motel, a building office complex, or even an individual home that they are trying to get rid of under the mandate and they keep lowering the price, and lowering the price, and eventually they get rid of it, they have, in effect, depressed the price of real estate values in that local area, sometimes in a very tragic manner.

That is happening, I know, throughout my State of Louisiana as more and more people just dread the day in which the RTC comes forward with another piece of property that they are trying to dispose of. Eventually, if it is continued in the way it is going, the RTC may well be giving away property because after a certain period, it is more sensible for the Federal Government to actually give away the property than it is to continue to maintain it.

Studies indicate that the longer property remains in the hands of the RTC, the more the asset will suffer. We have seen these examples of properties that the RTC has held just depreciate and depreciate in value each month as they hold it. During that period of time, the RTC, of course, has to maintain that property at a tremendous cost. They have to insure it in case something happens to it. That is another added cost. They have to maintain it. They have to pay for repair and upkeep of those particular properties they are holding. So we have over 41,000 pieces of property. They are having to maintain it, pay for it, insure it at great cost to the RTC, which is part of the reason why they are asking for another $30 billion.

So the property they have is clearly a major problem for the RTC. If they continue to just lower the price and eventually get rid of it either by giving it away or by selling it at what could be called a fire sale, they, in effect have wreaked economic havoc on the local communities by depressing the prices of everything in that local community. Any other office building, any other private home, which is located in the vicinity of a RTC fire sale is advesely affected by that sale.

The studies that I have indicate that the amount of money the Federal Government is spending in these areas is absolutely astronomical. Therefore, I think in looking at this authorization that we ought to be looking at some innovative ways in which we should be trying to help the RTC in moving these properties, getting them sold as fast as they possibly can.

It is clear that the Government is not and should not be in the business of maintaining and operating commercial property. It should be the goal of all of us to get this property back into the market so that the private sector can, in fact, start to repair it, to put it to the use for which it was properly designed to be used for in the first place.

Mr. President, what I am suggesting is that I think it is time for the Congress to consider a type of a tax credit which would be available to those individuals who actually buy the RTC property; to give them some kind of an incentive to take these properties off the hands of the RTC, not at a fire sale price, not at a depressed price, but at a price that is very close to the appraised property value of that property in the first place.

We have had studies done, Mr. President, to evaluate the economic costs and benefits of a tax credit program which would be designed to facilitate the sale of RTC property. I think the studies do indicate it would be a very wise investment for us to enter into.

A tax credit, of course, is a dollar-for-dollar reduction of taxes due. The object of this RTC tax credit which I will be proposing is to provide an incentive for expediting the sale of the RTC property to the private sector and thereby reducing the long-term costs of the savings and loan crisis to our taxpayers.

The RTC credit that I envision would be allocated at the discretion of the RTC or some other Federal Government agency and would not be available for use on those properties that could be sold at or near market value. In other words, a piece of property that has been seized that has a hot property value, that has a real potential, that is clear, would not be the beneficiary of any tax credit because the RTC could move it, could sell it without using the tax credit. So the tax credit would be used only by the RTC to help move those properties which they are having a very difficult time moving at a fair market price or close to appraised value.

Specific characteristics of the concept I am talking about are that a tax credit of up to 80 percent of appraised value for the acquisition of the property that is owned by the RTC. The credit is not unlimited. The credit would in fact be limited to the amount necessary to provide the RTC with the selling price it would desire.

The funds generated by the tax credit would be paid directly to the RTC and the tax credit would be for 5 years beginning with the taxable year in which property is purchased and would be earned in five equal annual installments. Congress would annually authorize a dollar limit for the RTC credit.

The RTC would have to show it has exercised reasonable efforts in selling the property it has in its inventory at or near appraised value. In other words, the RTC would not be able to just come in and apply the tax credit in a blanket manner to all the property they have. It would have to show they have made a reasonable, diligent effort in marketing this property. Then, if they could not market it in normal channels, they would be able to apply all or a portion of the tax credit in order to make the property purchase more attractive.

In the event that reasonable efforts fail to move this property within a reasonable amount of time, perhaps a 6-month period would be reasonable, the RTC would certify that a property could not be sold except for the inclusion of the credit.

Ownership of property after a person would purchase it by the use of this tax credit must be maintained for a period of 5 years. In other words, the person who buys the property would not be able to merely turn around and dispose of it after having utilized the benefits of the tax credit. It would have to be maintained by that buyer for at least a period of 5 years. Sale of the property before the end of the credit would not trigger recapture but would cause the cessation of any further tax benefits.

How much of a tax credit would be available? My proposal would establish a tax credit that could be used to offset the lesser of $50,000 or 50 percent of the tax liability for an individual. For corporations, the credit would be subject to the rules of general business credit including the maximum amount of income tax liability that may be reduced by a general business credit for any one year, and that is $25,000 plus 75 percent of remaining tax credit. The RTC tax credit will also not be able to be used to offset any taxes due and owed under an alternative minimum tax calculation.

It is very clear why we are suggesting a tax credit. The cost of holding 40,000 pieces of property that the RTC currently has, including the payment of the repair of these properties, the maintenance costs of these properties, lost taxes on these properties, the insurance, the economic depreciation that these properties are going through as idle property exceed the costs of these tax credits. It is costing us far more to hold these properties and do all the things the Federal Government has to do to these pieces of property than it would be to have a tax credit on the books which would enable the RTC to move these properties into the private sector, thereby generating new income for the Federal Government.

Under the economic analysis that we have had done, the benefit of selling the RTC properties with this tax credit that I have envisioned is almost 2 to 1. In other words, $2 in benefits for every $1 spent on the tax credit when you compare it with the alternative of holding the property and continuing to hold it with no sales apparent.

The studies incidentally also indicated that after a certain period—I think the period was about 7 years—it is cheaper for the Federal Government to give the property away. To actually give it away would be cheaper for Federal Government after they have held it for a period of approximately 7 years because over that length of time it costs more to continue paying the maintenance costs, the insurance, the repair, the upkeep, and it is better for the Federal Government to actually give the property away rather than to continue to hold it and sell it at a fair market price.

Can you imagine what it would do to the local property values in an area when the Federal Government engages in actually giving away property that they have in fact become the owners of through the S&L situation?

So it is clear, as any economist will tell you, that as these properties are in fact returned to the private sector and brought back into the economic mainstream by private investors they will begin to generate income. They will begin to generate taxes, all of which are missing while the RTC tries to manage 41,000-plus pieces of property. This income will in turn generate additional tax returns for the Federal Treasury and also be an offset to the cost of any tax credit.

The RTC had a total real estate portfolio valued at $17 billion as of December 31, 1990. They had only been able to dispose of 5 billion dollars worth of real estate by that time. It is increasing every day. As Congress continues to raise more and more money to fund the RTC, as we continue to give them more money to pick up more failed S&L's, they acquire more and more property. The problem I would say to my colleagues is not getting better; it is getting worse—from 41,000 pieces of real estate property, I fully expect that number to dramatically increase in the

months ahead. They will continue to have to have fire sales, and I think that is something no one in our country and no one in our districts or States can afford to face with the difficult economic times that the United States is currently facing.

So what I am suggesting, Mr. President, is the creation of a tax credit for individuals and companies that buy the RTC properties. It would mean a 2-to-1 benefit to the Federal Treasury if we establish this type of plan.

I have spoken to members of the Senate Finance Committee about this tax credit proposal. I hope we will be able to consider it in hearings in the Senate Finance Committee. It is not appropriate I think at this time to include it in this authorizing legislation, but perhaps a reference to it in some type of study would be appropriate and we will continue to work on this concept as we consider the consideration of the authorizing legislation.

At this time I yield the floor.

Mr. METZENBAUM. Mr. President, I wonder if my colleague would not think we ought to put in a quorum call—it seems just to hold the floor for further debate would only be repetitious—to see whether or not we could get some action from the RTC.

Mr. RIEGLE. I think that is probably a good idea. We are also, of course, in the middle of the lunch hour now. So colleagues who might otherwise be available for discussion on the floor are not here.

Mr. METZENBAUM. It is my understanding that a couple of our colleagues do have amendments they wish to call up. I wonder if staff could not advise them where we are on this matter so they not be precluded, in the event we have a meeting this afternoon, from presenting their amendments.

Mr. RIEGLE. I think that is appropriate. Let me indicate to all those who have amendments they intend to call up or consider offering, we are at that point in the process where this afternoon anyone desiring to do so should come to the floor and we will accommodate those amendments at that time.

We do have an amendment pending by the Senator from New York. Discussions should also be taking place now to see if a way can be found to perhaps provide an answer to that short of actually carrying that amendment to a vote.

There are other amendments that have been described by the Senator from Louisiana and the Senator from Nebraska. In addition to those are the discussion items raised by the Senator from Ohio. So with those items on the table and others perhaps coming on the table, at this point 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. DIXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF PROCEDURE

Mr. DIXON. Mr. President, I ask unanimous consent to proceed for a brief period of time as though in morning business.

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

A SMALLER TINY TOWN

Mr. DIXON. Mr. President, an article appeared in the February 11, 1991, Belleville News Democrat. That is my hometown, Mr. President, Belleville IL, 45,000 fine citizens. The Belleville News Democrat had an article entitled "Tiny Town is Smaller," and the story is truly amazing.

Anyone who has had any lingering doubts as to the accuracy of the 1990 census will certainly have their suspicions confirmed, Mr. President, if they read this article.

Reporter Wally Spiers tells the story of the 1990 census and its count of the good people of Fults, IL, in Monroe County, population 85 good souls according to the 1980 census. I know Fults. I have been in Fults, Mr. President; a small but lovely town; 85 hardy souls, according to the 1989 census.

Now, Fults is a town of only two streets: Main and Church. There is a third street, but it is only a block long so they did not name it. No one has ever felt compelled to name that street.

It seemed kind of easy to count everybody in Fults, IL, Mr. President; not the sort of situation where you ought to have to worry about an undercount like people do in the great city in my State, Chicago, or in New York, or in Los Angeles, or even in Birmingham. But lo and behold, Mr. President, when the 1990 census numbers were released for Fults, it claimed Fults had shrunk from 85 residents to 45 residents.

Now, the Census Bureau maintained that the 45 residents lived in 19 houses. Well, the Monroe County treasurer, Merrill Prange, who lives in this little town of Fults, decided to do his own count, so he walked through town and, unlike the Census Bureau, which counted only 19 houses, he counted 33 houses. The Census Bureau had counted only half as many residences as the county treasurer, who lives in the town of Fults.

And I therefore would assert the Census Bureau could not have possibly made an accurate count of Fults' population.

What is my point? My point is that these undercounts are costly. Listen to this. It is going to cost Fults $6,500 in State motor fuels tax money over the next 10 years as a result of their undercount. It is a potentially large loss for Fults.

As County Treasurer Prange says in the article:

> Conceivably, if the Census Bureau miscounted a town of 85 people and two streets that badly, I wonder what they did in towns like Waterloo, Belleville, or large places like Chicago?

I know a little bit about Waterloo, Belleville, and Chicago. I live in Belleville, a town of about 45,000. My lovely oldest daughter, Stephanie and her husband and her four children, my four fine grandchildren, live in Waterloo, the county seat of Monroe County, and Waterloo is a very big town by Monroe County standards, 4,500 to 5,000 people, much bigger than Fults, which is 85 people.

But if they are miscounting Fults, with two streets, Mr. President, Main and Church, and cutting their population in half in Fults, that you and I can count in an hour, what are they doing to Waterloo; what are they doing to Belleville; and what are they doing to Chicago?

The county treasurer says it all, County Treasurer Prange. Can one imagine the financial loss to a city like Peoria, Chicago, or New York if a similar undercount occurred? The effect has to be devastating.

So I say, Mr. President, the Census Bureau must make every effort to correct this undercount. There are thousands of two-street towns in this country, Mr. President. I imagine there are even thousands of one-street towns. But no matter what the size, they all deserve a fair, accurate count of their population. If we are to have a credible census, no less can be expected from the Census Bureau.

I ask unanimous consent that a copy of "Tiny Town is Smaller," from the February 11, 1991, edition of that great newspaper, the Belleview News-Democrat, in my hometown of Belleville, IL, be printed in the RECORD.

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

[From the Belleview News-Democrat, Feb. 11, 1991]

TINY TOWN IS SMALLER

(By Wally Spiers)

East St. Louis has lost more than 14,000 in population, or 25 percent of its 1980 count.

It could have been worse. It could have been Fults, a small Monroe County town that lost nearly half its population, according to the 1990 Census.

True, it only had 85 people to start with in the 1980 Census, but residents were startled to find that the 1990 count said the town only had 45 residents.

The sleepy small town nestled under the shadow of the Mississippi River bluffs in southwestern Monroe County is awake now

and challenging that count for obvious reasons.

Monroe County Treasurer Merrill Prange, a Fults resident, is leading the challenge.

"I just happen to live there, and when I saw the figures the county clerk had posted, I knew they weren't correct," he said. "I sat down and counted the people. After all, it's a town with only two streets and 85 people. It's not too hard."

Just by going up and down the two streets in his mind, Prange said he came up with a higher number than the U.S. Census Bureau did. It was obvious to him that someone had made a mistake.

Ordinarily, he wouldn't mind. When you live in a tiny town, you get used to people ignoring you or making fun of your town. But this mistake could cost the town money that could be used to keep its two streets in excellent condition.

"The state motor-fuel tax funds are based on population," he said. "The drop in the Census could cost us about $55 to $60 per month for the next 10 years simply because someone made an error. We couldn't see accepting that."

The difference in tax funds might not sound like much but taken over the 10 years of the Census, Fults would lose more than $6,500.

After a few futile calls to the state level, Prange finally reached an official in Washington, D.C., who was able to help get started on a protest.

"We want some sort of certification of how they arrived at their count," Prange said. "We were able to track the homestead exemptions on the residences in town that show the number of residents paying property taxes."

The U.S. Census Bureau counted 19 residences in Fults. A quick drive along both streets in town (Main Street and Church Street—they could have three if they named the one-block street that connects the two in the middle of town) showed at least 33. Prange confirmed that number.

"We hope when they see our evidence they will know their count is off," he said. "We also sent along a post office list of people living there."

Prange said he could see where it might be easy to get confused about who lives in town and who doesn't, even though the town covers only a few blocks.

"Some residents get their mail at the post office," he said. "Others get theirs delivered because the rural route runs down Main Street. Their mailing address would have said rural route Fults."

The Census people may have gotten confused because a set of railroad tracks runs through town, and a few houses are on the opposite side of the tracks from the main part of the town.

Eventually, the town probably will get its problem straighten out, but the experience has Prange wondering about other Census counts.

"Conceivably, if they miscounted a town of 85 people and two streets that badly, I wonder what they did in towns like Waterloo, Belleville or large places like Chicago?" he asked.

And who knows what will happen in 2000? The Census could get even tougher to figure in Fults.

Prange said a new family had moved into the town. The population may be up to 90 now.

Mr. DIXON. Mr. President, the 85 hardy souls of Fults, IL, who have suddenly had their population cut in half, thank you for your attention to this very important detail relating to the future existence of Fults in Monroe County in the great State of Illinois.

RECAPITALIZING THE BANK INSURANCE FUND

Mr. DIXON. Mr. President, there is no doubt that the Federal Deposit Insurance Corporation's bank insurance fund is under serious stress. The fund now has a balance of only $8.5 billion. It would take another $16.5 billion right now to bring the fund back to its designated 1.25-percent target ratio. Even with that additional money, the FDIC would not be able to keep the fund at the target ratio; the Office of Management and Budget, the Congressional Budget Office, the consultants to the House Banking Committee, and the FDIC itself all predict varying degrees of further pressure on FDIC reserves.

It is possible that the FDIC may be able to keep the fund solvent and that it will not need any further legislative assistance. After all, as a result of a bill enacted just last year, the FDIC has virtually unlimited authority to raise deposit insurance premiums and earlier amendments provided the Corporation with extensive borrowing authority.

It is widely anticipated that the FDIC will soon announce a further increase in bank deposit insurance premiums, and that the Corporation will also announce that it is borrowing $10 billion to augment its resources. I hope that will be enough to bring the fund through its current crisis. If, however, it is not, a legislative solution will be required, and any such legislative solution will have to meet a number of conflicting goals. It will have to:

First, provide sufficient funds to the FDIC to meet reasonably foreseeable needs, with a substantial reserve as a margin of error;

Second, finance the recapitalization without use of taxpayers' money to pay losses;

Third, ensure that more banks are not pushed into insolvency by premiums that burden the industry beyond its ability to pay; and

Fourth, avoid exacerbating the credit crunch or deepening the current recession.

Now some may say, Mr. President, that no proposal can meet all of these goals. If borrowing authority is considered using taxpayer money to recapitalize the fund, they are correct, because no one believes that it is possible to avoid borrowing altogether. However, if FDIC resources—that is, insurance premiums—are used to repay any borrowing, then it is the banking industry, not the taxpayers, that will be financing the recapitalization. So long as the FDIC is able to repay any borrowing, therefore, a taxpayer recapitalization of the bank insurance fund can be avoided.

The current deposit insurance premium of 19.5 basis points will support a lot of borrowing; it raises close to $5 billion each year. However, it is probably not a good idea to dedicate all of that income to repayment of borrowing. The FDIC is likely to face substantial insurance losses for some time, and encumbering the fund's future income in that way is unduly risky. That is why the FDIC is likely to increase premiums to the 23–25 basis point range to support the $10 billion borrowing program that the banking trade associations have proposed.

Raising the premium above that level, however, also creates real risk. The experts seem to agree that additional increases much over that amount would begin to seriously pinch many banks' earnings, and force some banks into insolvency. At some point, therefore, premium increases become counterproductive, causing losses that are greater than the income they raise. Further, additional increases could make it more difficult for banks to raise the additional capital they need, and it is bank capital that is the principal bulwark protecting the insurance fund.

Even worse, trying to resolve the insurance fund problem just through premium increases creates a real risk of making the current credit crunch much more serious, and of making it much more difficult to climb out of the ongoing recession. The FDIC, for example, considered imposing a 1 percent special assessment on the banking industry. This would have raised $25 billion. The FDIC did not pursue this option, however, because the Corporation realized that it could take $300 to $400 billion in lending capacity out of the banking industry—and that the economy, let alone the banking industry, could not stand that kind of pain.

Relying solely on further premium increases is also not a good idea because of the climate of uncertainty it creates. If banks don't know what deposit insurance premiums they will have to pay—if even prudent banks have no confidence in the affordability and predictability of their insurance assessments—then it is going to be that much more difficult to get them to make the kind of good loans in the amounts that will really get our economy moving again.

There is a way out of this dilemma, Mr. President. We can provide the FDIC with the resources to undertake a major recapitalization of the fund. We can do it without using taxpayer dollars to pay losses, and we can do it in a way that will provide considerable confidence that future deposit insurance premiums will not rise to levels beyond the banking industry's ability to pay. The solution that will accomplish all of these objectives and the

others I have previously discussed is to make use of an underutilized, already available, banking industry resource, the sterile reserves banks have on deposit at the Federal Reserve System.

Banks and other depository institutions currently have about $21 billion in sterile reserves on deposit at the Fed. Banks must put a percentage of all checking account balances, and, until recently, all time account balances, into the sterile reserve. The reserve requirement was first created in 1913. The notion then was to create a source of liquidity, and to give the Fed an additional monetary policy tool. The decision was made then not to pay interest on the reserves to the banks, based on the fact that:

The Fed was paying a 5-percent dividend on the stock banks then owned, and still own, in the Fed;

The Fed would take over responsibility for the clearing system and not charge the banking industry for this service; and

It was a very low interest rate environment and banks were then earning only about 2 percent on their reserve balances.

The fact that the Fed did not pay interest on the sterile reserves to the depositing banks, however, did not mean that the Fed did not earn interest on those deposits. It did, and continues to do so. Last year, the Fed earned about $2.5 billion, and it is likely to earn $1.5 billion or more this year.

These profits amount to a kind of special tax on the banking industry, one that the industry can no longer afford. What makes this tax particularly burdensome is the fact that the reserves are no longer needed for their original purposes. While some level of reserves is still needed as a form of security for the clearing system, the reserves are no longer used as a monetary control tool. The Fed acknowledged this fact late last year, and reduced reserve levels, shrinking the amount of bank reserves at the Fed from $37 billion to the current $21 billion.

Further, none of the conditions that led to the decision not to pay interest on reserve balances still applies. Interest rates are now much higher than 2 percent, and much more volatile. The 5 percent dividend that seemed attractive in 1913, is no longer very attractive in 1991. And most importantly, the Fed now charges for the clearing services it used to provide for free—and even makes a profit.

Finally, the banking business has greatly changed since 1913. In that era, banks essentially had what amounted to a financial services monopoly. They were the only game in town. In 1991, that is no longer true. The banking industry faces intense competition, much of it from new products and services that didn't even exist in 1913. Because of this new competition, banks simply can no longer afford not to have the interest on reserves working for them.

Frankly, Mr. President, I think the case for paying interest on the sterile reserves directly to banks is compelling. However, given the needs of the insurance fund, the least that should be done is to put the interest on the sterile reserves into the insurance fund.

Transferring the interest to the FDIC would give that agency an unencumbered income—that is, income not committed to repayment of borrowing—in excess of $6.5 billion a year, and that exceeds FDIC's annual insurance claims in every year but one. Further, the reserves themselves can be used as security for a much larger recapitalization of the fund, should that prove necessary.

Finally, the sterile reserves could be used to finance a transitional capital assistance program for banks, one that would:

Facilitate consolidation of weak banks;

Minimize costs to the FDIC by keeping more problem assets in the private sector; and

Avoid creating domino effect, where the sale of one cleaned-up failed bank creates competitive pressures that cause other banks to fail.

S. 262, a bill I introduced last month, sets out one possible way to put the sterile reserves and the interest income attributable to those reserves to work. There are other approaches, and I have been discussing possible refinements of my ideas with Treasury and others.

The bottom line, however, is that the interest on sterile reserves provides a way out of the Bank Insurance Fund recapitalization dilemma. It is the one way for us to meet all of the otherwise conflicting recapitalization objectives. Putting this money to work for the insurance fund benefits the American taxpayer and our economy. It can help put a badly needed dose of confidence into our financial system. It should be used—now.

I yield the floor.

Mr. ADAMS addressed the Chair.

The PRESIDING OFFICER. The chair recognizes the Senator from Washington.

Mr. ADAMS. Mr. President, I inquire as to the status of matters on the floor, so that I can make a unanimous-consent request.

The PRESIDING OFFICER (Mr. LIEBERMAN). The pending matter is the amendment introduced by the Senator from New York [Mr. D'AMATO] to the legislation concerning the RTC.

Mr. ADAMS. Mr. President, I ask unanimous consent that I might proceed as in morning business for a period not to exceed 15 minutes.

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

Mr. ADAMS. I thank the Chair.

(The remarks of Mr. ADAMS pertaining to the introduction of S. 512 and S. 513 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ADAMS. 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.

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

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

Ms. MIKULSKI. Mr. President, I also ask unanimous consent that I may speak as in morning business.

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

The Senator from Maryland is recognized.

Ms. MIKULSKI. I thank the Chair.

(The remarks of Ms. MIKULSKI pertaining to the introduction of S. 514 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Who seeks recognition?

Mr. SYMMS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho [Mr. SYMMS].

Mr. SYMMS. Mr. President, I ask unanimous consent that I might speak out of order for 1 minute as in morning business.

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

OUTSTANDING VOLUNTEER WORKER CHARLENE BAKER CRAYCRAFT

Mr. SYMMS. Mr. President, sometime we fail to recognize the true value of the individual in our day to day routine. The average American becomes more involved in his or her own personal problems and far too often neglects to say a proper thank you to an individual who has contributed of his or her time to the betterment of the community, State, and Nation, as opposed to seeking strictly personal rewards.

Mr. President, I wish to formally recognize, albeit posthumously, one of those unique individuals on the floor today—Charlene Baker Craycraft, who was tragically taken from us in an automobile accident last month.

Mrs. Craycraft was a lifelong believer in our country and its ideals, and had been involved in charitable and community efforts in the Washington metropolitan area since graduating from Suitland High School in 1961. She completed her education at Prince Georges Community College and the University of Maryland. She did substitute teaching in Prince Georges County, and she

became involved in the political arena in the early sixties.

Charlene first achieved national prominence as the first woman chairman of the National Young Republican Leadership Conference in 1974. She had worked with the Americans for Constitutional Action since 1966, working her way up from finance secretary, office manager, and executive assistant, to executive director and finally chairman.

One of Charlene's honors was being chosen by the United States State Department to travel to India and participate in an American study group during her career. Being able to discuss the free market and the Constitution with other young people in that government was considered a distinct honor by Mrs. Craycraft. Charlene was a strict constitutionalist, Mr. Chairman, and worked tirelessly to promote the best ideals from the American way of life to not only her colleagues in the metropolitan area, but to anyone with whom she could discuss the important matter of freedom and democracy.

Mr. President, I, along with many of my colleagues, had the honor of working with Charlene on numerous occasions throughout her career. She was loyal, steadfast, dedicated, and genuine in her concern for other people. The youngest of seven children from a West Virginia farming family, Charlene epitomized the ability and influence of a single individual to change things. She gave selflessly of her time and energy, and her talents, which were many, for those ideals and principles in which she strongly believed, and to help those less fortunate than herself. She always answered a call for help from her many friends, and her contributions to the Ronald McDonald House were something she cherished.

We feel a deep personal loss in the passing of Charlene Baker Craycraft, but we are thankful for her life and the meaningful contributions she made during more than 20 years of service in the Washington area. My heartfelt sympathy goes to her husband Harold and her family. We all benefited from knowing her.

Mr. President, she was known in this town as the ACA and it was one of the first information organizations back 25 or 30 year ago that started taking a look at how Congress votes, what they do and getting information out. It had a conservative point of view, I grant.

Charlene was a marvelous woman who many of the people in the Senate had an opportunity to know.

RESOLUTION TRUST CORPORATION FUNDING ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida [Mr. GRAHAM].

Mr. GRAHAM. Mr. President, I rise to make a few remarks on the pending business before the Senate, which is the proposal to refinance the Resolution Trust Corporation with an additional $30 billion of funds, those funds to be available to the RTC for purposes of paying off depositors in institutions which have come under the conservatorship management of RTC.

Mr. President, it has been suggested today we face a circumstance which is analogous to that which we faced several years ago when the original savings and loan crisis emerged. That was the circumstance in which the insurance fund, which provided the safety net under savings and loans institutions, was seriously depleted. Many institutions were in deep financial trouble. As they attempted to work themselves out of that trouble, in many cases by growing at a greatly accelerated rate, there was concern they were, in fact, adding to the ultimate cost of the resolution. Those fears have, unfortunately, dramatically and in enormous quantity proven to be well-founded.

So we have been warned today: Do not fall into the trap of 1986.

I would like to suggest the situation today is significantly different than it was in 1986 and that, in fact, we do not have one problem; we have two problems; It is different today than in 1986. The insurance fund was broke or virtually broke. It was certainly inadequate to meet the demands that were reasonably to be placed upon it.

That is not the case with today's Resolution Trust Corporation. In fact, the Resolution Trust Corporation, as of November 30, 1990, which is the last date for which statistics have been provided to the Senate, had in its conservatorship institutions—these are institutions which are still operating but being managed by RTC—$87.5 billion of assets.

In its receivership accounts—these are the assets from institutions which had previously been in conservatorship, where depositors had been paid off, and these were the unsold assets from those dispositions—RTC, as of November 30, had assets of $56.6 billion. So between the two sources of assets, conservatorship and receivership, RTC has in excess of $140 billion of assets. We are not talking about an institution which is strapped against the wall in terms of its financial capability.

To look inside those numbers a little further, Mr. President, again using the November 30 information, the portfolio is broken down into various classes of assets. Three of those classes are cash and investment securities, mortgage-backed securities, and performing loans, the three categories which in normal financial parlance would be considered to be relatively liquid, that is, that there is a market, a relatively readily established value, on those types of assets.

In the conservatorship account, those three categories represented approximately $70 billion of the $87.5 billion. In the receivership account, those three represented approximately $40 billion of the $56.6. So most of the assets most of the $140 billion-plus assets, are not in hand to dispose of items but in items for which there is a relatively available market.

I have been looking for an analogy to the problems that we face, and the best I have been able to come up with is maybe one that many of us are familiar with, and that is a child at college. We have dealt well with our child. We have not only provided the child with tuition and room and board, but we also have given the child a car, a television set, a VCR, a stereo. He or she is well provided for. But every month, we get a call from our child in college. And after going through the niceties of "How are things going at home; how is mother doing," the last paragraph of that call almost inevitably, Mr. President, is. "Dad, could you send me a check for $500?" Maybe the Presiding Officer has had that experience. Well, as good parents, we try to be forthcoming.

(Mr. ADAMS assumed the chair.)

Mr. GRAHAM. It is now the end of the semester, Mr. President, and we have received the grades for our child. The grades are not good. In fact he is barely able to get readmitted into the college because of his grades. This does not make us happy.

And so, as a parent who has a couple of objectives: we want our child to finish his college education; we also would like the child to do so without putting us into bankruptcy, we tell our child, "For the next semester, I want you to sell your car, sell your television, VCR, and stereo, and I want you to take yourself out of wherever you have been and put yourself in the library. And I expect a more studious attention. And, incidentally, do not be calling me once a month for a $500 check, because those checks are not going to be coming anymore."

That, Mr. President is a rough analogy of where we are now. We have an institution, RTC, with very substantial assets, assets that are not being rigorously disposed of, an institution which has not been getting very good grades as to how it is handling those assets, as witnessed to in the previously created General Accounting Office report, which was delivered to the House Banking Committee earlier this month, and an institution which regularly is calling us up and asking for the equivalent of that monthly check, except it is not $500; it is $30 billion.

So just as we have two objectives with our child—completion of college and doing so at a price that does not put the parents into bankruptcy—I

suggest we have two objectives here today. One is, yes, we desire that the Resolution Trust Corporation have sufficient assets so that where a savings and loan has clearly reached the point it no longer is able to survive independently, the RTC is in a position to take over that institution, to hemorrhage the bleeding, to stop the adverse economic effect.

But we have a second objective, Mr. President, and that is we want RTC to begin to aggressively dispose of this mammoth and accumulating, rising tide of assets which it has in its portfolio. It is to that second point that I would like to address most of my comments, and that is, what are the adverse effects of the Resolution Trust Corporation continuing to accumulate assets?

There is a clear lack of urgency on the part of the RTC in the disposal of these assets, more in their actions than in their words.

Many of us in recent days have been called upon by the press to evaluate what Saddam Hussein said this morning: Do you believe this is a serious movement toward resolving this war? I have come to the conclusion that Saddam Hussein can only be tested by his actions, not by his words. I do not mean to draw the analogy between RTC and the tyrant in Baghdad, but I believe that with RTC also we need to look at their actions rather than their words in terms of their commitment to disposition.

Just to give a couple of examples, the report that I cited earlier from November 30, 1990, lists in receivership assets of $56.6 billion. On July 31, RTC had in receivership $40.2 billion. So over the course of July to November, rather than reducing the number of assets, liquefying them, generating cash in order to pay off the obligations of RTC, in fact, there has been an increase of over $16 billion in the assets held by RTC.

I found an even more stunning example of this perceived, what I believe to be real, lack of urgency in the way in which this matter was presented to the Senate Banking Committee. The Secretary of the Treasury, in a hearing earlier this session in which he talked about, from his perspective as Chairman of the Oversight Board, the issue of the need for additional funds for RTC, it was not until page 6 or 7 of his testimony, in a relatively nondescript paragraph, that he made the statement: And, incidentally, we are not selling any assets anymore. We are not selling those assets because we have a legal opinion that we, members of the Oversight Board, as well as others who might have been involved, could be personally liable if we sold assets and there was subsequently found to be some lack of full disclosure.

In my judgment, Mr. President, that should have been the first sentence in his statement. Bells should have rung, a sense of alarm gone out. We have an institution that has stagnated, that has atrophied, that is not performing a basic function. Rather than that, we got a rather casual, passive, low-intensity acknowledgement of a very fundamental defect.

So, Mr. President, I start with the sense that we have an attitude in RTC which is adverse, or if not adverse at least lacking any sense of real commitment to the disposition of assets.

What are some of the implications of this policy? First, there will be a greater cost to the American taxpayer of continuing to hold these assets.

I mentioned the dollar value of some of the assets that will be held by RTC earlier. One that I did not mention was real estate. I did not mention it intentionally, Mr. President, because, in my judgment, it has been used as a red herring; that is, the argument has been made that, well, of course, RTC cannot dispose of assets, and of course it cannot liquefy and use those cash proceeds to meet its needs because it is tough to sell real estate.

I could accept that real estate is not the easiest asset to dispose of quickly. But it represents 10.4 percent of the conservatorship assets and 13.7 percent of the conservatorship assets. It is not the overwhelming item in either of the portfolios of the Resolution Trust Corporation, but those percentages amount to approximately $17 billion of real estate assets held as of the 30th of November.

If you assume that those real estate assets have costs of carrying, the cost of managing the property, the cost of maintaining property, the depreciation in value which is associated with property that goes unoccupied or only partially occupied, and if you assume that rate of cost and depreciation is half of 1 percent a month, which I consider to be a relatively modest estimate of the actual cost, we are talking about a monthly cost to the taxpayer of carrying that $17 billion worth of real estate assets of approximately $80 million every month in the cost and depreciation of value. So there is a substantial additional cost to the American taxpayer of this policy of slow disposal of assets.

Second, the slow disposal of assets constitutes a drag on the general economy. There has been some concern, when this matter was addressed a year ago, that if RTC sold its assets too rapidly, it might constitute dumping or it might have a collapsing effect on real estate values. I think now the strong weight of opinion is that just the opposite has occurred—that the failure to move these assets is what is the drag on the economy; the uncertainty, the unknown of having this big overlay of unsold property.

Third is we are building up an enormous bureaucracy to manage these assets. The General Accounting Office report earlier this month indicated that RTC now has 5,000 employees to manage these assets. They estimate that, under the current pace of activities, those 5,000 people could be employed as long as 10 years disposing of these assets, another very significant cost to the American taxpayer.

Fourth, I believe that we are creating a political incentive to drag out the sale of these assets. This requires some understanding of how the system works. Let us take a hypothetical savings and loan that has come into RTC conservatorship. One of the things that is done while it is in conservatorship is determine how many deposits this institution had that were covered by Federal insurance. Let us assume that the answer to that is $1 billion.

Next is the question of how much are the assets that this institution has, what are they worth, and what is their fair market value? Let us assume in this case that after appraisal and valuation, it is determined that the assets are worth $500 million. With that gap, the difference between the $1 billion of insured deposits and the $500 million of asset value is what we are about to provide $30 billion to pay; that is, the difference between deposit base and valuation of assets. That is the so-called dead loss. That is the loss that we never are going to recover. That is the loss that is paid from the conservatorship funds which we are now being asked to appropriate.

The $500 million of assets now shift over into the receivership category. They become part of the $56.6 billion that RTC held in receivership on the 30th of November.

Those assets then become the basis upon which RTC borrows $500 million, which is used to pay the second $500 million owed to those depositors. It is from those two sources, the dead loss money that we appropriate and the $500 million raised by borrowing against assets, that the $1 billion is generated.

A major question is, Is that $500 million valuation figure real? To the extent that that is overstated, that is, that the assets do not have a market value of $500 million, to the extent that is the case, the taxpayers are going to have to pick up on additional cost because we will not be able to realize the full $500 million but something less than that, and that will add further to the final cost of disposition of that institution.

I might say that there is a very alarming fact which raises questions about whether these valuations were proper. There have been some 353 institutions which have gone through the conservatorship process. If you assume that the values attached to the assets of those institutions had been assessed by third parties as being realistic, you would have thought that there would have been a significant number of

those institutions where someone would have come in and said, "I want to buy those assets. Your valuations I consider to be prudent, and I will pay you the price that you have placed on those assets."

That would be a great saving to the Government if that would occur because it would avoid the necessity of RTC having to continue to manage and pay all of the ongoing costs of ownership.

But of the 353 institutions that have gone through conservatorship, on how many occasions do you think that third party at arms length has said, "Yes, I agree with your asset valuation and I will buy this bundle of assets."? The answer is one. So in one out of 353 we have had the asset value of the RTC agreed to.

In 352 cases it has not been accepted by a third party buyer. That causes me to feel that what we are really doing by pushing these assets further and further out into the future is we are levering for the next generation, which may be the next generation of Federal officeholders or maybe the next generation of Americans, a very large balloon note as we find out that all of these assets instead of being worth the $500 million equivalent are only worth $250 million, and another $250 million has to be appropriated by a future Congress in order to cover those costs.

Mr. President, for all of those reasons, I believe it is very much in the public interest to create an incentive for the RTC to move these assets as expeditiously as possible, and to reverse the current passive disposition policy that I believe the facts indicate is currently in effect.

So, Mr. President, I am going to be offering an amendment which attempts to do both of the objectives—both providing the funds necessary to allow the RTC to move appropriately to close institutions that are currently constituting a risk on the system;

Second, to achieve the objective of creating an incentive for RTC to move, to sell, to liquidate its accumulating inventory of assets.

My amendment would do essentially the following things: It would say that RTC will receive immediately, immediately available to it, $15 billion. That happens to be half of what is currently requested, but it also happens to be the amount that RTC has identified will be necessary for them to close the institutions that they currently have on their closure list.

Next, RTC would be able to access the second $15 billion when they have, on a dollar-for-dollar basis, disposed of $15 billion of their assets. That is, as they begin to liquidate this inventory of assets, they would become eligible to draw down, on a dollar-for-dollar basis, the $15 billion, which we would now appropriate.

In my judgment, Mr. President, that would have the dual beneficial effect of assuring that institutions that deserve to be closed, whose continued operation is an economic hazard, would in fact be closed; but second, it would achieve the objective of giving a very positive economic incentive to the Resolution Trust Corporation to begin to liquidate a pile of assets whose continued accumulation and ownership by the RTC will cost the taxpayers substantially more money, will constitute an adverse negative effect on the general economy, will countenance a continued buildup of a large and difficult-to-dismantle Federal bureaucracy, and will avoid the political charge that we have stacked the economic deck in such a way as to push the real cost of this unto future generations of politicans or future generations of Americans.

Mr. President, I send the amendment to the desk and ask that it be considered at the appropriate time.

The PRESIDING OFFICER. The amendment will be received and printed in the RECORD.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. GRAHAM. Thank you, Mr. President.

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

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

RECESS UNTIL 4:30 P.M.

Mr. DIXON. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate stand in recess today from 3 o'clock until 4:30 p.m., obviously mostly for the benefit of the Senate to attend the briefing on the Persian Gulf situation.

There being no objection, at 3:02 p.m., the Senate recessed until 4:33 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. ROBB].

RESOLUTION TRUST CORPORATION FUNDING ACT

The Senate continued with consideration of the bill.

The PRESIDING OFFICER. Under the previous order the Senate will resume consideration of S. 419.

The pending amendment is amendment No. 13, offered by the Senator from New York [Mr. D'AMATO].

Mr. RIEGLE. Mr. President, I would like to amplify some of the remarks I made yesterday in a colloquy with Senator METZENBAUM on the budget treatment of the RTC.

As I said yesterday, all of the RTC's spending, over $100 billion so far, and rising to as much as $180 billion by the end of this fiscal year, is on budget, except for $30 billion of loss funds raised through an off-budget agency called REFCORP. When FIRREA was passed 2 years ago, I and others opposed the use of off-budget funds because it appears to hide the costs and, even more importantly, because it wastes money.

As originally proposed by the administration, all $50 billion of loss funds provided by FIRREA would have been raised through use of REFCORP. Investors in bonds issued by REFCORP require about 30 basis points higher interest rates than they require on Treasury debt. That would have increased the costs of this program by $4 to $5 billion over 30 years. As I said yesterday, we were finally able to achieve a compromise that put $20 billion of that $50 billion on budget and saved about $2 billion of those extra costs.

Now while most of the expenditures thus far and all of the $30 billion provided by this bill are on budget, they are not part of the pay-as-you-go provisions in last fall's budget agreement. The money contained in this bill is included in the budget baseline, so this spending would not increase the budget above the projections we had last fall or those in the President's budget. But this spending is further immune from the pay-as-you-go provisions because even if RTC spending turns out to be greater or less than the numbers in the baseline, it would not affect the ability to spend on other programs or the need to raise revenues.

This is what was agreed to by the budget negotiators last fall, and I think there are some good reasons why they acted as they did. Spending to cover these insurance losses is different in many respects from other Federal spending. First, these are made to cover obligations that we made in the past. Many of the thrifts that are being closed now have been insolvent for years. The Federal Government's losses occurred when those thrifts first became insolvent. So we're not increasing the Government's obligations here. When the Treasury issues debt to raise funds to pay off depositors, we are really exchanging a new security obligation for an old insurance obligation.

The economic effects of this spending are different as well. As Alan Greenspan has told the Banking Committee, this spending does not stimulate spending demands in the economy. It merely gives to depositors something they have assumed they had all along. Similarly, the Commerce Department, in constructing its GNP and national income accounts, does not include this spending in its measure of the Government's current fiscal impact on the

economy. The economic effects of this spending occurred when bad loans were made, throughout the 1980's, that will not be repaid.

Finally, there is a very practical reason not to subject other spending and revenues to the vagaries of RTC spending. As the RTC closes or sells thrifts, it accumulates assets that purchasers of insolvent thrifts do not want. It funds those with working capital borrowed from the Federal Financing Bank, a branch of the Treasury. Those borrowings are quite sizable. Currently, they amount to about $57 billion. By the end of this fiscal year they may reach $100 billion, and the administration projects that they will peak at roughly $130 to $150 billion in 18 months or so. All of that spending is expected to be reversed over subsequent years as the assets are sold. Now, if the RTC has overestimated what its assets will sell for, we will not get all of it back. But the GAO is actively assessing the suitability of the RTC's estimates, and we will get most of it back. Cutting other deserving programs while the working capital stock is increasing, and then having an equal amount of excess funds later would contort the budget process.

So that's the budget treatment of RTC's funds, and I think it has some justification.

Mr. WELLSTONE. Mr. President, three themes echo in the debate today: responsible stewardship, accountability, and who pays for the economic party of the 1980's. Most important, our discussion is about stewardship of our Nation's treasure in the face of the most catastrophic breakdown since the Great Depression of a large portion of our banking system.

Traveling throughout Minnesota in recent weeks, at town meetings and in cafes, I have heard these themes repeated over and over by the people of my State. People concerned that the RTC has not always been an effective steward of tax dollars, that they have made decisions to sell or transfer assets in their haste to unload failing or struggling thrifts. The second is political and economic accountability for this debacle. And the third is fairness—requiring the enormous burdens of this crisis to be shared by those who benefitted the most by a decade of lowered taxes for some and irresponsible and inattentive deregulation in the 1980's.

American taxpayers are being asked to bear a heavy burden for the transgressions of many who abused their responsibilities either as key officials of S&L's or as regulators and overseers of the thrift industry. I believe an economic crisis looms on the horizon which will impose a heavy burden on all Americans, but especially upon low- and moderate-income families struggling now to make ends meet. Greedy speculation by thrift operators combined with inattentive oversight by Federal regulators has already cost this country an estimated $107 billion—about $150 billion including borrowing authority—and today we are being asked to provide an additional $30 billion, exposing the taxpayers to a potential of approximately $180 billion thus far. The Resolution Trust Corporation has had to assume control of 531 thrifts as of December 31, 1990, with 179 still in conservatorship. Who knows how much this crisis will eventually cost?

Yet even in this unpredictable situation, the administration has requested a blank check, with no significant reforms to ensure additional accountability for regulators. That is not responsible stewardship, Mr. President.

I have heard the horror stories of my fellow Senators: About assets being held up for unnecessarily long periods at the local level, or sold at prices far below market rates after bids came in which were higher, or any of a variety of other mistakes and oversights and delays. The GAO report recently released suggests that continued vigorous congressional oversight is critical if RTC is to address these problems. As part of this process, strengthening existing control and oversight mechanisms, improving contracting activities, and expanding and improving marketing information and computer systems to allow faster access to accurate and timely market information is important if we are to be responsible stewards of tax dollars.

In addition to responsible stewardship, my second and related concern is accountability. This is where the rubber meets the road on the legislation before this body today, and on the amendments thereto. I will vote today to strengthen the accountability provisions in the bill because I believe they will help to ensure the prudent, efficient disposition of thrifts currently in conservatorship without unnecessary delay of that process, and without imposing burdensome and unreasonable demands on the RTC.

Finally, Mr. President, we face the question of who will pay for the debacle in the savings and loan industry. The big winners during the Reagan/Bush era were the super-rich—those making over $125,000 per year. Their after-tax income rose by $186,000 in constant dollars—an 87 percent jump during the 1980's for those making an average $549,000 in 1990. The big losers were American families making an average of $31,000 or less today—three out of five families in the United States even if you earned $20,000 annually, your taxes increased, too, and your after-tax income rose a meager $56—not enough to buy a week's worth of groceries. After a decade of rhetoric about lowering taxes for all Americans, it is clear that everyone's taxes—except the richest one-fifth—went up. During this debate today, we must keep in mind the question which lurks behind many of the fiscal and tax debates in this body: the need to start a discussion about reconstituting a progressive, fair tax structure to ensure that those who came to the economic party in the 1980's, who benefitted from the massive transfer of wealth and income from the middle class and the poor to the very wealthy, will be required to pick up part of the tab.

Mr. President, American taxpayers are being asked to bear a heavy burden for the transgressions of many who abused their responsibilities either as key officials of S&L's or as regulators and overseers of the thrift industry. I recognize the urgency and immediacy of the need to continue RTC funding, but I am deeply concerned that the disposition of these failed thrifts be handled in a way that holds regulators accountable, and strengthens the ability of Congress to ensure continued vigorous oversight. This measure will only receive my support if I am convinced that, in its final form, it is an act of responsible stewardship of Federal funds which holds regulators and thrift institutions accountable for their actions, and which will result in the most timely and effective disposition of these thrifts possible.

Mr. D'AMATO. Mr. President, while we are considering S. 419, the resolution trust funding act of 1991, legislation to provide additional funding for the Resolution Trust Corporation to continue to meet its obligations, I would like to rise to speak about a related issue that I have, on several other occasions, brought before the committee when we have RTC matters pending; namely, the treatment of basically sound institutions that have had their capital arbitrarily eliminated by the regulators' treatment of goodwill under FIRREA. The purpose of FIRREA is to restore public confidence in the thrift industry by putting thrifts on a sound financial footing, and to resolve failed thrifts at the least possible cost to the taxpayer. OTS and FDIC have taken the astonishing position that FIRREA requires them to walk away from the Government's binding contracts and thereby turn sound, well-managed thrifts into undercapitalized institutions that are saddled with restrictions on their ability to compete in the marketplace and whose viability is put in question by the regulators' actions. Many courts are now telling OTS and FDIC that their interpretation of FIRREA is wrong, and that Congress did not intend for FIRREA to be used to allow the Government to walk away from binding contracts.

Litigation raising contractual goodwill is proceeding through the courts for savings institutions located in my home State of New York, as well as in California, Connecticut, Florida, Georgia, Illinois, Iowa, Kansas, Michigan, Minnesota, Mississippi, New Jersey, Oregon, Tennessee, Texas, and Wash-

ington. In five of these States, Federal district courts have forbidden OTS from walking away from contracts in which the Government promised that supervisory goodwill would be counted as part of capital for regulatory purposes. Just 2 weeks ago, the government lost another case in the Federal district court in the district of New Jersey on this very issue. The judge found that "[b]y enforcing FIRREA's capital standards [on the savings association], the OTS will create the situation it seeks to avoid: creating an insolvent thrift which becomes part of the public charge. That result is far from being in the public interest."

The expeditious passage of FIRREA was essential to halt the enormous losses of money from underwater and poorly-managed thrifts. As I predicted, the emergency circumstances under which we had to pass this legislation resulted in the delegation of too much power to an agency that specializes in closing institutions—causing the egregious impact we see today to the thrift industry. OTS and FDIC have spent the past 17 months litigating cases involving goodwill claims under FIRREA. They have enforced FIRREA's capital standards in abrogation of what the courts concluded were valid contracts entered into by the Government which created duties and obligations that remain unaffected by FIRREA's new capital requirements. The result is that sound and well-managed thrifts are threatened with being put out of business—at a cost to the taxpayer that there is no reason to incur. Indeed, several thrifts are now suing the Government for damages in the U.S. Claims Court because of actions of FDIC and OTS.

There is no question that OTS needs the regulatory discretion to take control of thrifts that are failing or being mismanaged in order to halt large losses. FIRREA should not be used, however, as a means to abrogate contracts entered into by the Government and take down institutions that are well-managed, profitable, and providing services to their communities. Many of these thrifts contributed substantial assets and agreed to absorb a failing thrift's losses in exchange for the Government's agreement to follow generally accepted accounting principles in treating good will as part of the institution's capital. When OTS took the position that FIRREA relieved the Government of its obligation to honor its agreements with these thrifts, the thrifts failed to meet the minimum capital requirements. Many of these thrifts were profitable, well-managed institutions that provide home mortgages and employ citizens in their communities. Their capacity to attract and retain deposits and borrow in capital markets was drastically impaired by OTS' actions under FIRREA. The sanctions imposed by OTS have reduced the thrift's ability to generate mortgages and to access the secondary mortgages markets. As a consequence, the thrifts are unable to serve fully the needs of savers and home buyers in their communities.

If OTS and FDIC really believe, notwithstanding these court cases, that FIRREA requires them to disallow goodwill and walk away from binding Government contracts, then they have a duty to come forward to present Congress with a legislative proposal to allow distinctions to be made between institutions. There is no doubt that the regulators need to be able to take control and resolve a failed institution promptly, and that we will not allow such an institution to hide behind the shield of a goodwill claim. At the same time, it makes no sense to toss sound, well-managed institutions into the RTC scrap heap, or to impose counterproductive restraints on their operations, just because they have supervisory goodwill on their books stemming from a deal they made with the Government.

Last week, in testimony before the Senate Banking Committee, Alan Greenspan testified that the Federal Reserve is working with the other bank supervisory and regulatory agencies to adopt a "series of easing moves" to help depository institutions over the economic weaknesses of the past year and to "ensure that bank examination standards are prudent and fair." Mr. Greenspan further explained that the Federal Reserve "need[s] a balanced evaluation process that endeavors to reflect the long-term value of an illiquid asset." Such an infusion of realism is needed equally in the savings and loan industry. The public has a substantial interest in maintaining the viability of healthy institutions and preventing OTS from unnecessarily adding these institutions to taxpayers' already enormous tax burden.

Mr. BIDEN. 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. KERREY. 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. KERREY. Mr. President, I ask unanimous consent that I be permitted to speak as if in morning business for a period up to 15 minutes.

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

DEMOCRACY IN THE GULF

Mr. KERREY. Mr. President, as the military operation of Desert Storm continues, first on the list of all of our concerns is under what circumstances will our troops come home safely? Protecting the lives of American forces and making sure that we do not interfere, even though we are at the tail end of the military operation, that operation is important for all of us.

In addition, Mr. President, the second question is to make sure that a sufficient stability in the region is created or exists so that we are not required to have to come back. It is on everyone's mind. Specifically, people talk about the residual military power of Saddam Hussein and what that military power means but also have suggested that we may need some continuing military presence to create that stability—suggest as well that perhaps what we need is a new treaty, a new arrangement of nations that will preserve that security and provide that stability.

I would like to rise today and identify another course that is obvious to us as we deal with most of the parts of the world. For some reason, it does not become quite so obvious to us in the Middle East, and that is the course of democracy. The course itself of self-determination, not only to protect human rights, because I would argue that in the end the cause the American people feel strongest about in this effort is our reaction to the human rights abuses in both Kuwait and Iraq and the threat to human life outside of those two countries.

But in addition to the protection of human rights, I think the evidence is clear that democracy also helps us achieve stability. So it seems to me that we ought to consider that as a policy objective in both Iraq and Kuwait.

There have been a lot of comments recently about the potential for democracy in both those two nations, a lot of comments as well about how we got into this particular dilemma. Most people, as they look at the history of our involvement with Iraq, must conclude, I believe, that one of the reasons we got into trouble there and ended up having to go to war was because we were blind to the implications of military dictatorship, blinded at times by our desire to confront Iran, at the time our enemy, blinded perhaps worst of all by our desire to earn a profit, and to make money—far too often the trail of terror and the trail of treachery. The policy toward Iraq is strewn with the profits of businessmen who did not care about the implications of their profit.

STRESS AMERICA'S VALUES IN THE GULF

Mr. President, as the military effort in the gulf approaches a conclusion, the diplomatic/political effort will begin again. As we think about America's role after the war is over—and as we stand at the center of an era in which democratic movements have swept over the Soviet bloc, South America, and elsewhere—our primary objective should be the extension of democratic ideals of self-government and individual liberty.

We should focus our attention on the nature of Iraq's Government rather than on the nature of Saddam Hussein. It is the nature of Iraq's dictatorship that explains its invasion of Kuwait. Iraqi soldiers were not in Kuwait voluntarily. They were ordered there to die by a military dictatorship that had absolute control over their lives. Likewise, the Iraqi people did not want war; they were in it because of the dictatorship.

That is why the United States and our Western partners should declare a goal of developing a democratically elected government in Iraq. Such a goal has not been the policy of the United States or the West. It seems impossible only because we have grown accustomed to the assumption that many Arabs are incapable of self-rule and because we prefer the stability of the status quo of nondemocratic governments.

Our experience since August 2 should have taught us the danger of this assumption. That we should feel this way in the midst of history's sweep toward democracy is remarkable and troubling, after witnessing one intransigent dictatorship after another collapsing under the weights of the protests of the people.

Secretary of State Baker recently presented very thoughtful and constructive testimony about his vision for the region. He focused upon the need to address many unresolved political and economic issues which create the possibility of future violence and instability.

What is missing is a declaration that our first objective is to help the Iraqi people throw off the shackles of military dictatorship. We should help the Iraqi people move to self-government to protect their civil and human rights against the terror of people like Saddam Hussein. Further, we should insist that this is the best course toward creating an Iraq which is a nonthreatening, peaceful member of the world community.

Stable self-government must come from the people themselves. This will be exceptionally difficult in a nation where many of its best alternative leaders were killed or driven from Iraq during years of Baathist Party rule under Saddam Hussein.

As difficult as it is, the goal is not impossible. This is a relatively well educated people with substantial oil wealth. The ground is at least as fertile as in Nicaragua or Cambodia, where we insist upon elections before conferring legitimacy. Indeed, the most difficult barrier may be our own unwillingness to break the news to some of our Arab allies who get nervous when discussing liberty and freedom for their own people.

This change of policy should come quickly if it is to succeed. Otherwise, our military actions could be counterproductive to the effort. Having achieved military superiority quickly and with so few casualties on our side, we should examine closely our ultimate policies which go beyond military results. Rather than simply plunging ahead with a military plan to "liberate Kuwait" we should ask ourselves what kind of victory we are about to achieve.

For example: Are we obliged to kill all of Saddam Hussein's soldiers who are dug in so pathetically just because he is willing to let them die? I hope not. I hope we will begin to appeal to the Iraqi people not just for their surrender or a military coup against their vicious dictator. I hope we will begin to talk to them about self-government which protects their individual rights against the likes of Saddam Hussein or others in his Ba'athist Party. I reject as contemptuous and misguided those who argue for a permanent Western military presence in the region as a preferable course to achieve these goals.

In Iraq, as elsewhere, democracy is our best safeguard against a recurrence of Iraq's internal and external brutality. Nothing would stabilize the region more than a government of, by, and for the people in the cradle of civilization, between the Tigris and the Euphrates.

This policy change should cause us to look at the Iraqi people as human beings to be won over to a way of governing rather than a people to be destroyed. It should make us concerned that excessive property damage and war casualties will make it more difficult for self-government to take hold.

This policy change should also affect our policies for helping to reconstruct Kuwait. Yesterday's Washington Post reports our military is actively planning to assist in the restoration of antidemocratic measures in Kuwait after that nation's liberation. A draft of the military's comprehensive gulf war plan calls for such measures as martial law for 3 to 12 months after the war ends; government control of the press; and restoration of prohibitions against criticism of the Emir. Do these actions represent American's highest ideals? Is this why we have just spent billions of dollars and lost dozens of American lives?

At some point, the Arab people will rise up and throw out their kings, princes, and sheiks as rulers. We have been on the right side of history as we have exposed human rights abuses in the region. We were on the right side of history to block and reverse Saddam Hussein's expansionist aggression. Now we should take steps to ensure that we are on the right side of history when political change sweeps the gulf as it has swept much of the rest of the world. We must not let money or oil or old habits and prejudices blind us and keep us from doing what is right—as it did for too many of the years Saddam Hussein's Ba'athist Party terrorized his people.

We appear close to achieving a military victory. Now it is time for us to pursue a goal that will greatly dignify the losses on all sides: the freedom of the Iraqi people. We should make sure our closing military tactics are consistent with that goal. And we should use economic sanctions and other measures until a government is established that is pluralistic and liberal in its protection of individual freedoms.

We must not let the impressive power of our military strength lull us into believing that a punishing defeat of Iraq and an unconditional surrender will answer our fondest wishes. The remarkable accuracy of our smart weapons should not make us overlook the awesome appeal of our wise values.

Let us never forget or underestimate the essence of America's continuing experiment in representative government. That essence is confidence in democratic institutions, a confidence which is reinforced by the profound developments taking place in Poland, Czechoslovakia, and elsewhere.

Yearning for democratic processes is a natural and universal human characteristic—thatis what our Founders taught. It is a fundamental aspect of human dignity which cuts across all national, religious, ethnic, and economic barriers.

The people of Iraq, as we Americans and others demonstrate, can and will establish democratic institutions if and when they enjoy an environment which allows them to do so. Thus, the goal of our foreign policy must be to create this environment by seeking representative constitutional government in Iraq. To do anything less would demean our continuing American experiment in democracy.

DEMOCRACY IN KUWAIT

Mr. KERREY. I would like this afternoon to talk about the possibility and what we need to do immediately if we hope to support democracy in Kuwait.

In this morning's Washington Post there was an op-ed piece that appeared, written by George Will.

Mr. President, I ask unanimous consent it be printed in the RECORD.

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

THE FIRST ARAB DEMOCRACY

(By George F. Will)

What person was most directly responsible for the broadest improvement of life for the largest number of women in this century? Douglas MacArthur, whose contribution to the liberalization of Japan should be remembered as America approaches the problems and possibilities of victory in another war.

Writing some of Japan's new constitution on a yellow legal pad, MacArthur, as governor of occupied Japan, was in a position and a mood to insist on such radical reforms as the rights of organized labor, schools that

taught democracy, abolition of the feudal aristocracy and women's suffrage. Thirty-eight women were in the first Diet elected under the new constitution.

William Manchester, MacArthur's biographer, writes that before MacArthur's regency, concubinage and family contract marriages had been legal, women had no political or economic rights (not even the right to own property), public schools were segregated by sex with girls having a diluted curriculum, and there were no colleges for women. Adultery had been licit for husbands but illicit for wives. The Diet had to choose: punish both or neither. The crime of adultery was abolished.

Regarding Iraq, last summer the Wall Street Journal defined the maximalists' war aims: "a MacArthurian regency in Baghdad." That seemed then—and still does—like overreaching, politically and militarily. But now, with the war going well, we should think somewhat spaciously.

Today's talk about the New World Order has, so far, a conspicuous flaw: It stresses order, not freedom. However, the Reagan foreign policy had this premise: Domestic freedom conduces to international order. The idea, which would give needed substance to the Bush policy, was that democracy pacifies nations. Governments bound to popular sentiment will not be warlike. History contains counter-examples (for example, in Europe on the eve of World War I), but the theory is broadly confirmed by experience.

Thus, a sensible war aim is a new regime in Iraq. To that end, the United States has put a price on Saddam Hussein's head, a price that rises every time bombs drop another bridge into a river. The price is the potential value of U.S. aid for reconstruction of Iraq's infrastructure.

Such aid is unthinkable with Saddam on the scene. Furthermore, the Baath Party, which churned up one Saddam, is a likely source of another one. So Iraq's single-party state must be reformed if Iraq is to be tamed. Iraqis should do this, but the allies can provide incentives by making the ending of sanctions and of the occupation of southern Iraq contingent on the replacement of Saddam's regime.

America does not want to take the military measures and pay the political price of a protracted occupation and presence to install a regency or administer anything comparable to the de-Nazification of Germany. But America should keep visible to all Iraqis the cash value to Iraq of a revolution, or at least a coup. And America should be poised to spring to the assistance of democratic elements.

Furthermore, Iraq need not be the first place for a healthy infection of popular government in that region. There is always our new-found friend Kuwait.

Asked if Kuwait no longer opposes an American presence in peacetime, Kuwait's ambassador here says only, "I don't think now we are in a position to pronounce on this subject." Given Kuwait's position—flat on its back, being resuscitated by American power—perhaps Kuwait is just short of breath.

Perhaps America does not want such a presence on the ground. But it would be nice if Kuwait, Saudi Arabia and other states would stop treating the United States as a corrupting influence except when there is dying to be done.

Kuwait's ambassador says: "The U.S. has been in the Gulf now for 40 years." Yes, afloat, safely offshore, where the contamination of freedom and other American viruses cannot so easily unsettle Arab societies. (When the United States was serving Kuwait during the reflagging exercise of the late 1980s, U.S. military and intelligence units were based on barges.)

Secretary of State Baker, asked about the possible democratization of Kuwait, says: "We know that democracy is the best system," but if we were to say "that the government of Kuwait has to change," we would be "permitting aggression to effect political change, and that would be, I think, a terrible mistake."

How is that again? It would be a victory for Iraq if Kuwait helped pay its debt to our democracy by practicing democracy? Kuwait owes the United States much—indeed, everything, including its existence. The United States has earned the right strongly to suggest to Kuwait's ruling class that the rules should change.

There are 21 Arab nations and not a single Arab democracy. Let us not be rude, but let us say to Kuwait: "Congratulations! You are going to be the first."

Mr. KERREY. Mr. President, in this editorial Mr. Will reminds us of another moment in history where we had achieved a military victory in World War II.

MacArthur had to make a decision. He wrote on a yellow pad, Mr. Will said, some principles that were going to guide the allies in regards to Japan.

It is instructive about what MacArthur wrote. He said that we ought to insist on such radical reforms as the rights of organized labor, schools that taught democracy, the abolition of feudal aristocracy and women's sufferage. These are radical concepts at a time in Japan when many thought they were alien to the culture itself, and that they would not work and would not hold.

In comparison to that and our policy currently toward Kuwait, we begin by saying, first of all, we fought this war to restore the Sabah family as a legitimate government. Though that indeed appears to be the implication of the U.N. resolution, it seems to me appropriate, particularly for the United States of America, for us to consider what values we want to assert for the people of Kuwait.

Indeed, I believe if you ask most Americans, if you ask particularly those who fought on the ground, they will say we did fight for liberty and justice. We fought for the liberation of Kuwait—the liberation of Kuwait, and not the reinstitution of a government controlled by a family that does not allow democracy or dissent, a government that abolished their parliament in 1986 essentially striking out the effectiveness of a constitution drafted in 1962.

Why did they abolish parliament?—Because they grew weary of dissent, and they grew weary of disagreements having to resolve the conflicts that always have to be resolved in democracy. It seems to me appropriate that we think about what we might be doing right now.

The second piece of our policy can be seen in Secretary of State Baker's remarks that also are quoted in Mr. Will's column. In response to a question about democracy in Kuwait, the Secretary of State said,

"We know democracy is the best system, but if we were to say that the Government of Kuwait has to change, we would be permitting aggression to effect political change, and that would be, I think, a terrible mistake."

Mr. President, the problem of linkage is a problem prior to the initiation of combat, prior to the successful—and I suspect most of us believe that it will be a successful—humiliation of the forces of Saddam Hussein. After that military victory, Mr. President, we cannot sit around and be concerned about doing the right thing for fear of rewarding a man who has been defeated in combat. It seems to me we need to try to figure out what we can do to avoid having to have this situation occur in the future.

If we believe that democracy is so valuable that we will not establish legitimacy in the Government of Nicaragua until there is an election, that we will not establish legitimacy in a government in Cambodia until there is an election, it seems to me that we are entitled to do the same in Kuwait.

Mr. President, there was another rather disturbing article that ought to give us some pause right now, not six months from now, but right now, and that was an article by Jim Hoagland that appeared in the Washington Post.

I ask unanimous consent that it be printed in the RECORD.

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

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

KUWAIT'S EMIR, ANTICIPATING RETURN, DECLARES MARTIAL LAW

(By Jim Hoagland)

RIYADH, SAUDI ARABIA, February 26.—The exiled emir of Kuwait, moving to reassert his authority as the climactic battles of the liberation of Kuwait intensify, declared martial law over his war-torn nation today and began preparations for an immediate return home.

The decision by Sheik Jabir Ahmed Sabah, Kuwait's hereditary ruler, to proclaim martial law for three months came as unconfirmed reports reached here that Iraqi soldiers had kidnapped thousands of Kuwaiti citizens and blown up the city-state's National Assembly, banks and hotels as they retreated from the Kuwaiti capital.

The martial law decree was immediately contested by some members of Kuwait's opposition-in-exile, who want the emirate's parliament reconvened before any decision is made on martial law.

These protests are likely to carry little weight with the U.S. Army and its coalition partners, who have fought to restore the Sabah family as the legitimate government of Kuwait diplomats here said. But the protest suggested there would be an immediate resumption of the struggles that had split Kuwait's political elite before the Iraqi army's invasion on Aug. 2.

Several hundred American soldiers trained as civil affairs specialists will stay in Kuwait City to work with the martial law government to restore basic services, a Western diplomat said. But these troops will play no role in maintaining public security in what may well be chaotic conditions following the liberation, the diplomat reported.

Arab and Western diplomatic sources said Iraqi soldiers rounded up at least 10,000 Kuwaiti civilians in Kuwait City over the past three to four days and took them to unknown destinations. Kuwaiti resistance leaders also reported that Iraqi troops have abducted thousands of Kuwaiti citizens. Those said to have been taken include relatives of Kuwaiti military personnel and prominent families, as well as women and teenagers. However, the reports of the abductions could not be independently confirmed.

"We don't know where these people have been taken," said a Western diplomat, who noted that the number of kidnapped citizens may be in "the tens of thousands."

"Acting on orders from Baghdad, the Iraqi forces in Kuwait staged these roundups," the diplomat said. "They also blew up the National Assembly building, some of the banks and the city's hotels as they pulled out. We know what those orders said and we know who signed them."

He declined to confirm that Western intelligence had intercepted the orders sent from Baghdad. But he said Iraqi President Saddam Hussein bore "the ultimate responsibility" for the orders having been sent.

The destruction was ordered "for spite," not for military purposes in the frantic retreat, the diplomat said. "Iraqi officers are hopping in stolen cars and heading for the border as fast as they can."

A Saudi official aware of reports from a Saudi intelligence unit that moved into Kuwait City today said Iraqi soldiers "are running to get out of the city when they see our troops. They are finished."

The Kuwaiti emir named his cousin Crown Prince Saad Abdullah Sabah, as martial law governor and senior liaison officer with the coalition forces that have met swift success in their three-day-old ground campaign. No other details of how martial law will work were included in the terse announcement.

The government, in a move criticized by some Kuwaitis, has said that its citizens abroad will not be permitted to return home for at least three months to allow time to reestablish security and basic services such as water, electricity and transportation.

Initial efforts by Kuwaiti opposition figures and the ruling family, which escaped to Saudi Arabia in the first hours of the Iraqi invasion, to bury their differences during the occupation have collapsed in recent weeks as the government-in-exile began to foreshadow the emir's intention to rule by decree for a limited period after liberation.

Martial law has been a controversial issue because some Kuwaitis fear it would be used to entrench the power of the ruling Sabah family, who not only must contend with longtime opposition leaders but those figures who remained inside Kuwait helping run the civic and armed resistance to Iraq and are expected to demand a greater political role in running their country.

The crown prince, signaling his sensitivity to these concerns, has named representatives of these groups to the committee that will administer martial rule in Kuwait.

The Kuwaiti opposition has grown more vocal and more substantial since 1986, when the emir, tired of criticism and apparently frightened by the government's eroding popularity, suspended the National Assembly and effectively abrogated its 1962 constitution. Last May, dozens of Kuwait's most prominent businessmen, intellectuals and professionals signed a petition demanding that parliament be reconvened.

Diplomats said these domestic tensions in Kuwait may have been one factor in encouraging Iraq to stage its August invasion. But the Iraqis failed in their attempt to find Kuwaitis who would serve in a puppet regime, prompting Baghdad to annex Kuwait and move on a collision course with the multinational coalition formed to enforce a U.N. mandate to restore Kuwait's government.

The appointment of Saad, who is more popular than the emir, as chief martial law administrator, may help ease political tensions. But the Kuwaiti opposition plans to form a broadly based political front to challenge the emir's increasingly autocratic practices, opposition spokesmen have said.

Fresh concerns by the opposition were triggered last week by remarks attributed to Kuwaiti Information Minister Bedr Jassim Yacoub, who was quoted as saying that Kuwait will have to be "purified of intruders" who may be agents of Iraq.

Fear that there will be bloody reprisals against foreign residents—primarily Palestinians—who stayed and collaborated with the Iraqi occupation army is cited by Kuwaiti officials as one reason that a rapid proclamation of martial law was needed.

But even if there is no more bloodshed, the reconstruction task facing the Kuwaiti government will be awesome. Estimates of a $100 billion pirce tag for reconstruction will have to be increased after the violence by the Iraqis in the past week, Western sources said.

The U.S. civil affairs experts to be deployed in Kuwait City will be called on to help restore water supplies, clear the streets of rubble, get the international airport working again and fix the emirate's communications networks, the diplomats said. But security matters will be left in the hands of American-trained Kuwaiti military police units established since August.

The U.S. Army Corps of Engineers has signed a $46 million contract to manage the initial phase of reconstruction, which will coincide with the three-month period of martial law.

(Correspondent Caryle Murphy in Dhahran contributed to this report.)

Mr. KERREY. Mr. President, again, I understand the difficulty of holding the coalition together. Or I should say I attempt to understand.

I do not fully appreciate the difficulty of the President and Secretary of State in holding this coalition together. But I know the Emir of Kuwait put in $31.5 billion. And once someone becomes your banker, there is a tendency to think perhaps you should allow things to go to the conclusion that they desire.

But listen to the conclusion that the Emir of Kuwait wants for the people of Kuwait. We are permitting the establishment of marshal law.

The principles I referred to earlier have created the environment in which, rather than writing out on a yellow pad some radical principles of democracy and freedom for the people of Kuwait, we have instead produced a lengthy document by people who are concerned about the administration of a city, people who are concerned about how do you conduct the reconstruction of the country, and not the true liberation of the people.

We will permit, unless we change our policy, Mr. President, the Emir of Kuwait to come back in under an edict of marshal law, and we say, well, we have to have marshal law, because we need stability in what is essentially Kuwait City.

I suggest a relatively small number of allied forces could stabilize things in Kuwait, and it would not be necessary for us to say we have to allow the Emir to establish marshal law in order for us to have that stability.

It seems to me that at the very least we ought to be able to accomplish that, because if you look at the details of the policies that the Emir of Kuwait intends to put in place, it bears no resemblance to this notion that we are liberating the people.

Citizens living abroad under the Emir's dictates will not be allowed to return until, as he says, stability is restored. What he means by that is until he can get power again. Then he will allow citizens to return to Kuwait. He will rule by edict, not be reestablishing the parliament, not by reestablishing self rule, and particularly not by giving a reward to those people who stayed in Kuwait rather than fleeing to the resort in At Ta'if, Saudi Arabia.

Third, Mr. President, and perhaps most alarmingly—and it should be to all of us who know how important it is—the Emir of Kuwait will prohibit the news media from publishing, private or public, and will not allow private-sector broadcasting. The Emir intends to control the flow of information to the people of Kuwait who did remain to fight against the aggression of Iraq.

Mr. President, I ask unanimous consent that one final article that was in the Washington Post by Gary Lee and Dana Priest be printed in the RECORD.

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

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

GOVERNMENT-IN-EXILE READY TO RESTORE NATION—LOCAL U.S. ARMY UNIT DRAFTS BLUEPRINT FOR KUWAIT

(By Gary Lee and Dana Priest)

Kuwait's government-in-exile, aided by thousands of allied troops and dozens of international contractors, is poised to begin the most detailed reconstruction of a country in recent times.

While a street-by-street blueprint drawn up by the Army's 352nd Civil Affairs Command, based in Prince Georges County, will be used to nail together the new infrastructure, the shape of Kuwait's political and cultural institutions is still very much under debate.

According to U.S.-based Kuwaitis involved in the postwar planning, some of the sensitive questions to be answered include whether Kuwait will allow an independent parliament and extend the vote to women.

Many Kuwaitis, critical of the way their compatriots had become used to buying technical and military talent they needed to run Kuwait before the Aug. 2 invasion, are also arguing it is time that Kuwaiti citizens learn to do more for themselves.

Despite announcing a three-month period of martial law yesterday, the Kuwaiti ruling family has said it plans to reintroduce parliamentary democracy to Kuwait and further modernize the country's political system. The basis of change will be the 1962 Kuwaiti constitution, a Western-style document—effectively abrogated when Sheik Jabir Ahmed Sabah, Kuwait's ruler, suspended the National Assembly in 1986—guaranteeing such Western principles as universal suffrage but never fully enforced.

But a debate is raging among exiled Kuwaitis and some Westerners over the pace and the extent of the proposed reforms. One issue is how strong a role U.S. advisers should play in enforcing democratic principles in the new Kuwait.

"I know that Kuwait has undergone a lot of suffering," Washington political commentator Robert Beckel said in recent interview. "But I question whether we are playing a role in the way they run their country. I think we should be."

Kuwaiti spokesman Fawzi Sultan differed. An executive director of the World Bank who has played an active role in planning the running of postwar Kuwait, he said that Kuwaitis are fully capable of enforcing their own political reforms and have no need for outside help.

Another issue being discussed is when the new parliament will begin and how much power it will have. Sultan says that no real political reforms are possible until next year. "Our biggest priority is stability," he said. "It's clear that these changes will happen, but it's impossible to predict when."

The plan to physically rebuild the country is more straightforward, with U.S. military advisers participating in every arena, from civil defense and public works to security and plans for possible war crimes trials.

It is estimated that the five-year project, which will include rebuilding every physical structure within the country, from its road and oil refineries to its hospitals and schools, will cost as much as $100 billion.

In California last night, the giant San Francisco-based construction company Bechtel Group Inc. announced that it had been hired by Kuwait Petroleum Co. as project manager to restore Kuwait's oil production and refining operation.

A Bechtel spokesman, Michael Kidder, said the company's first priority is to support specialists hired to fight the hundreds of oil field fires set by Iraqi forces. This task will include running a water pipeline from the Persian Gulf to the blazing oil fields.

Bechtel has 130 employees in London working on the rebuilding effort; ultimately, the company expects to have 4,300 workers in Kuwait. Another 1,300 Kuwait Petroleum employees also will work on the project, Kidder said.

He said he could supply neither a timetable nor cost estimates for the job until the company has had a chance to assess the amount of damages.

According to the 200-page draft Army civil affairs document, the news media will be controlled by the Kuwaiti government during the three months of martial law, and all private-sector publishing and broadcasting will be prohibited.

About 9,000 Kuwaiti soldiers, national guard members and police and 1,000 firefighters have been identified as an interim security force. U.S. assistance in this area "may be necessary" and U.S. officials will help staff a Public Safety Operations Center, the paper notes.

The document, which Ahmad Khajah, a spokesman for the Washington-based Citizens for a Free Kuwait, said was the plan being used for postwar reconstruction, states that war crimes will be prosecuted in Kuwaiti tribunals by Kuwaiti authorities "with assistance from allied personnel." Kuwaiti civilian claims for combat damages by U.S. forces "will be paid by the Kuwaitis," it states.

During the first seven days after liberation, Kuwaiti and allied forces plan to clear mines, deploy medical teams to care for civilians, set up refugee camps under the direction of the International Committee of the Red Cross and provide airlifts out of the country for the injured.

A mass immunization program for children is scheduled to be put in place, along with a system for importing and distributing food and medical supplies, much of which has been warehoused in nearby Bahrain. Emergency teams plan to bring in and distribute enough food for 800,000 people and between 1.8 million to 4.8 million liters of bottled water a week.

During the first two weeks, priorities will be to clear roads of debris, repair downed overpasses or build new roads to circumvent problem areas and to conduct an initial structural assessment of all hospitals, according to the document.

The country is to be divided into seven areas during the "emergency" phase of the reconstruction, which is expected to last at least three months. Each of the areas will be divided into nine sectors, with sub-ministries responsible for health, security, government, food storage and distribution, fire, telecommunications, public transport, housing and defense. This work will be coordinated by a main office of public works in which will be housed, among other elements, a public relations coordinator.

The 352nd Civil Affairs Command that produced the plan is a reserve unit based at Riverdale in Prince George's County. It was involved in the rebuilding of Panama after the 1989 U.S. invasion. The unit draws its members from the ranks of Washington's federal and local bureaucracies.

Their expertise is reflected in the level of bureaucratic detail that characterizes the plan. For example, the plan calls for staffing the main public works office with 105 people and for it to be equipped with five cars, 48 desk chairs, two conference tables, 50 dozen tablets of paper, two typewriters, 32 typewriter ribbons, 10 two-way radios, 2 Polaroid cameras, 48 staplers and 100 boxes of staples and 200 packages of paper clips among other items.

One of the biggest political changes under discussion is whether Kuwaitis should assume more responsiblity for the nuts-and-bolts aspects of running their country.

Kuwaiti citizens, a minority in their own country, hired foreign labor to do everything from running their banks to driving their cars. Under new rules, however, the entrance of foreigners into the country will be severely restricted, forcing Kuwaitis to assume a bigger share of the workload.

But Sultan said a new work ethic may have already been introduced in Kuwait, thanks to the invasion. During the past several months, he said, "One can be certain that only Kuwaitis have been working in Kuwait."

Mr. KERREY. In this article it describes what the United States is going to do to assist the Emir of Kuwait in reestablishing a functioning administration what we will do to assist him in rebuilding the structures of his government.

I say, Mr. President, that it seems to me if we are going to give real meaning to the sacrifice the American people have just made and, moreover, if we are going to truly discover a way for a stabilization of the region to occur that will not require us to have to go back into that region, then we ought to suggest—and we have the power to suggest—self-rule will be the standard for Kuwait, and we ought to further suggest that self-rule is the standard for Iraq.

There are democratic forces in both nations, Mr. President, and we have supported democratic movements throughout this world. I fear deeply that we will be on the wrong side of history again if we support monarchies and sheiks and emirs against the will of the people themselves.

Mr. President, time is of the essence, particularly with Kuwait, if we are to do it. If we wait 90 days or 120 days or 180 days, this monarchy will be reestablished.

I do not object at all to, nor would I intend to impose upon the Kuwaiti people an inability to establish a constitutional monarchy, if they chose, or if they choose to reestablish the monarchy of the emir, I would not object to that. I do not wish to impose what they should do, Mr. President. But I do not believe the United States of America should stand here after this great victory and say we are required to turn over the reins of power to the Emir of Kuwait.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

Mr. AKAKA. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BRYAN). Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I ask unanimous consent that I may proceed as though in morning business for 5 minutes.

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

The Senator may proceed as if in morning business for a period not to exceed 5 minutes.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 514 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MESSAGES FROM THE HOUSE

At 12:49 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill and joint resolution, each without amendment:

S. 379. An act to make certain technical amendments to the National and Community Service Act, and for other purposes; and

S.J. Res. 76. Joint resolution commending the Peace Corps and the current and former Peace Corps volunteers on the thirtieth anniversary of the establishment of the Peace Corps.

The message also announced that pursuant to the provisions of section 2501 of title 44, United States Code, the Speaker appoints Mr. SHARP to the National Historical Publications and Records Commission on the part of the House.

ENROLLED JOINT RESOLUTION SIGNED

At 4:32 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 76. Joint resolution commending the Peace Corps and the current and former Peace Corps volunteers on the thirtieth anniversary of the establishment of the Peace Corps.

The enrolled joint resolution was subsequently signed by the President pro tempore [Mr. BYRD].

MEASURES REFERRED

The following bill, previously received from the House of Representatives for concurrence, was read the first and second times by unanimous consent, and referred as indicated:

H.R. 586. An act to require regular reports to the Congress on the costs to the United States of Operation Desert Shield and Operation Desert Storm, on the contributions made by foreign countries to offset such costs, and on other contributions made by foreign countries in response to the Persian Gulf crisis; to the Committee on Armed Services.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, February 27, 1991, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 76. Joint resolution commending the Peace Corps and the current and former Peace Corps volunteers on the thirtieth anniversary of the establishment of the Peace Corps.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. DODD (for himself, Mr. SIMON, Mr. JEFFORDS, Mr. PELL, Mr. LUGAR, Mr. AKAKA, and Mr. BOREN):

S. 511. A bill to establish programs to improve foreign instruction and to amend the Higher Education Act of 1965 in order to promote equal access to opportunities to study abroad, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ADAMS (for himself and Ms. MIKULSKI):

S. 512. A bill to authorize an additional $25,000,000 for the National Cancer Institute to conduct certain research on breast cancer, and for other purposes; to the Committee on Labor and Human Resources.

S. 513. A bill to amend the Public Health Service Act to require that, as appropriate, women and members of minority groups be included as subjects in clinical research conducted under the Act, and for other purposes; to the Committee on Labor and Human Resources.

By Ms. MIKULSKI (for herself, Mr. ADAMS, Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. SIMON, Mr. HARKIN, Mr. BINGAMAN, Mr. WELLSTONE, Mr. INOUYE, Mr. AKAKA, and Mr. GLENN):

S. 514. A bill to amend the Public Health Service Act, the Social Security Act, and other Acts to promote greater equity in the delivery of health care services to women through expanded research on women's issues, improved access to health care services, and the development of disease prevention activities responsive to the needs of women, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DOMENICI (for himself and Mr. INOUYE):

S. 515. A bill to authorize appropriations out of the Highway Trust Fund for Indian reservation roads for fiscal years 1992 through 1996; to the Select Committee on Indian Affairs.

By Mr. SIMON:

S. 516. A bill to prevent potential abuses of electronic monitoring in the workplace; to the Committee on Labor and Human Resources.

By Mr. BOREN (for himself and Mr. PELL):

S 517. A bill entitled the "Educational Exchanges Enhancement Act of 1991"; to the Committee on Foreign Relations.

By Mr. BENTSEN (for himself, Mr. PACKWOOD, and Mr. HEINZ):

S.J. Res. 78. Joint resolution to designate the month of November 1991 and 1992 as "National Hospice Month"; to the Committee on the Judiciary.

By Mr. D'AMATO:

S.J. Res. 79. Joint resolution authorizing and requesting the President to designate the second full week in March 1991 as "National Employ the Older Worker Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself, Mr. SIMON, Mr. JEFFORDS, Mr. PELL, Mr. LUGAR, Mr. AKAKA, and Mr. BOREN):

S. 511. A bill to establish programs to improve foreign instruction and to amend the Higher Education Act of 1965 in order to promote equal access to opportunities to study abroad, and for other purposes; to the Committee on Labor and Human Resources.

GLOBAL EDUCATION OPPORTUNITIES ACT OF 1991

Mr. DODD. Mr. President, I rise today to introduce the Global Education Opportunities Act of 1991. I am not alone in recognizing that we can no longer afford to be ignorant of others cultures and their languages. In introducing this measure, I am pleased to be joined by my colleagues, Senators SIMON, JEFFORDS, PELL, LUGAR, AKAKA, and BOREN. We join educators, the National Governors, and Democratic leaders in their efforts to bolster the international education of our youth. The Democratic leadership in 1990 included expanding foreign language education in their national goals. The Council of Chief State School Officials, the Southern Governor's Association, and the National Governors' Association have made foreign languages a priority in their goals and objectives.

A day does not pass without a headline in the news on our activities in the international arena, be it GATT trade talks in Brussels, diplomatic relations at the United Nations, negotiating debt reductions in Latin America, or the crisis in the Middle East. While the nations of the world become increasingly more interdependent, the United States lags far behind other nations in providing international education opportunities. There are more teachers of English in the Soviet Union than there are students of Russian in the United States. In sharp contrast, only 1 in 5 high school graduates in the United States take more than 2 years of a foreign language. Less than 1 percent of our students study Arabic, Russian, Chinese, or Japanese, the languages of three-fourths of the world. This is not surprising when more than 35 States are experiencing or projecting shortages of foreign language teachers. And, only 17 percent of our elementary schools offer any foreign language instruction.

Moreover, we are sending too few of our students abroad to gain essential skills. Less than 1 percent of our undergraduates study abroad each year; 75 percent of those elect to study at the traditional western European universities. In 1989 we sent fewer than 4,000 of our 12.2 million undergraduates to study abroad in Asia. In contrast, more than 29,800 Japanese students studied in the United States in the same year. While we gain much from the presence of students from around the world in our colleges and universities, not the least in terms of the international perspectives they bring to our campuses, we must find ways to encourage far more of our best undergraduates to go abroad to learn first-hand about other cultures, their languages and business practices.

The need to broaden international understanding has not been lost on the nations of the European Community. A key element of their economic integration plan is an ambitious scheme

known as "Erasmus" through which an additional 150,000 European Community university students will have studied abroad in another EC country by next year. The aim of Erasmus is to create a large cadre of young professionals who will be fluent in the language of at last one other EC country and knowledgeable about business practices of other EC countries. The EC has already announced a new initiative called "Tempus" to extend their international student mobility initiative to the nations of Central and Eastern Europe.

It is essential that we expand international education opportunities to reach more students. If we are to develop a pipeline that produces students with real expertise and facility with languages, we must begin early in the primary grades, as they do in other nations. To do this, we must eliminate the shortage of educators qualified to teach foreign languages in our schools, particularly in the elementary schools.

We must no longer view the study abroad experience as a nice optional add-on to the education of our students who can afford it. A study abroad experience sharpens language skills and immerses students in the culture of their host nation. Students who have been afforded the opportunity to study abroad have become essential to the operation of the American economy and government.

We must also make materials and resources reach the schools and students interested in offering international education opportunities. In the elementary schools materials in the difficult languages such as Arabic and Japanese simply do not exist.

It is a fact that English is widely spoken by our economic competitors and foreign diplomats. However, this should not be a disincentive for Americans to learn the languages of other nations. In recent years, greater amounts of scientific and technical materials are being produced in other languages. For example, no American firm applied for a recent $90 million contract from Nissan Telephone and Telegraph because they required that the documentation be in Japanese. Their superior language skills definitely gives other nations a serious competitive advantage internationally. The more we know, the better prepared we are to conduct ourselves in the international arena.

If adopted, the Global Education Opportunities Act would improve the availability of and access to international education programs. To help eliminate the shortage of foreign language teachers, especially those trained to teach in elementary schools, the measure would make Federal grants to institutions of higher education or not-for-profit organizations committed to developing innovative and model programs for the training of educators. The limited availability of foreign language instructors, however, is not only the result of too few teachers. Within the last 5 years, an already serious language teacher shortage has been exacerbated by phenomenal increases in enrollments. Last year alone, the number of high school students studying Russian increased from 12,000 to 18,000. Over the last 10 years States such as Florida, Georgia, Iowa, Kansas, and Oregon have seen language enrollments more than double. As North Carolina, Arizona, and Louisiana implement new foreign language requirements in the elementary schools the teacher shortage will only worsen. Numerous school districts that would like to offer Russian, Japanese, or even German, elementary programs cannot find teachers. Moreover, the cost of resources for language laboratories often makes the investment prohibitive.

To eliminate problems of this nature this act would provide demonstration grants to secondary and postsecondary schools that form consortia to share resources, educators, and expertise for the purpose of teaching critical languages and area studies and offering study abroad opportunities. For those schools that have participated in the Star Schools Program, this measure would extend the authorization to 1993 and require that in developing the instructional material and programs the Star Schools Program would consult with teachers of the applicable subject matter and grade level. Moreover, separate funds would be targeted to schools, not-for-profits of local education agencies to be used to develop foreign language and cultural instructional materials.

American students do not currently enjoy equal access to increasingly important study abroad opportunities. These inequalities do not exist simply because some students have the personal and family funds to afford study abroad while others do not. They also exist because of ambiguities in the Federal Financial Assistance Programs through which some students can apply their financial aid funds to study abroad while others cannot. As a result, students from one campus may be able to use their financial aid for an approved study abroad program while students at another campus will be denied use of their aid to participate in the very same program. Under current law, applying Federal aid to study abroad is complicated, confusing, and difficult. To simplify the way aid is applied to study abroad and to ensure that institutions do not deny use of aid for approved study abroad programs, the provisions in this bill make technical changes to titles IV and VI of the Higher Education Act of 1986. Complementing these technical provisions, the legislation also provides a modest expansion of the authority of the Department of Education to support the development of study abroad programs in countries and subjects not currently available.

It is critical that we bolster our national commitment to international education to ensure that the United States is economically and politically prepared in the 21st century. The Global Education Opportunities Act of 1991 takes some small but very necessary steps toward expanding the study of foreign language and cultures and eliminating barriers to the study abroad experience. It recognizes that foreign languages, international education, and study abroad are not luxuries. They are an essential and basic component of education in the 1990's and beyond. For this reason, I urge my colleagues to join me in supporting this measure.

Mr. SIMON. Mr. President, I rise today in support of the Global Education Opportunities Act of 1991 introduced today by my friend and colleague, Senator DODD. Last May I introduced a bill to improve elementary school instruction in foreign languages and cultures. I am pleased that sections of this bill, S. 2552, the Global Elementary Education Act of 1990, have been incorporated into the Global Education Opportunities Act of 1991, and I am pleased to be a cosponsor.

The need to understand global events and to communicate with foreign countries has never been greater than it is today. In order to meet this challenge we must address the foreign language deficiencies in our education system. In particular, we must encourage language study at the elementary school level, and we must provide incentives to our teachers to participate in the advancement of foreign language competency.

In its 1983 report, "A Nation at Risk," the National Commission on Excellence in Education wrote:

> Achieving proficiency in a foreign language ordinarily requires from 4 to 6 years of study and should, therefore, be started in the elementary grades. We believe it is desirable that students achieve such proficiency because study of a foreign language introduces students to non-English speaking cultures, heightens awareness and comprehension of one's native tongue, and serves the Nation's needs in commerce, diplomacy, defense, and education.

Exposing a child to languages at a young age enhances his or her proficiency in other languages and in the comprehension of their first language, therefore, improving overall school performance.

Two titles of the Global Elementary Education Act of 1990 were included into the bill being introduced today. The first part provides grants to higher education institutions and nonprofit organizations to develop innovative model programs to train students who want to become elementary school teachers of languages and international studies. The second part di-

rects the Secretary of Education to designate an office in the Department of Education to coordinate and disseminate children's literature in other languages, videotapes, computer software, and teacher's kits relating to geography, and international study.

International events of the past year will have substantial impact on America's future prosperity and security. The tumbling of the Iron Curtain, the reunification of the two Germanys, and the unification of the 12-member European market will create new economic and trade challenges. As the world changes and communications become closer and more frequent, America must increase its competence in the international awareness and foreign language ability. The unification of the European Community will create a unified market of 320 million consumers. This enormous economic restructuring will increase the European Community's national gross domestic product by at least 5 percent and will create an additional 2 million jobs.

In order to remain a world economic leader and to increase our influence in the world's marketplace, America must become more competent in its knowledge of international events, cultures and languages. Although English is widely spoken around the world, the ability to speak a foreign language will better prepare us to do business with foreign competitors. It may be easy to buy goods from a foreign competitor if we do not speak the language, but if we wish to sell our goods to foreign nations, we need to learn their languages. Languages, in and of itself, is a form of advertisement.

America's deficiencies in the areas of foreign language and international studies have proven to be a roadblock to economic growth. Four out of five new jobs are created as a result of foreign trade. Yet, the Coalition for the Advancement for International Studies [CAFLIS] claims that of the corporations responding to its survey, nearly 40 percent failed to take advantage of international business opportunities due to insufficient knowledge of foreign cultures and languages.

Mr. President, America's competence in foreign language ability and international awareness must be encouraged. Americans have the ability and the incentive to do so and the Global Education Opportunities Act of 1991 provides such incentive.

Mr. President, I look forward to working with Senator DODD on this legislation.

By Mr. ADAMS (for himself and Ms. MIKULSKI):

S. 512. A bill to authorize an additional $25,000 for the National Cancer Institute to conduct certain research on breast cancer, and for other purposes; to the Committee on Labor and Human Resources.

S. 513. A bill to amend the Public Health Service Act to require that, as appropriate, women and members of minority groups be included as subjects in clinical research conducted under the act, and for other purposes; to the Committee on Energy and Natural Resources.

WOMEN'S HEALTH ISSUES

Mr. ADAMS. Mr. President, I am very honored to join with my good friend, BARBARA MIKULSKI, today and members of the Congressional Caucus for Women and Women's Issues as an original cosponsor of the Women's Health Equity Act.

This bill is terribly important, just terribly important. Today I will be introducing parts of that bill at the end of my statement, but the entire bill will be before the Senate and before the House during the course of this month.

The sad truth is that women's health care is not taken as seriously as men's. Recent reports from the General Accounting Office and the American Medical Association, among others, point to disparities in how women's and men's health care needs are treated by doctors and researchers. Less than 1 year ago, GAO found that the National Institutes of Health, commonly referred to as NIH, which pays for most of this Nation's research, has failed to implement a policy that would encourage medical researchers who apply for grants to include women. In fact, the NIH policy said that the inclusion of women should not be a consideration of the scientific merit of the grant application. That is terrible.

Similarly, the AMA found that although women receive more examinations, laboratory tests, blood pressure checks, and drug prescriptions than men, they appear to have fewer major diagnostic and therapeutic interventions, like dialysis, kidney transplantation, and cardiac catheterizations, even though they may be and often are, at greater risk of serious illness.

In fact, the AMA is pressing its membership to take a closer look at how women are being treated and to do some soul searching to eliminate the gender bias in medical practice. But we have a long way to go.

The AMA also pointed out that women are likely to receive inadequate treatment for such conditions as cardiovascular disease, because diagnostic and treatment protocols are based on studies done on men alone. In fact, the two most recent clinical trials in the area of heart disease included 15,000 and 22,000 men, and no women.

It will be years, if at all, before clinical trials of this magnitude will be done with women. The Women's Health Equity Act, most particularly the Clinical Trials Fairness Act that I first introduced in the last Congress, would change the direction of research regarding women's health.

My bill will require that women be included in clinical trials, except where it is found to be inappropriate. Essentially this legislation would codify existing NIH policy and establish an oversight mechanism to ensure that it is carried out. This step is necessary because the GAO found that NIH had so poorly implemented its 1986 policy to include women in clinical trials, that it had neglected to even issue guidelines for 3 years after the policy had been promulgated. They had a policy, they just did not do anything with it.

Last year I was able to include the clinical trials fairness language in the Senate version of the NIH Reauthorization Act. It passed. Unfortunately, it did not pass through the House. But I am confident that we will again be successful in passing that particular piece of legislation this year.

Correcting the bias against women in research is just one of several legislative proposals that I have had the privilege to contribute to the Women's Health Equity Act. This Women's Health Equity Act will be an umbrella bill that will include a number of proposals that many of us have made both from the women's caucus and from Senator MIKULSKI, myself, Senator REID, and others in this body.

I am pleased that the Congressional Caucus for Women's Issues has included my bill to regulate mammography. Mammography practice is something that is terribly important in this country because we are requesting that all women, particularly women over the age of 40, have regular mammographies and that these mammographies must be of quality. It does no good to have a mammography test—and I will refer a little later in my statement to what was revealed in the field hearings we recently held—unless properly applied and properly read. In fact it can be harmful. So we want to be certain that all women have mammographies. We want to be certain that they are all properly taken and processed.

The Breast Cancer Safety Screening Act would establish quality standards for mammography equipment and personnel in all facilities in the United States.

Two weeks ago, as I previously indicated, I held a field hearing in Seattle on how current mammography practice either succeeds or fails. The women who testified at my hearing about the terrible consequences of poor quality mammography were of one voice in their support of strong Federal quality standards. Currently 75 percent of the facilities in the country do not adhere to the quality standards established voluntarily by the American College of Radiology. And so few States have legislation requiring quality assurance in mammography. States do not do it and most of the laboratories have not adhered to the voluntary standards set

out by AMA, so a vast, vast majority of mammography photographs, x rays, are unregulated.

The field hearing on mammography also pointed to another area of real need concerning breast cancer. Recent studies have shown that the incidence of breast cancer is rising at an alarming rate, specially for women over 65. Yet we do not know why. I think it is time to renew our 20-year-old commitment to cancer research and to breast cancer in particular. When we have the fact that—and this is why I had the Aging Subcommittee hold these hearings—we have an alarming increase in the number of women at older ages having breast cancer and not knowing this is the problem, we need to do something about it.

To this end, I have also included a bill in the equity act to increase funding for basic cancer research by $25 million. We want to know why it is that this fourfold increase in breast cancer in older women has suddenly occurred.

Finally, I am joined with Representative PAT SCHROEDER in authoring legislation to prevent infertility. My bill would establish a new program for the prevention and control of infertility through early screening and treatment of chlamydia and gonorrhea in women.

A lot of men do not even know what that is. Chlamydia affects 2.6 million women a year and is the leading cause of pelvic inflammatory disease in women which leads to infertility affecting approximately 125,000 every year. In other words, 125,000 people who want a baby are unable to have one because they have not been properly treated.

This bill is based on a very successful model which is a program in my State funded through the Centers for Disease Control and provided through family planning clinics. One of the problems is that women do not ordinarily go to a number of the clinics that provide these kinds of tests, so we are trying to be certain that the tests are in the types of places where they ordinarily go for examination.

The program provides screening for 80 percent of the women seen by family planning providers in Washington State and has lowered the incidence of chlamydia significantly.

The Centers for Disease Control is eager, as are many States, to duplicate this program nationwide. They want to do it. This bill will allow them to do so.

American women have been put at risk long enough. It is time to close the health gap that exists for women today. When women visit their doctors, have a mammogram, or are prescribed medication, they should be assured they are getting the best, the safest, and the most scientifically sound care available. Adopting the legislation in the Women's Health Equity Act will help achieve that end.

I urge my colleagues in the Senate to join with my colleagues in the House who have already started there to cosponsor this critically important legislation, and today I am sending to the desk for introduction and referral to the appropriate committee two bills which help carry out this program. The rest of the act will be placed in the RECORD and referred during this month. The first of these bills is an authorization of $25 million to the National Cancer Institute for breast cancer research, and the second an amendment to require women as subjects of clinical research when appropriate.

Mr. President, I send these two bills to the desk at this time and ask for their introduction and appropriate referral.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

Mr. ADAMS. Mr. President, I just think it is time, in these male-dominated bodies, that we break this gender gap and we begin to pay attention to the fact that we have not properly expanded and checked upon the fact that half of our population is not being treated the same way that the other half of the population is, and in particular that NIH conduct its research and its other medical work in such a fashion that the entire population is protected.

I usually close these with BARBARA MIKULSKI's little remark about the mice—and they use mice for clinical testing. She said, "I found out NIH did not even have a female mouse."

So we will correct that, Mr. President, and others will cosponsor it.

By Ms. MIKULSKI (for herself, Mr. ADAMS, Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. SIMON, Mr. HARKIN, Mr. BINGAMAN, Mr. WELLSTONE, Mr. REID, Mr. INOUYE, Mr. AKAKA, and Mr. GLENN):

S. 514. A bill to amend the Public Health Service Act, the Social Security Act, and other acts to promote greater equity in the delivery of health care services to women through expanded research on women's issues, improved access to health care services, and the development of disease prevention activities responsive to the needs of women, and for other purposes; to the Committee on Labor and Human Resources.

WOMEN'S HEALTH EQUITY ACT

• Ms. MIKULSKI. Mr. President, today, I am introducing the Women's Health Equity Act of 1991. This package builds on our successes last session, and continues to bring resources and expertise to bear on the unmet health needs of America's women. Swift action will save thousands of lives.

There is an unforgivable pattern of neglect, an undeniable history of indifference to women's health needs. The Women's Health Equity Act sets out to change that: To end the worst abuses and to set an agenda for women's health care in the nineties.

From 1979 to 1986, the death rate from breast cancer was up 24 percent—a woman dies of breast cancer every 12 minutes—yet no one knows why. Until we acted last year, almost no research was being done. The United States ranks 22d in infant mortality among developed nations. Heart disease kills more women than any other cause, yet virtually all heart disease research is done on men.

Women's lives are being needlessly endangered—because we do not provide access to affordable health care; because the tests women receive are not accurate; and because the attitude of our medical and research community is too often one of sexism or indifference.

Last year, things began to change. The Breast and Cervical Cancer Mortality Prevention Act I introduced was signed into law, giving thousands of low-income women access to life-saving screening procedures. They no longer have to die because they can't afford a $60 breast exam and pap smear. Medicare is now paying for mammograms for elderly and disabled women—a major expansion of preventive coverage.

Access alone is not enough. Accuracy counts in the most important way of all—because we count mistakes in lost lives. Our fight for reform is driven by the memory of women like Rose Kushner and Nina Hyde: Women who might be alive save for a misread mammogram.

With Senator ADAMS, I am sponsoring the Breast Cancer Screening Safety Act of 1991. We can't entrust women's lives to incompetent technicians and inadequate technology.

We know what happens. Breast cancer is killing more Americans than Saddam Hussein.

Perhaps the greatest challenge is the medical and research establishment's attitude toward women. Women are not trained to make informed decisions about their health. Their doctors should be. Yet 9 out of 10 doctors don't follow the American Cancer Society's guidelines on recommending mammograms.

Studies have shown that women must be much sicker than men before doctors will perform bypass surgery. Women have not only been ignored in research, they have been actively excluded.

I was infuriated last year when I found out that America's flagship medical research center, the National Institutes of Health, was supporting research that systematically excluded women; and that only 14 percent of every research dollar was going to study the health problems of 51 percent of America.

We changed that pretty quick. I introduced legislation that created an Office of Women's Health Research at NIH, and I'm doing the same thing this year for ADAMHA. I almost doubled funding for breast cancer research. And this year I'm fighting for $30 million for the Ovarian Cancer Research Act.

We can't carry 14th century attitudes about women's health into the 21st century. It's time for doctors and laypersons to work together: to fund new programs; fight for new attitudes; and find ways to end the needless pain and death too many American women face.

This bill is the product of many efforts, combining bills originally introduced by many of my fellow Senators. I am proud to introduce this legislation with a great group that really cares about women's health: Senators ADAMS, KENNEDY, SIMON, HARKIN, PELL, REID, DODD, METZENBAUM, BINGAMAN, INOUYE, AKAKA, GLENN, and WELLSTONE—all of whom have worked tirelessly for this cause.

In the House, 48 members of the Congressional Caucus for Women's Issues are working with Representatives SCHROEDER and SNOWE to gain passage of a companion measure.

Mr. President, I ask unanimous consent that the text of the bill and a summary of some of the provisions and a list of some previous successes be printed in the RECORD.

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

S. 514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Woman's Health Equity Act of 1991".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.

TITLE I—RESEARCH

Sec. 101. Office of research on women's health.
Sec. 102. Inclusion of women and minorities in clinical research.
Sec. 103. Office of research on women's health and mental health.
Sec. 104. Women and alcohol research equity.
Sec. 105. Breast cancer research.
Sec. 106. Contraceptive and infertility research centers.
Sec. 107. Sense of Congress regarding contraception and infertility.
Sec. 108. Women and aids research initiative.
Sec. 109. Requirement regarding certain categories of basic research on ovarian cancer.
Sec. 110. Osteoporosis and related bone disorders research, education, and health services.

TITLE II—SERVICES

Sec. 201. Requiring information on alternative treatments for breast cancer.
Sec. 202. Coverage of OBGYN and women's health nurse practitioner services.
Sec. 203. Adolescent pregnancy prevention, care, and research grants.
Sec. 204. Adolescent health demonstration projects.
Sec. 205. COBRA displaced family and disability amendments.
Sec. 206. Federal employee family-building.

TITLE III—PREVENTION

Sec. 301. Medicaid infant mortality amendments.
Sec. 302. Breast cancer screening safety.
Sec. 303. Medicaid coverage for mammography and pap smear screening.
Sec. 304. Medicare coverage of bone mass measurements.
Sec. 305. Women and AIDS outreach and prevention.
Sec. 306. Prevention of infertility due to sexually transmitted diseases.

TITLE I—RESEARCH

SEC. 101. OFFICE OF RESEARCH ON WOMEN'S HEALTH.

(a) ESTABLISHMENT.—Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.), as amended by Public Law 101-613, is amended—

(1) by redesignating section 486 as section 485A;

(2) by redesignating parts F through H as parts G through I, respectively; and

(3) by inserting after part E the following new part:

"PART F—WOMEN'S HEALTH

"SEC. 486. OFFICE OF RESEARCH ON WOMEN'S HEALTH.

"(a) ESTABLISHMENT.—There is established within the Office of the Director of NIH an office to be known as the Office of Research on Women's Health (hereafter in this part referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b) PURPOSE.—The Director of the Office shall ensure that women's health research is identified and addressed by the National Institutes of Health.

"(c) COORDINATING COMMITTEE.—

"(1) ESTABLISHMENT.—In carrying out subsection (b), the Director of the Office shall establish a committee to be known as the Coordinating Committee for Research on Women's Health (hereafter in this subsection referred to as the 'Coordinating Committee').

"(2) COMPOSITION.—The Coordinating Committee shall be composed of the Directors of the agencies of the National Institutes of Health (or the designees of the Directors).

"(3) CHAIRPERSON.—The Director of the Office shall serve as the chair of the Coordinating Committee.

"(4) FUNCTIONS.—The Coordinating Committee shall, with respect to women's health research—

"(A) identify the need for such research, and make an estimate each fiscal year of the funds needed to adequately support the research;

"(B) identify needs regarding the coordination of research activities, including with respect to intramural and extramural multidisciplinary research;

"(C) support the development and expansion of clinical trials of treatment and therapies that include women of all age, ethnic, and racial groups;

"(D) encourage the agencies of the National Institutes of Health to conduct and support such research; and

"(E) determine the extent to which women are represented among senior physicians and scientists of the National Institutes of Health and of entities conducting research with funds provided by such Institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(d) ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—In carrying out subsection (b), the Director of the Office shall establish an advisory committee to be known as the Advisory Committee for Research on Women's Health (hereafter in this subsection referred to as the 'Advisory Committee').

"(2) COMPOSITION.—The Advisory Committee shall be composed of not more than 18 individuals who are not officers or employees of the Federal Government. The Director of the Office shall make appointments to the Advisory Committee from among physicians, practitioners, scientists, and other health professionals, whose clinical practice, research specialization, or professional expertise includes a significant focus on women's health research.

"(3) CHAIRPERSON.—The Director of the Office shall serve as the chair of the Advisory Committee.

"(4) FUNCTIONS.—The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the agencies of the National Institutes of Health with respect to—

"(i) women's health research;

"(ii) research on gender differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on gender differences in disease etiology, course, and treatment;

"(iv) research on obstetrical and gynecological health conditions, diseases, and treatments; and

"(v) research on women's health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on publicly and privately supported women's health research; and

"(C) provide recommendations to the Director of the Office regarding activities of the Office.

"(5) REPORTS.—

"(A) The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) the extent of expenditures made for women's health research by the agencies of the National Institutes of Health; and

"(ii) the level of funding needed for women's health research.

"(B) The report required in subparagraph (A) shall be submitted to the Director of NIH for inclusion in the report required in section 403.

"(e) DEFINITIONS.—For purposes of this subpart:

"(1) WOMEN'S HEALTH CONDITIONS.—

"(A) Except as provided in subparagraph (B), the term 'women's health conditions', with respect to women of all age, ethnic, and racial groups, means all diseases, disorders, and other conditions—

"(i) unique to or more prevalent in women; or

"(ii) with respect to which there has been insufficient clinical research involving women as subjects.

"(B) The term 'women's health conditions' does not include a disease, disorder, or other condition unless the condition—

"(i) relates to a condition with respect to which a national research institute under this title has been established; or

"(ii) relates to another condition with respect to which the National Institutes of

Health is authorized, by a provision of law other than any provision of this subpart, to conduct research.

"(2) WOMEN'S HEALTH RESEARCH.—The term 'women's health research' means research on women's health conditions, including behavioral research.

"SEC. 486A. CLINICAL PROGRAM FOR OBSTETRICS AND GYNECOLOGY.

"(a) PLAN FOR PROGRAM.—

"(1) IN GENERAL.—The Director of the Office shall—

"(A) not later than September 30, 1992, complete the preparation of a plan for establishing a program for clinical research on obstetrics and gynecology to be conducted by the Director of the National Institute of Child Health and Human Development; and

"(B) for fiscal year 1994 and subsequent fiscal years, review the plan and, as appropriate, revise the plan.

"(2) CONSULTATIONS.—In preparing the plan required in paragraph (1), the Director of the Office shall consult with the officials and scientists who have principal responsibilities regarding the conduct by the National Institutes of Health of research on obstetrics and gynecology.

"(b) ADMINISTRATION OF PROGRAM.—For fiscal year 1993 and subsequent fiscal years, the Director of the National Institute of Child Health and Human Development shall conduct a program for clinical research on obstetrics and gynecology. Such program shall be conducted in accordance with the plan prepared under subsection (a).

"(c) SECURING SCIENTISTS FOR PROGRAM.—

"(1) LOAN REPAYMENTS REGARDING SERVICE IN PROGRAM.—The Director of the National Institute of Child Health and Human Development, after consultation with the Director of the Office, shall establish a program of entering into contracts with appropriately qualified individuals under which the individuals agree to conduct research in the program carried out under subsection (b), as employees of the National Institutes of Health, in consideration of the Federal Government agreeing to pay, for each year of such service, not more than $20,000 of the principal and interest of the educational loans of the individuals.

"(2) APPLICABILITY OF CERTAIN PROVISIONS.—Except to the extent inconsistent with paragraph (1), the provisions of sections 338B, 338C, and 338E shall apply to the program established in paragraph (1) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in section 338B, including provisions regarding reimbursements for increased tax liability and regarding bankruptcy.

"SEC. 486B. NATIONAL DATA SYSTEM AND CLEARINGHOUSE ON WOMEN'S HEALTH RESEARCH.

"(a) DATA SYSTEM.—

"(1) ESTABLISHMENT.—The Director of NIH shall establish a single data system for the collection, storage, analysis, retrieval, and dissemination of information regarding women's health research that is conducted or supported by the National Institutes of Health. Information from the data system shall be available through information systems available to health care professionals and providers, researchers, and members of the public.

"(2) REGISTRY.—The data system established under paragraph (1) shall include a registry of clinical trials of experimental treatments that have been developed for women's health research. Such registry shall include information on subject eligibility criteria, sex, age, ethnicity or race, and the location of the trial site or sites. Principal investigators of such clinical trials shall provide this information to the registry within 30 days after it is available. Once a trial has been completed, the principal investigator shall provide the registry with information pertaining to the results, including potential toxicities or adverse effects associated with the experimental treatment or treatments evaluated.

"(b) CLEARINGHOUSE.—The Director of NIH, in consultation with the Director of the Office and the National Library of Medicine, shall establish, maintain, and operate a program to provide information on research and prevention activities of such Institutes and such Administration relating to women's health research.

"SEC. 486C. CENTERS OF EXCELLENCE IN WOMEN'S HEALTH RESEARCH.

"(a) IN GENERAL.—The Director of the Office, after consultation with the Coordinating Committee established in section 486(c), shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct women's health research. Each such center shall be known as a Center of Excellence in Women's Health Research.

"(b) CERTAIN FUNCTIONS.—The Director of the Office shall ensure that, in carrying out research for purposes of subsection (a), centers operated under such subsection—

"(1) conduct basic and clinical research, including behavorial research (as appropriate);

"(2) conduct longitudinal studies (as appropriate), which studies shall utilize an appropriately diverse population of subjects in terms of race and socioeconomic status;

"(3) develop protocols for training physicians, scientists, nurses, and other health and allied health professionals; and

"(4) conduct training programs for the professionals specified in paragraph (3).

"(c) COORDINATION OF INFORMATION.—The Director of the Office shall, as appropriate, provide for the coordination of information among the centers operated under subsection (a).

"(d) REQUIREMENT REGARDING FORMATION.—Each center operated under subsection (a) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Secretary, after consultation with the Director of the Office.

"(e) NUMBER OF CENTERS.—The Director of the Office shall provide for 3 centers for purposes of subsection (a), subject to the extent of amounts made available in appropriations Act.

"(f) DURATION OF SUPPORT.—Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of the Office and if such group has recommended to the Director that such period should be extended.

"SEC. 486D. BIENNIAL REPORT.

"(a) IN GENERAL.—With respect to women's health research, the Director of the Office shall prepare a biennial report—

"(1) describing and evaluating the progress made during the preceding 2 fiscal years in research and treatment conducted or supported by the National Institutes of Health;

"(2) summarizing and analyzing expenditures made by the agencies of such Institute (including the Office) during the preceding 2 fiscal years; and

"(3) making such recommendations for legislative and administrative initiatives as the Director of the Office determines to be appropriate.

"(b) INCLUSION IN BIENNIAL REPORT OF DIRECTOR OF NIH.—The Director of the Office shall submit each report prepared under subsection (a) to the Director of NIH for inclusion in the report submitted to the President and the Congress under section 403.

"SEC. 486E. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—For the purpose of carrying out this subpart other than sections 486A and 486C, there are authorized to be appropriated $20,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995. The authorization of appropriations established in the preceding sentence shall be in addition to any other amounts authorized to be appropriated for conducting and supporting women's health research.

"(b) CLINICAL PROGRAM FOR OBSTETRICS AND GYNECOLOGY.—For the purpose of carrying out section 486A, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1993 through 1995. The authorization of appropriations established in the preceding sentence shall be in addition to any other amounts authorized to carry out such section.

"(c) CENTERS FOR RESEARCH.—For the purpose of carrying out section 486C, there are authorized to be appropriated $7,500,000 for fiscal year 1992, $7,500,000 for fiscal year 1993, $8,000,000 for fiscal year 1994, $8,500,000 for fiscal year 1995, and $9,000,000 for fiscal year 1996.".

(b) TECHNICAL AMENDMENT.—Section 485(g) of the Public Health Service Act (42 U.S.C. 287c-2(g)) is amended by striking "section 486" and inserting "section 485A".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1991, or upon the date of the enactment of this Act, whichever occurs later.

SEC. 102. INCLUSION OF WOMEN AND MINORITIES IN CLINICAL RESEARCH.

(a) IN GENERAL.—The Public Health Service Act is amended by inserting after section 492 (42 U.S.C. 292) the following new section:

SEC. 492A. INCLUSION OF WOMEN AND MINORITIES IN CLINICAL RESEARCH.

"(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall ensure that women and members of minority groups are included as subjects in each clinical research project conducted or supported under this title.

"(b) LIMITATION.—

"(1) INAPPROPRIATE INCLUSION.—The requirement established in subsection (a) shall not apply to a clinical research project if the inclusion of women and members of minority groups, respectively, as subjects in the project is inappropriate, as determined by the Secretary in accordance with regulations issued under paragraph (2)—

"(A) with respect to the health of the subjects;

"(B) with respect to the purpose of the research; or

"(C) under such other circumstances as the Secretary may designate.

"(2) CRITERIA.—For purposes of paragraph (1), the Secretary shall by regulation establish criteria regarding the circumstances under which the inclusion of women and minorities in clinical research is inappropriate.

"(c) EFFECT OF RESEARCH ON WOMEN AND MINORITIES.—The Secretary shall ensure that any clinical research project in which the Secretary is required to include women or members of minority groups as subjects under subsection (a) is designed and carried out in a manner sufficient to provide for a valid analysis of whether the variables being tested in the research affect women or members of minority groups, as the case may be, differently than other subjects in the research.

"(d) SUBCOMMITTEE.—

"(1) ESTABLISHMENT.—The Secretary shall establish within the advisory council of each of the national research institutes a subcommittee to be known as the Clinical Research Equity Subcommittee (individually referred to in this subsection as a 'Subcommittee').

"(2) COMPOSITION.—

"(A) ADVISORY COUNCIL MEMBERS.—Each Subcommittee shall be composed of not less than 6 members of the advisory council in which it is established. The Secretary shall designate the membership of each Subcommittee from among members of the advisory council who have expertise regarding clinical research on diseases, disorders, or other health conditions—

"(i) that are unique to women, more prevalent in women, or more serious for women; or

"(ii) for which the risk factors or interventions are different for women.

"(B) OTHER MEMBERS.—If the Secretary determines that an advisory council for a national research institute does not contain a sufficient number of individuals with the expertise required in accordance with subparagraph (A), the Secretary shall appoint to the advisory council a sufficient number of individuals from among individuals who are not officers or employees of the United States.

"(3) FUNCTIONS.—Each Subcommittee shall review all clinical research conducted by the national research institute in which the advisory council is established, in order to determine the extent to which the institute is conducting research in accordance with subsections (a) through (c). The Subcommittee shall conduct the review not less often than annually. Not later than 60 days after each review, each Subcommittee shall submit to the Secretary and the Director of the National Institutes of Health a report describing the findings made as a result of the review.

"(4) NONCOMPLIANCE.—If the Secretary determines that any national research institute is not conducting a project of clinical research in accordance with subsections (a) through (c), the Secretary shall suspend or revoke the authority for the project under such conditions as the Secretary determines to be appropriate.

"(e) DEFINITION.—For purposes of this section, the term 'minority groups' means racial and ethnic minority groups.".

(b) RESEARCH CONDUCTED OR SUPPORTED BY ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION.—Such Act is amended by inserting after section 507 (42 U.S.C. 290aa-5) the following new section:

"SEC. 507A. INCLUSION OF WOMEN AND MINORITIES IN CLINICAL RESEARCH.

"(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall ensure that women and members of minority groups are included as subjects in each clinical research project conducted or supported under this title.

"(b) LIMITATION.—

"(1) INAPPROPRIATE INCLUSION.—The requirement established in subsection (a) shall not apply to a clinical research project if the inclusion of women and members of minority groups, respectively, as subjects in the project is inappropriate, as determined by the Secretary in accordance with regulations issued in accordance with paragraph (2)—

"(A) with respect to the health of the subjects;

"(B) with respect to the purpose of the research; or

"(C) under such other circumstances as the Secretary may designate.

"(2) CRITERIA.—For purposes of paragraph (1), the Secretary shall by regulation establish criteria regarding the circumstances under which the inclusion of women and minorities in clinical research is inappropriate.

"(c) EFFECT OF RESEARCH ON WOMEN AND MINORITIES.—The Secretary shall ensure that any clinical research project in which the Secretary is required to include women or members of minority groups as subjects under subsection (a) is designed and carried out in a manner sufficient to provide for a valid analysis of whether the variables being tested in the research affect women or members of minority groups, as the case may be, differently than other subjects in the research.

"(d) SUBCOMMITTEE.—

"(1) ESTABLISHMENT.—The Secretary shall establish within the advisory council of each of the agencies of the Alcohol, Drug Abuse, and Mental Health Administration a subcommittee to be known as the Clinical Research Equity Subcommittee (individually referred to in this subsection as a 'Subcommittee').

"(2) COMPOSITION.—

"(A) ADVISORY COUNCIL MEMBERS.—Each Subcommittee shall be composed of not less than 6 members of the advisory council in which it is established. The Secretary shall designate the membership of each Subcommittee from among members of the advisory council who have expertise regarding clinical research on diseases, disorders, or other health conditions—

"(i) that are unique to women, more prevalent in women, or more serious for women; or

"(ii) for which the risk factors or interventions are different for women.

"(B) OTHER MEMBERS.—If the Secretary determines that an advisory council for an agency of the Alcohol, Drug Abuse, and Mental Health Administration does not contain a sufficient number of individuals with the expertise required in accordance with subparagraph (A), the Secretary shall appoint to the advisory council a sufficient number of individuals from among individuals who are not officers or employees of the United States.

"(3) FUNCTIONS.—Each Subcommittee shall review all clinical research conducted by the agency in which the advisory council is established, in order to determine the extent to which the agency is conducting research in accordance with subsections (a) through (c). The Subcommittee shall conduct the review not less often than annually. Not later than 60 days after each review, each Subcommittee shall submit to the Secretary and the Administrator a report describing the findings made as a result of the review.

"(4) NONCOMPLIANCE.—If the Secretary determines that any agency of the Alcohol, Drug Abuse, and Mental Health Administration is not conducting a project of clinical research in accordance with subsections (a) through (c), the Secretary shall suspend or revoke the authority for the project under such conditions as the Secretary determines to be appropriate.

"(e) DEFINITION.—For purposes of this section, the term 'minority groups' means racial and ethnic minority groups.".

(c) PEER REVIEW.—

(1) NATIONAL INSTITUTES OF HEALTH.—Section 492 of the Public Health Service Act (42 U.S.C. 289a) is amended by adding at the end the following new subsection:

"(c)(1) In technical and scientific peer review of proposals for clinical research under this section, the consideration of the proposal (including the initial consideration) shall, except as provided in paragraph (2), include an evaluation of the technical and scientific merit of the proposal regarding the inclusion of women and members of minority groups as subjects in the research.

"(2) Paragraph (1) shall not apply to any proposal for clinical research that is not subject to the requirement of section 492A(a) regarding the inclusion of women and members of minority groups as subjects in clinical research, in accordance with section 492A(b).".

(2) ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION.—Section 507 of the Public Health Service Act (42 U.S.C. 290aa-5) is amended by adding at the end the following new subsection:

"(f)(1) In technical and scientific peer review of proposals for clinical research under this section, the consideration of the proposal (including the initial consideration) shall, except as provided in paragraph (2), include an evaluation of the technical and scientific merit of the proposal regarding the inclusion of women and members of minority groups as subjects in the research.

"(2) Paragraph (1) shall not apply to any proposal for clinical research that is not subject to the requirement of section 507A(a) regarding the inclusion of women and members of minority groups as subjects in clinical research, in accordance with section 507A(b).".

(d) EFFECTIVE DATE AND APPLICABILITY OF REQUIREMENTS.

(1) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1991, or on the date of the enactment of this Act, whichever occurs later.

(2) APPLICABILITY.—The amendments made by this section shall apply with respect to any project of clinical research whose initial approval by the Secretary of Health and Human Services occurs after the expiration of the 90-day period beginning on the effective date of this section.

SEC. 103. OFFICE OF RESEARCH ON WOMEN'S HEALTH AND MENTAL HEALTH.

(a) ESTABLISHMENT.—Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after section 504 the following new section:

"OFFICE OF RESEARCH ON WOMEN'S HEALTH AND MENTAL HEALTH

"SEC. 504A. (a) ESTABLISHMENT AND GENERAL PROVISIONS.—

"(1) IN GENERAL.—There is established within the Office of the Administrator an office to be known as the Office of Research on Women's Health and Mental Health (hereafter in this section referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Administrator.

"(2) PURPOSE.—The Director of the Office shall ensure that women's health and mental health research is identified and addressed by the Alcohol, Drug Abuse, and Mental Health Administration.

"(3) COORDINATING COMMITTEE.—

"(A) In carrying out subsection (a)(2), the Director of the Office shall establish a committee to be known as the Coordinating Committee for Research on Women's Health

(hereafter in this paragraph referred to as the 'Coordinating Committee').

"(B) The Coordinating Committee shall be composed of the Directors of the agencies of the Alcohol, Drug Abuse, and Mental Health Administration (or the designees of the Directors).

"(C) The Director of the Office shall serve as the chair of the Coordinating Committee.

"(E) The Coordinating Committee shall, with respect to women's health and mental health research—

"(i) identify the need for such research, and make an estimate each fiscal year of the funds needed to adequately support the research;

"(ii) identify needs regarding the coordination of research activities, including with respect to intramural and extramural multidisciplinary research;

"(iii) support the development and expansion of clinical trials of treatment and therapies that include women of all age, ethnic, and racial groups;

"(iii) encourage the agencies of the Alcohol, Drug Abuse, and Mental Health Administration to conduct and support such research; and

"(v) determine the extent to which women are represented among senior physicians and scientists of the Alcohol, Drug Abuse, and Mental Health Administration and of entities conducting research with funds provided by such Administration, and as appropriate, carry out activities to increase the extent of such representation.

"(4) ADVISORY COMMITTEE.—

"(A) In carrying out subsection (a)(2), the Director of the Office shall establish an advisory committee to be known as the Advisory Committee for Research on Women's Health (hereafter in this paragraph referred to as the 'Advisory Committee').

"(B) The Advisory Committee shall be composed of not more than 18 individuals who are not officers or employees of the Federal Government. The Director of the Office shall make appointments to the Advisory Committee from among physicians, practitioners, scientists, and other health professionals, whose clinical practice, research specialization, or professional expertise includes a significant focus on women's health and mental health conditions.

"(C) The Director of the Office shall serve as the chair of the Advisory Committee.

"(D) The Advisory Committee shall—

"(i) advise the Director of the Office on appropriate research activities to be undertaken by the agencies of the Alcohol, Drug Abuse, and Mental Health Administration with respect to—

"(I) women's health and mental health research, including research on menopause, premenstrual syndrome, postpartum depression, and other conditions related to the reproductive system, and including depression, attacks of panic, and eating disorders;

"(II) research on gender differences in clinical drug trials, including with respect to differences in the rate of metabolism;

"(III) research on gender differences in the etiology, course, and treatment of women's health and mental health conditions; and

"(IV) women's health and mental health research which requires a multidisciplinary approach;

"(ii) report to the Director of the Office on publicly and privately supported women's health and mental health research; and

"(iii) provide recommendations to the Director of the Office regarding activities of the Office.

"(E)(i) The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(I) the extent of expenditures made for women's health and mental health research by the agencies of the Alcohol, Drug Abuse, and Mental Health Administration; and

"(II) the level of funding needed for women's health and mental health research.

"(ii) The report required in subparagraph (A) shall be submitted to the Administrator for inclusion in the report required in subsection (d).

"(b) NATIONAL DATA SYSTEM AND CLEARINGHOUSE

"(1) DATA SYSTEM.—

"(A) The Administrator shall establish a single data system for the collection, storage, analysis, retrieval, and dissemination of information regarding women's health and mental health research. Information from the data system shall be available through information systems available to health care professionals and providers, researchers, and members of the public.

"(B) The data system established under subparagraph (A) shall include a registry of clinical trials of experimental treatments that have been developed for women's health and mental health research. Such registry shall include information on subject eligibility criteria, sex, age, ethnicity or race, and the location of the trial site or sites. Principal investigators of such clinical trials shall provide this information to the registry within 30 days after it is available. Once a trial has been completed, the principal investigator shall provide the registry with information pertaining to the results, including potential toxicities or adverse effects associated with the experimental treatment or treatments evaluated.

"(2) CLEARINGHOUSE.—The Administrator, in consultation with the Director of the Office and the National Library of Medicine, shall establish, maintain, and operate a program to provide information on women's health and mental health research.

"(c) CENTERS OF EXCELLENCE

"(1) IN GENERAL.—The Director of the Office, after consultation with the Coordinating Committee established in subsection (a)(3), shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct women's health and mental health research. Each such center shall be known as a Center of Excellence in Women's Health and Mental Health Research.

"(2) CERTAIN FUNCTIONS.—The Director of the Office shall ensure that, in carrying out research for purposes of paragraph (1), centers operated under such subsection—

"(A) conduct basic and clinical research, including behavioral research;

"(B) conduct longitudinal studies (as appropriate), which studies shall utilize an appropriately diverse population of subjects in terms of race and socioeconomic status;

"(C) develop protocols for training physicians, scientists, nurses, and other health and allied health professionals; and

"(D) conduct training programs for the professionals specified in subparagraph (C).

"(3) COORDINATION OF INFORMATION.—The Director of the Office shall, as appropriate, provide for the coordination of information among the centers operated under paragraph (1).

"(4) REQUIREMENT REGARDING FORMATION.—Each center operated under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Secretary, after consultation with the Director of the Office.

"(5) NUMBER OF CENTERS.—The Director of the Office shall provide for 3 centers for purposes of paragraph (1), subject to the extent of amounts made available in appropriations Act.

"(6) DURATION OF SUPPORT.—Support of a center under paragraph (1) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of the Office and if such group has recommended to the Director that such period should be extended.

"(d) BIENNIAL REPORT—Not later than February 1 of 1994 and of every second year thereafter, the Director of the Office shall, with respect to women's health and mental health research, submit to the Congress a report—

"(1) describing and evaluating the progress made during the preceding 2 fiscal years in research and treatment conducted or supported by the Alcohol, Drug Abuse, and Mental Health Administration;

"(2) summarizing and analyzing expenditures made by the agencies of such Administration (including the Office) during the preceding 2 fiscal years; and

"(3) making such recommendations for legislative and administrative initiatives as the Director of the Office determines to be appropriate.

"(e) DEFINITIONS.—For purposes of this section:

"(1) WOMEN'S HEALTH AND MENTAL HEALTH CONDITIONS.—

"(A) Except as provided in subparagraph (B), the term 'women's health and mental health conditions', with respect to women of all age, ethnic, and racial groups, means all diseases, disorders, and other conditions (including with respect to mental health)—

"(i) unique to or more prevalent in women; or

"(ii) with respect to which there has been insufficient clinical research involving women as subjects.

"(B) The term 'women's health and mental health conditions' does not include a disease, disorder, or other condition unless the condition—

"(i) relates to alcohol, drug abuse, or mental health; or

"(ii) relates to another condition with respect to which the Alcohol, Drug Abuse, and Mental Health Administration is authorized, by a provision of law other than this section, to conduct research.

"(2) WOMEN'S HEALTH AND MENTAL HEALTH RESEARCH.—The term 'women's health and mental health research' means research on women's health and mental health conditions, including behavioral research.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For the purpose of carrying out this section other than subsection (c), there are authorized to be appropriated $20,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995. The authorization of appropriations established in the preceding sentence shall be in addition to any other amounts authorized to be appropriated for conducting and supporting women's health and mental health research.

"(2) CENTERS FOR RESEARCH.—For the purpose of carrying out subsection (c), there are authorized to be appropriated $7,500,000 for fiscal year 1992, $7,500,000 for fiscal year 1993, $8,000,000 for fiscal year 1994, $8,500,000 for fiscal year 1995, and $9,000,000 for fiscal year 1996.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1991, or upon the date of the enactment of this Act, whichever occurs later.

SEC. 104. WOMEN AND ALCOHOL RESEARCH EQUITY.

(a) FINDINGS.—Congress finds as follows with respect to the United States:

(1) One of every 3 alcoholics receiving treatment is a woman.

(2) In fiscal year 1990, the National Institute on Alcohol Abuse and Alcoholism had a total research budget of $131,606,000, and only $6,750,000 of the budget (approximately 5 percent) was available for research on alcohol abuse and alcoholism among women. Research on this topic is critical because alcoholism has long been known to be a gender-specific disease.

(3) Women continue to be underrepresented in treatment programs. Women make up less than 25 percent of all publicly funded alcohol treatment admissions and about 30 percent of treatment admissions for other drug dependencies although women make up an estimated 50 percent of the total alcohol and drug dependent population.

(4) Alcohol use by pregnant women is the leading known cause of mental retardation in newborns. Fetal alcohol syndrome, which is marked by dysfunction of the central nervous system and by prenatal and postnatal growth deficiency and facial malformations, strikes 1 to 3 out of every 1,000 newborns, or 3,600 to 10,000 babies a year. The incidence of less severe fetal alcohol effects is at least 3 times that of fetal alcohol syndrome. Research is also needed on the male contribution to birth abnormalities related to alcohol and other drug use.

(5) Most treatment programs do not provide child care or adequate alternatives for women entering treatment.

(6) The death rate of female alcoholics is 50 to 100 percent higher than for male alcoholics.

(7) More alcoholic women die of cirrhosis of the liver than do alcoholic men.

(8) Combined effects of estrogen and alcohol augment liver damage.

(9) Women experience greater physiological damage from consumption of alcohol than do their male counterparts. The interval between the onset of drinking and entry into treatment appears to be shorter for women than men.

(10) Negative effects of drinking show up earlier in women than men, even when they consume less alcohol than men. This disease process is "telescoped" or accelerated in women.

(11) Women become intoxicated faster than men. This is due to a different enzyme activity than men and hormonal fluctuations in women.

(12) Chronic, heavy drinking contributes to menstrual disorders, fertility problems, and premature menopause.

(13) Only 1 out of 10 nonalcoholic wives will leave an alcoholic husband while 9 out of 10 nonalcoholic husbands leave their alcoholic wives.

(14) Alcohol use may be associated with an increased risk of breast cancer. Research indicates that the incidence of breast cancer increases when a woman consumes 1 ounce or more of absolute alcohol daily.

(15) The National Institute on Alcohol Abuse and Alcoholism has identified areas for future research on alcohol abuse and alcoholism among women. These areas were identified by the Institute more than a decade ago, yet a sufficient number of research projects regarding such areas has yet to be conducted.

(b) INCREASE IN AMOUNT OF FUNDS EXPENDED FOR RESEARCH ON ALCOHOL ABUSE AND ALCOHOLISM AMONG WOMEN.—Section 513(a) of the Public Health Service Act (42 U.S.C. 290bb-2(a)) is amended—

(1) by striking "1991" and inserting "1992"; and

(2) by adding at the end the following new sentence: "For fiscal year 1992, of the first $131,606,000 appropriated under the preceding sentence, the Secretary shall obligate not less than $6,750,000 for the purpose of carrying out under this subpart projects of research on alcohol abuse and alcoholism among women, and of the amounts appropriated under such sentence in excess of $131,606,000, the Secretary shall obligate for such purpose not less than $23,250,000.".

SEC. 105. BREAST CANCER RESEARCH.

In addition to the sums authorized to be appropriated for the National Cancer Institute under sections 301 and 408 of the Public Health Service Act for fiscal year 1991, there is authorized to be appropriated for such fiscal year to the National Cancer Institute $25,000,000 for breast cancer research other than research which involves treatment or clinical trials.

SEC. 106. CONTRACEPTIVE AND INFERTILITY RESEARCH CENTERS.

(a) RESEARCH CENTERS.—Subpart 7 of part C of title IV of the Public Health Service Act (42 U.S.C. 285g et seq.) is amended by adding at the end the following new section:

"SEC. 452A. RESEARCH CENTERS WITH RESPECT TO CONTRACEPTION AND INFERTILITY.

"(a) IN GENERAL.—The Director of the Institute, after consultation with the advisory council for the Institute, shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct activities for the purpose of improving methods of contraception and centers to conduct activities for the purpose of diagnosing and treating infertility.

"(b) NUMBER OF CENTERS.—In carrying out subsection (a), the Director of the Institute shall, subject to the extent of amounts made available in appropriations Acts, provide for the establishment of three centers with respect to contraception and for two centers with respect to infertility.

"(c) DUTIES.—

"(1) IN GENERAL.—Each center assisted under this section shall, in carrying out the purpose of the center involved—

"(A) conduct clinical and other applied research, including—

"(i) for centers with respect to contraception, clinical trials of new or improved drugs and devices for use by males and by females (including barrier methods); and

"(ii) for centers with respect to infertility, clinical trials of new or improved drugs and devices for the diagnosis and treatment of infertility in both males and females;

"(B) develop protocols for training physicians, scientists, nurses, and other health and allied health professional;

"(C) conduct training programs for such individuals;

"(D) develop model continuing education programs for such professionals; and

"(E) disseminate information to such professionals.

"(2) STIPENDS AND FEES.—A center may use funds provided under subsection (a) to provide stipends for health and allied health professionals enrolled in programs described in subparagraph (C) of paragraph (1), and to provide fees to individuals serving as subjects in clinical trials conducted under such paragraph.

"(d) COORDINATION OF INFORMATION.—The Director of the Institute shall, as appropriate, provide for the coordination of information among the centers assisted under this section.

"(e) CONSORTIUM.—Each center assisted under this section shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Secretary, after consultation with the Director of the Institute.

"(f) TERM OF SUPPORT AND PEER REVIEW.—Support of a center under subsection (a) may be for a period of not to exceed 5 years. Such period may be extended for one or more additional periods of not to exceed 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

"(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $15,000,000 for each of the fiscal years 1992 through 1994, $20,000,000 for fiscal year 1995, and such sums as may be necessary for fiscal year 1996.".

(b) LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY.—Part F of title IV of such Act (42 U.S.C. 288 et seq.) is amended by inserting after section 487A the following new section:

"SEC. 487B. LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY.

"(a) ESTABLISHMENT.—The Secretary, after consultation with the Director of the National Institute of Child Health and Human Development, shall establish a program to enter into agreements with appropriately qualified health professionals (including graduate students) under which such health professionals shall agree to conduct research with respect to contraception, or with respect to infertility, in consideration of the Secretary agreeing to repay, for each year of such service, not to exceed $20,000 of the principal and interest of the educational loans incurred by such health professionals.

"(b) ADMINISTRATIVE PROVISIONS.—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart shall, except as inconsistent with subsection (a), apply to the program established in such subsection to the same extent and in the same manner as such provisions apply to the National Health Service Loan Repayment Program.

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1992 through 1994.

"(2) AVAILABILITY OF FUNDS.—Amounts appropriated under paragraph (1) for a fiscal year shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated.".

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on October 1, 1991, or on the date of the enactment of this Act, whichever occurs later.

SEC. 107. SENSE OF CONGRESS REGARDING CONTRACEPTION AND INFERTILITY.

(a) FINDINGS.—Congress finds that—

(1) the incidence in the United States of both unintended pregnancy and abortion is substantial and unacceptable;

(2) there is a significant incidence of infertility in the United States;

(3) studies estimate that 31,800,000 women nationwide are at risk of unintended pregnancy, and that, for a variety of reasons, 13 percent of these women are not using any form of contraception;

(4) there is a substantial need for the development of new contraceptive drugs and devices, but only one private pharmaceutical company based in the United States is conducting research toward such development;

(5) if a variety of safe and effective options with respect to contraception are widely available, significant benefits for women and their families accrue, including a reduction in the number of low-birthweight births and a reduction in the number of premature births, leading to a reduced incidence of maternal and infant mortality;

(6) it is estimated that one out of six couples in the United States is infertile or fails to conceive within 1 year of deciding to have a child;

(7) the Centers for Disease Control estimates that 20 percent of cases of infertility in the United States are caused by sexually transmitted diseases;

(8) cases of infertility resulting from sexually transmitted diseases are the most preventable of such cases;

(9) with respect to the problems of contraception and infertility, the obstacles to making an effective response to such problems are many and include a lack of consistent funding, the political controversy concerning abortion, the lengthy and complex procedures for the approval by the Food and Drug Administration of new drugs and devices, the costs of liability insurance for research and for the marketing of drugs and devices, and a shortage of scientists in the relevant fields; and

(10) family planning is universally recognized as a human right.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Congress should—

(1) establish a program of research for the development of new and improved methods of contraception and new and improved methods of diagnosing and treating infertility, including the establishment of research centers for such purposes;

(2) provide adequate long-term resources for the program to ensure that the program is among the principal Federal research priorities and that the United States is a world leader in research with respect to contraception and infertility;

(3) ensure that Federal programs with respect to the prevention, diagnosis, and treatment of sexually transmitted diseases adequately respond to the role of such diseases in cases of infertility;

(4) ensure that the public is educated with respect to contraception and infertility, including education on new and improved drugs and devices;

(5) establish as Federal goals the development, by the year 2010, of—

(A) improved barrier methods to protect against unintended pregnancy and sexually transmitted diseases;

(B) new methods of contraception for use by men;

(C) a vaccine-like drug for women that prevents unintended pregnancy for a significant period of time without disrupting the menstrual cycle or causing adverse metabolic or cardiovascular effects; and

(D) new and improved techniques of diagnosing and treating infertility;

(6) require the Secretary of Health and Human Services to take prompt action to reestablish the Ethical Advisory Board (terminated in 1980) in order to facilitate research with respect to infertility;

(7) review the policies and procedures of the Food and Drug Administration to determine the extent to which the process of approving drugs and devices for use by the public, especially with respect to contraception and infertility, can be expedited with a reasonable degree of safety, including consideration of the role of conducting ongoing surveys and studies of the effects on the public of drugs and devices that have been so approved; and

(8) determine to what extent measures can be implemented by public or private entities to resolve liability issues regarding persons conducting research into, or marketing, drugs and devices with respect to contraception and infertility.

SEC. 108. WOMEN AND AIDS RESEARCH INITIATIVE.

(a) ESTABLISHMENT OF PROGRAM OF RESEARCH REGARDING WOMEN AND ACQUIRED IMMUNE DEFICIENCY SYNDROME.—Part B of title XXIII of the Public Health Service Act (42 U.S.C. 300cc-11) is amended by adding at the end the following new section:

"SEC. 2321. RESEARCH REGARDING WOMEN.

"(a) IN GENERAL.—With respect to cases of infection with the etiologic agent for acquired immune deficiency syndrome, the Secretary, acting as appropriate through the Director of the National Institutes of Health or the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration (or both), shall establish a program for the purpose of conducting biomedical and behavioral research on such cases in women. The Secretary may conduct such research directly, and may make grants to public and nonprofit private entities for the conduct of the research.

"(b) CERTAIN FORMS OF RESEARCH.—In carrying out subsection (a), the Secretary shall provide for research on—

"(1) the manner in which the etiologic agent for acquired immune deficiency syndrome is transmitted to women, and from women to infants, including the relationship between cases of infection with such agent and other cases of sexually transmitted diseases;

"(2) measures for the prevention of exposure to and the transmission of such agent, including research on—

"(A) the prevention of any sexually transmitted disease that may facilitate the transmission of the agent; and

"(B) the development of methods of prevention for use by women;

"(3) the development and progression of symptoms resulting from infection with such agent, including research regarding gynecological infections whose occurrence becomes probable as a result of the deterioration of the immune system;

"(4) the treatment of cases of such infection, including clinical research; and

"(5) behavioral research on the prevention of such cases and research on model educational programs for such prevention.

"(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $10,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.".

(b) COMMUNITY-BASED EVALUATIONS OF EXPERIMENTAL THERAPIES.—

(1) AUTHORIZATION OF APPROPRIATIONS FOR THERAPIES FOR WOMEN.—Section 2313(e) of such Act (42 U.S.C. 300cc-13(e)) is amended by adding at the end the following new paragraph:

"(3) For the purpose of conducting clinical trials under subsection (a) on experimental treatments for women, there are authorized to be appropriated $6,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.".

(2) AUTHORITY FOR PROVISION OF INCIDENTAL SERVICES FOR ALL SUBJECTS.—Section 2313 of such Act (as amended by paragraph (1)), is further amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following new subsection:

"(d) In carrying out clinical trials under subsection (a), the Director of the National Institutes of Health may authorize grantees under such subsection to expend the grants to provide individuals with such transportation, child care, and other incidental services as may be necessary to enable the individuals to participate as subjects in the clinical trials.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 1991, or upon the date of the enactment of this Act, whichever occurs later.

SEC. 109. REQUIREMENT REGARDING CERTAIN CATEGORIES OF BASIC RESEARCH ON OVARIAN CANCER.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health and the Director of the National Cancer Institute, shall conduct or support basic research—

(1) to develop a test capable of detecting ovarian cancer in the earlier stages of the cancer; and

(2) to determine whether there is a genetic basis to such cancer.

(b) LIMITATION.—In carrying out subsection (a), the Secretary may not conduct or support clinical research regarding the matters described in paragraph (1) or (2) of such subsection.

(c) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out subsection (a), there is authorized to be appropriated $30,000,000 for each of the fiscal years 1992 through 1996.

(2) RULE OF CONSTRUCTION REGARDING OTHER AUTHORIZATIONS.—Paragraph (1) may not be construed to affect the authority to make, under any authorization of appropriations established in any other provision of law, appropriations for the purposes described in subsection (a).

SEC. 110. OSTEOPOROSIS AND RELATED BONE DISORDERS RESEARCH, EDUCATION, AND HEALTH SERVICES.

(a) FINDINGS.—Congress finds that—

(1) osteoporosis, or porous bone, is a condition characterized by an excessive loss of bone tissue and an increased susceptibility to fractures of the hip, spine, and wrist;

(2) an estimated 25,000,000 Americans have osteoporosis, with many cases undiagnosed because the condition develops without symptoms until a strain, bump, or fall causes a fracture;

(3) between 3 and 4 million Americans have Paget's disease, Osteogenesis Imperfecta, and other related metabolic bone disorders;

(4) osteoporosis is responsible for 1,300,000 bone fractures annually, including more than 250,000 hip fractures, 500,000 vertebral fractures, 200,000 fractures of the wrist, and 200,000 fractures at other limb sites;

(5) osteoporosis affects one-third to one-half of all postmenopausal women and nearly half of all people over age 75;

(6) direct medical costs of osteoporosis reached an estimated $10,000,000,000 in 1988 for the United States, not including the costs of family care and lost work for caregivers;

(7) direct medical costs of osteoporosis are expected to increase precipitously because the proportion of the population comprised of older persons is expanding and each generation of older persons tends to have a higher incidence of osteoporosis than preceding generations;

(8) technology now exists, and new technology is developing, that will permit early diagnosis and prevention of osteoporosis as well as management of the condition once it has developed;

(9) funding for research on osteoporosis and related bone disorders is severely constrained at key research institutes, including the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute on Aging, and the National Institute on Diabities, Digestive, and Kidney Disorders;

(10) further research is needed to improve medical knowledge concerning—

(A) cellular mechanisms related to the processes of bone resorption and bone formation, and the effect of different agents on bone remodeling;

(B) risk factors for osteoporosis, including newly discovered risk factors, risk factors related to groups not ordinarily studied, such as men and minorities, and the relationship of aging processes to the development of osteoporosis;

(C) bone mass measurement technology, including techniques for making faster and more precise measurements and for interpreting measurements;

(D) calcium, including bioavailability, intake requirements, and the role of calcium in building heavier and denser skeletons;

(E) prevention and treatment, including the efficacy of current therapies, alternative drug therapies for prevention and treatment, and the role of exercise; and

(F) rehabilitation; and

(11) further educational efforts are needed to increase public and professional knowledge of the causes of, methods for avoiding, and treatment of osteoporosis.

(b) OSTEOPOROSIS RESEARCH.—Subpart 4 of part C of Title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended—

(1) by inserting after the subpart heading the following new chapter heading:

"CHAPTER 1—ARTHRITIS";

and

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

"CHAPTER 2—OSTEOPOROSIS

"SEC. 442A. DEFINITIONS.

"As used in this chapter:

"(1) ADVISORY PANEL.—The term 'Advisory Panel' means the Advisory Panel on Osteoporosis and Related Disorders, established in section 442D.

"(2) COUNCIL.—The term 'Council' means the Interagency Council on Osteoporosis and Related Disorders, established in section 442C.

"(3) DEPARTMENT.—The term 'Department' means the Department of Health and Human Services.

"(4) RELATED DISORDERS.—The term 'related bone disorders' includes—

"(A) Paget's disease, a bone disease characterized by enlargement and loss of density with bowing and deformity of the bones;

"(B) Osteogenesis Imperfecta, a familial disease marked by extreme brittleness of the long bones;

"(C) hyperparathyroidism, a condition characterized by the presence of excess parathormone in the body resulting in disturbance of calcium metabolism with loss of calcium from bone and renal damage;

"(D) hypoparathyroidism, a condition characterized by the absence of parathormone resulting in disturbances of calcium metabolism;

"(E) renal bone disease, a disease characterized by metabolic disturbances from dialysis, renal transplants, or other renal disturbances;

"(F) primary or postmenopausal osteoporosis and secondary osteoporosis, such as that induced by corticosteroids; and

"(G) other general disorders of bone and mineral metabolism including abnormalities of vitamin D.

"(5) RESOURCE CENTER.—The term 'Resource Center' means the Resource Center on Osteoporosis and Related Disorders, established in section 442F.

"SEC. 442B. EXPANSION OF RESEARCH ON OSTEOPOROSIS AND RELATED BONE DISORDERS.

"(a) RESEARCH.—The Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the Director of the National Institute on Aging, and the Director of the National Institute of Diabetes, Digestive, and Kidney Disorders shall expand and intensify research on osteoporosis and related bone disorders. The research shall be in addition to research that is authorized under any other provision of law.

"(b) RESEARCH CENTERS.—The Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases shall increase the number of Specialized Centers of Research devoted to research on osteoporosis and related bone disorders. The Director of the National Institute on Aging shall increase the number of program project grants devoted to creating centers of excellence in osteoporosis and related bone disorders. The Director of the National Institute of Diabetes, Digestive, and Kidney Disorders shall increase the number of program project grants devoted to osteoperosis purposes.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $36,000,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases, $24,000,000 for the National Institute on Aging, and $2,000,000 for the National Institute of Diabetes, Digestive, and Kidney Disorders for each of the fiscal years 1992 through 1994, and such sums as may be necessary for subsequent fiscal years. These funds are in addition to amounts authorized to be appropriated for biomedical research relating to osteoporosis and related bone disorders under any other provision of law.

"SEC. 442C. INTERAGENCY COUNCIL ON OSTEOPOROSIS AND RELATED BONE DISORDERS.

"(a) ESTABLISHMENT.—There is established in the Department an Interagency Council on Osteoporosis and Related Disorders. The Council shall be composed of—

"(1) the Assistant Secretary for Health;

"(2) the Surgeon General of the United States;

"(3) the Assistant Secretary for Planning and Evaluation of the Department;

"(4) the Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases;

"(5) the Director of the National Institute on Aging;

"(6) the Director of the National Institute of Diabetes, Digestive, and Kidney Diseases;

"(7) the Director of the National Institute of Mental Health;

"(8) the Director of the National Institute of Child Health and Human Development;

"(9) the Administrator of the Health Care Financing Administration;

"(10) the Director of the Agency for Health Care Policy and Research;

"(11) the Director of the Bureau of Child and Maternal Health;

"(12) the Commissioner of the Food and Drug Administration;

"(13) the Director of the National Institute of Dental Research;

"(14) the Commissioner on Aging;

"(15) the Director of the Office of Disease Prevention and Health Promotion; and

"(16) such additional members as the Secretary considers appropriate.

"(b) FUNCTIONS.—The Council shall—

"(1) coordinate research conducted by or through the Department on osteoporosis and related bone disorders;

"(2) establish a mechanism for sharing information on osteoporosis and related bone disorders among all officers and employees of the Department involved in carrying out programs serving older persons, midlife women, and young persons, in order to provide for full communication and exchange of information;

"(3) review and coordinate the most promising areas of research concerning osteoporosis and related bone disorders;

"(4) assist the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute on Aging, the National Institute of Diabetes, Digestive and Kidney Disease, the National Institute on Dental Research, and other institutes in developing and coordinating plans for research on osteoporosis and related bone disorders;

"(5) assist the Office of Disease Prevention and Health Promotion and the Administration on Aging and other offices in developing and coordinating plans for education and health promotion on osteoporosis and related bone disorders; and

"(6) establish mechanisms to use the results of research concerning osteoporosis and related bone disorders in the development of policies, programs, and other measures to improve the quality of life for older Americans.

"(c) CHAIRPERSON.—The Secretary shall select a Chairperson or co-Chairpersons for the Council from among its members.

"(d) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number may hold hearings.

"(e) MEETINGS.—The Council shall meet periodically at the call of the Chairperson, but not less often than twice each year.

"(f) EXECUTIVE SECRETARY.—The Secretary shall appoint an Executive Secretary for the Council.

"(g) ADMINISTRATIVE STAFF AND SUPPORT.—The Secretary shall provide the Council with such additional administrative staff and support as may be necessary to enable the Council to carry out its functions.

"(h) REPORTS.—

"(1) INITIAL REPORT.—

"(A) PREPARATION.—Not later than 9 months after the date of enactment of this chapter, the Executive Secretary of the Council shall prepare a report detailing the research plans referred to in paragraphs (4) and (5) of subsection (b). The report shall describe the activities to be carried out under the research plans during each of the fiscal years 1992 through 1994.

"(B) OTHER FEDERAL PROGRAMS.—To the maximum extent feasible, the report shall

ensure that activities carried out under the research plans are coordinated with, and use the resources of, other Federal programs concerning osteoporosis and related bone disorders, including—

"(i) centers supported by the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute on Aging, and the National Institute of Diabetes, Digestive and Kidney Disease;

"(ii) other centers supported by Federal funds involved in research on osteoporosis and related bone disorders; and

"(iii) other programs concerning osteoporosis and related bone disorders that are planned or conducted by Federal agencies such as the Administration on Aging and the Office of Disease Prevention and Health Promotion, Federal agencies outside the Department, State or local agencies, community organizations, or private foundations.

"(C) DISTRIBUTION.—The Executive Secretary of the Council shall—

"(i) transmit the report to Congress; and

"(ii) make the report available to the public and to the Advisory Panel.

"(2) SUBSEQUENT REPORTS.—Not later than 12 months after the date on which the report required by paragraph (1) is transmitted to Congress, and annually thereafter, the Executive Secretary of the Council shall—

"(A) prepare a report that—

"(i) describes research and educational initiatives sponsored by the Federal Government on osteoporosis and related bone disorders; and

"(ii) makes recommendations for new research and educational initiatives on osteoporosis and related bone disorders; and

"(B) transmit the report to Congress and make the report available to the public.

"SEC. 442D. ADVISORY PANEL ON OSTEOPOROSIS AND RELATED DISORDERS.

"(a) ESTABLISHMENT.—There is established in the Department an Advisory Panel on Osteoporosis and Related Disorders. The Advisory Panel shall be composed of the following 15 voting members and additional nonvoting, ex officio members:

"(1) VOTING MEMBERS.—The Director of the Office of Technology Assessment shall appoint to the Advisory Panel—

"(A) 5 members who are biomedical research scientists with demonstrated achievement in biomedical research on osteoporosis and related bone disorders, including at least 1 researcher at a specialized center for research in osteoporosis;

"(B) 2 members with demonstrated achievements in research on community-based and family services covering osteoporosis and related bone disorders;

"(C) 1 member who is knowledgeable in health promotion and disease prevention programs concerning osteoporosis and related bone disorders;

"(D) 2 members who are associated with specialized bone programs affiliated with academic health centers;

"(E) 2 members who are experts in private health care insurance and long-term care financing; and

"(F) 3 members who are representatives of national voluntary organizations that are concerned with the problems of individuals with osteoporosis and related bone disorders and their families.

"(2) NONVOTING, EX OFFICIO MEMBERS.—The Advisory Panel shall include as nonvoting, ex officio members—

"(A) the Chairperson of the Council;

"(B) the Director of National Institute of Arthritis and Musculoskeletal and Skin Diseases;

"(C) the Director of the National Institute on Aging;

"(D) the Director of the National Institute of Diabetes, Digestive, and Kidney Disorders; and

"(E) such other members as the Secretary may appoint.

"(3) APPOINTMENT.—The Director of the Office of Technology Assessment and the Secretary shall appoint members to the Advisory Panel within 90 days after the date of enactment of this Act. The Director shall not appoint to the Advisory Panel individuals who are officers or employees of the Federal Government.

"(b) FUNCTIONS.—The Advisory Panel shall advise the Secretary and Council with respect to the identification of—

"(1) research priorities for projects on osteoporosis, related bone disorders, and the care of individuals with osteoporosis or related bone disorders;

"(2) emerging issues in and promising areas of biomedical, clinical, and behavioral research on osteoporosis and related bone disorders;

"(3) emerging issues in research on health services for individuals, and the families of individuals, with osteoporosis or related bone disorders;

"(4) emerging issues in home-based and community-based services and systems of services for individuals, and the families of individuals, with osteoporosis or related bone disorders;

"(5) emerging issues in financing health care services and social services for individuals, and the families of individuals, with osteoporosis and related bone disorders;

"(6) emerging issues in health promotion programs concerning osteoporosis; and

"(7) emerging issues in professional and individual education concerning osteoporosis.

"(c) CHAIRPERSON.—The Secretary shall appoint a Chairperson of the Advisory Panel from among the members appointed.

"(d) TERM OF OFFICE.—The term of a member of the Advisory Panel shall be for the life of the Advisory Panel. A vacancy on the Advisory Panel shall be filled in the same manner as the original appointment was made. A vacancy on the Advisory Panel shall not affect its powers.

"(e) QUORUM.—A majority of the members of the Advisory Panel appointed shall constitute a quorum, but a lesser number may hold hearings. The Advisory Panel may establish such subcommittees as the Advisory Panel considers appropriate.

"(f) MEETINGS.—The Advisory Panel shall meet at the call of the Chairperson, but not less often than twice per year.

"(g) EXECUTIVE SECRETARY.—The Executive Secretary of the Council shall serve as Executive Secretary of the Advisory Panel.

"(h) STAFF AND SUPPORT.—The Secretary shall provide the Advisory Panel with such additional administrative staff and support as may be necessary to enable the Advisory Panel to carry out its functions.

"(i) COMPENSATION AND TRAVEL EXPENSES.—

"(1) COMPENSATION.—Subject to paragraph (2), no member of the Advisory Panel shall receive compensation for service on the Advisory Panel.

"(2) TRAVEL EXPENSES.—Each member of the Advisory Panel shall receive reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of duties of the Advisory Panel.

"(j) REPORT.—The Advisory Panel shall—

"(1) prepare an annual report, which shall contain recommendations for administrative and legislative actions to—

"(A) improve services, education, and information for individuals, and families of individuals, with osteoporosis and related bone disorders;

"(B) improve professional education; and

"(C) provide for promising biomedical research related to osteoporosis and related bone disorders; and

"(2) transmit the annual report to the Congress, the Secretary, and the Council and make it available to the public.

"(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $200,000 for each of fiscal years 1992 through 1994.

"SEC. 442E. RESOURCE CENTER ON OSTEOPOROSIS AND RELATED DISORDERS.

"(a) ESTABLISHMENT.—The Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases shall make grants or enter into contracts with eligible organizations to establish a Resource Center on Osteoporosis and Related Disorders.

"(b) PURPOSE.—The purpose of the Resource Center shall be to facilitate and enhance knowledge and understanding of osteoporosis and related bone disorders by disseminating information about research results, services and educational materials to health professionals, patients, and the public.

"(c) FUNCTIONS.—An organization receiving a grant or contract under this section shall—

"(1) compile, archive, and disseminate information concerning research, demonstration, evaluation, and training programs and projects concerning osteoporosis and related bone disorders;

"(2) annually publish a summary of the information compiled under paragraph (1) during the preceding 12-month period, and make the information available on request to appropriate individuals and entities, including educational institutions, research entities, and Federal and public agencies;

"(3) provide information and assistance in accessing community services to patients and the public;

"(4) coordinate leadership training for the development of health professional resource network on osteoporosis and related bone disorders; and

"(5) maintain a resource library on osteoporosis and related bone disorders.

"(d) INFORMATION SYSTEM AND TELEPHONE LINE.—

"(1) INFORMATION SYSTEM.—An organization receiving a grant or contract under this section shall establish a central computerized information system to—

"(A) compile and disseminate information concerning initiatives by State and local governments and private entities to provide programs and services for individuals with osteoporosis; and

"(B) translate scientific and technical information concerning the initiatives into information readily understandable by the general public, and make the information available on request.

"(2) TELEPHONE LINE.—An organization receiving a grant or contract under this section shall establish a national toll-free telephone line to make available the information described in paragraph (1) and information concerning Federal programs, services, and benefits for individuals with osteoporosis and their families.

"(e) FEES.—In accordance with regulations issued by the Secretary, the organization receiving a grant or contract under this section shall charge appropriate fees for providing information through the Research Center

as specified in subsections (c) or (d). The organization may make exceptions to the fees for individuals and organizations who are not financially able to pay the fees. The organization shall transfer the sums obtained from payment of the fees to the Secretary, who shall use the sums to carry out this section.

"(f) APPLICATION OR PROPOSAL.—In order to receive a grant or enter into a contract under this section, an organization shall submit an application or proposal to the Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases. The application or proposal shall contain—

"(1) information demonstrating that the organization has a network of contacts that will enable the organization to receive information necessary to operate the central computerized information system described in subsection (d)(1); and

"(2) such other information as the Director may prescribe.

"(g) ELIGIBLE ORGANIZATIONS.—Organizations eligible to receive grants under this section shall include public and private nonprofit organizations that are knowledgeable about osteoporosis and related bone disorders. The Secretary shall establish additional eligibility criteria for organizations to receive grants or enter into contracts under this section.

"(h) RESEARCH SUMMARIES.—The Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute on Aging, the National Institute of Diabetes, Digestive, and Kidney Diseases, the National Institute on Dental Research, and other agencies specified by the Secretary shall provide to the Resource Center summaries of the findings of research conducted on osteoporosis, related bone disorders, or relevant treatments for osteoporosis or related bone disorders.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $500,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993 and 1994.".

TITLE II—SERVICES

SEC. 201. REQUIRING INFORMATION ON ALTERNATIVE TREATMENTS FOR BREAST CANCER.

(a) IN GENERAL.—Any State receiving funds under titles V or XIX of the Social Security Act, or title XIX of the Public Health Service Act shall require by law that any physician or surgeon licensed to practice medicine in such State inform any breast cancer patient of alternative effective methods of treatment for breast cancer before such treatment is begun. Such patients shall be informed by means of—

(1) a standardized written summary in layman's language and in a language understood by the patient of alternative efficacious methods of treatment which may be medically viable, including surgical, radiological, or chemotherapeutic treatments, and other effective means of treatment; and

(2) an explanation of the treatment options described in such written summary together with the advantages, disadvantages, and risks associated with each procedure relative to such patient's particular medical circumstances.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of this section shall become effective on October 1, 1992.

(2) EXCEPTION.—If a State demonstrates, to the satisfaction of the Secretary of Health and Human Services, that it cannot, by reason of State law, comply with the requirements of this section by the effective date specified in paragraph (1), the Secretary may prescribe that, in the case of such State, this section will become effective the first day of the first month after the close of the first session of such State's legislature ending on or after October 1, 1992. For purposes of the preceding sentence, the term "session of a State's legislature" includes any regular, special, budget, or other session of a State legislature.

(c) CONFORMING PROGRAM REQUIREMENTS.—

(1) MATERNAL AND CHILD HEALTH CARE PROGRAM.—Title V of the Social Security Act (42 U.S.C. 701 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 510. INFORMED CONSENT.

"To be eligible for a grant under this title, the chief executive officer of each State shall certify to the Secretary that such State has complied with section 201(a) of the Women's Health Equity Act of 1991.".

(2) MEDICAID PROGRAM.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end thereof the following new subsection:

"(w) To be eligible for any payment under this section, the chief executive officer of each State shall certify to the Secretary that such State has complied with the requirements of section 201(a) of the Women's Health Equity Act of 1991.".

(3) PHSA BLOCK GRANTS.—Title XIX of the Public Health Service Act (42 U.S.C. 300w et seq.) is amended by adding at the end thereof the following new part:

"PART C—INFORMED CONSENT

"SEC. 1931. ELIGIBILITY FOR PAYMENT.

"To be eligible for any payment under this title, the chief executive officer of each State shall certify to the Secretary that such State has complied with the requirements of section 201(a) of the Women's Health Equity Act of 1991.".

SEC. 202. COVERAGE OF OB/GYN AND WOMEN'S HEALTH NURSE PRACTITIONER SERVICES.

(a) COVERAGE UNDER MEDICARE.—

(1) IN GENERAL.—Section 1861(s)(2)(K) of the Social Security Act (42 U.S.C. 1395x(s)(2)(K)), as amended by section 4155(a) of the Omnibus Budget Reconciliation Act of 1990 (hereafter referred to as "OBRA-1990"), is amended—

(A) in clause (iii), by striking "and" at the end;

(B) in clause (iv), by striking "(i) or (ii)" and inserting "(i), (ii), (iii), or (iv)";

(C) by redesignating clause (iv) as clause (v); and

(D) by inserting after clause (iii) the following new clause:

"(iv) qualified obstetrical and gynecological services which would be physicians' services if furnished by a physician (as defined in subsection (r)(1)) and which are furnished by a nurse practitioner which the nurse practitioner is authorized to perform by the State in which the services are furnished, and".

(2) DIRECT PAYMENT FOR SERVICES.—(A) Section 1832(a)(2)(B) of such Act (42 U.S.C. 1395k(a)(2)(B)), as amended by section 4155(b)(1) of OBRA-1990, is amended—

(i) in clause (iii), by striking "and" at the end;

(ii) in clause (iv), by striking the semicolon and inserting a comma; and

(iii) by adding at the end the following new clause:

"(v) qualified obstetrical and gynecological services of a nurse practitioner (as defined in section 1861(s)(2)(K)(iv));".

(B) Section 1842(b)(6) of such Act (42 U.S.C. 1395u(b)(6)), as amended by section 4155(c) of OBRA-1990, is amended by striking "or (iv)" and inserting "or (v)".

(3) DEFINITION.—Section 1861 of such Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

"QUALIFIED OBSTETRICAL AND GYNECOLOGICAL SERVICES

"(oo) The term 'qualified obstetrical and gynecological services' means such services and such services and supplies furnished as an incident to such services furnished by a nurse practitioner which the nurse practitioner is legally authorized to perform under State law (or the State regulatory mechanism provided by State law) as would otherwise be covered if furnished by a physician or as an incident to a physician's service.".

(4) CONFORMING AMENDMENT.—Section 1842(b)(12) of such Act (42 U.S.C. 1395u(b)(12)), as amended by section 4155(c) of OBRA-1990, is amended by striking "or (iv)" and inserting "(iv), or (v)".

(5) EFFECTIVE DATE.—The amendments made by paragraphs (1), (2), (3), and (4) shall apply with respect to services provided on or after January 1, 1992.

(b) COVERAGE UNDER MEDICAID.—

(1) IN GENERAL.—Section 1905(a)(21) of such Act (42 U.S.C. 1396d(a)(21)) is amended by striking "certified pediatric nurse practitioner or certified family nurse practitioner" each place it appears and inserting "certified pediatric nurse practitioner, certified family nurse practitioner, certified OBGYN nurse practitioner, or certified women's health nurse practitioner".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to services furnished during quarters beginning on or after January 1, 1992.

SEC. 203. ADOLESCENT PREGNANCY PREVENTION, CARE, AND RESEARCH GRANTS.

Title XX of the Public Health Service Act (42 U.S.C. 300z et seq.) is amended to read as follows:

"TITLE XX—ADOLESCENT PREGNANCY PREVENTION, CARE, AND RESEARCH GRANTS

"SEC. 2001. FINDINGS AND PURPOSES.

"(a) FINDINGS.— The Congress finds that—

"(1) adolescents are at a high risk of unwanted pregnancy;

"(2) in 1986, more than 1,000,000 teenagers became pregnant, and nearly 500,000 teenagers carried their pregnancies to term, of which 6 out of 10 births were out of wedlock;

"(3) adolescents aged 17 and younger accounted for 46 percent of the out of wedlock births to teenagers;

"(4) in a high proportion of cases, the pregnant adolescent is herself the product of an unmarried parenthood during adolescence and is continuing the pattern in her own lifestyle;

"(5) pregnancy and childbirth among unmarried adolescents, particularly young adolescents, often results in severe adverse health, social, and economic consequences, including—

"(A) higher percentage of pregnancy and childbirth complications;

"(B) higher incidence of low birth weight babies;

"(C) higher infant mortality and morbidity;

"(D) greater likelihood that an adolescent marriage will end in divorce;

"(E) decreased likelihood of completing schooling; and

"(F) higher risks of unemployment and welfare dependency; and

therefore, education, training, and job research services are important for adolescent parents; and

"(6) an adolescent who becomes pregnant once is likely to experience rapid repeat pregnancies and childbearing, with increased risks;

"(7) research has shown that in cases in which there is a family involvement in comprehensive values-based projects and services—

"(A) low birth weight is significantly reduced;

"(B) delays in initiating sexual activity occur;

"(C) there are significant reductions in repeat pregnancy, welfare costs, and child abuse; and

"(D) teens are more likely to return and complete their high school education; and

therefore, the family should become a partner in the development of curriculum and programs that reflect the values of the community;

"(8) the problems of adolescent pregnancy and parenthood are multiple and complex and are best approached through a variety of integrated and essential services, particularly those that allow the pregnant adolescent and adolescent parent to stay in school;

"(9) such services, including a wide array of educational and supportive services, often are not available to the adolescents who need them, or are available but fragmented and thus of limited effectiveness in preventing pregnancies and future welfare dependency; and

"(10) Federal policy therefore should encourage the development of appropriate health, educational, and social services where they are now lacking or inadequate, and the better coordination of existing services where they are available in order to prevent unwanted early and repeat pregnancies and to help adolescents become productive, independent contributors to family and community life.

"(b) PURPOSES.—It is the purpose of this title—

"(1) to establish better coordination, integration, and linkages among existing programs in order to expand and improve the availability of, and access to, needed comprehensive community services that assist in preventing unwanted initial and repeat pregnancies among adolescents, enable pregnant adolescents to obtain proper care and assist pregnant adolescents, their male partners, and adolescent parents to become productive independent contributors to family and community life, with primary emphasis on services to adolescents who are 17 years of age and under and are pregnant or who are parents;

"(2) to expand the availability of such services that are essential to that objective;

"(3) to promote innovative, comprehensive, and integrated approaches to the delivery of such services;

"(4) to encourage and support research programs concerning the societal causes and consequences of pregnancy, childbearing, and child rearing for adolescent females and males;

"(5) to support evaluative research to identify effective services that reduce adolescent pregnancy rates and that improve the outcome of adolescent childbearing for the parents, the child, and their families; and

"(6) to encourage and provide for the dissemination of results, findings, and information from programs and research projects relating to adolescent pregnancy and parenthood.

"SEC. 2002. DEFINITIONS.

"For the purposes of this title:

"(1) ADOLESCENT.—The term 'adolescent' means an individual under the age of 21.

"(2) CARE SERVICES.—The term 'care services' means all services for the provision of care to adolescents, both male and female, pregnant adolescents and their male partners, and adolescent parents. Such term shall include all core services and may include supplementary services, in accordance with regulations prescribed by the Secretary.

"(3) CORE SERVICES.—The term 'core services' means those services that shall be provided by a grantee, as determined by the Secretary by regulation, which shall include—

"(A) pregnancy testing and maternity counseling, or referral for such services;

"(B) family planning services, except that such services for adolescents who are not already parents shall be limited to counseling and referral unless suitable and appropriate family planning services are not otherwise available in the community;

"(C) primary and preventive health services, including prenatal and postnatal care for mother and children and arrangements for delivery;

"(D) well-baby care;

"(E) nutrition information and counseling;

"(F) screening, counseling and treatment or referral for treatment of sexually transmitted diseases, including acquired immunodeficiency syndrome;

"(G) referral to appropriate pediatric care;

"(H) educational services relating to sexuality and family life, including—

"(i) education on responsible decisionmaking regarding sexual activity;

"(ii) education on the responsibilities of parenting;

"(iii) education on a full range of means for delaying becoming pregnant, including abstinence, natural family planning, and contraception; and

"(iv) assistance to parents, schools, youth agencies, and health care providers to educate adolescents and pre-adolescents concerning self-discipline and responsibility in human sexuality;

"(I) referral to appropriate educational, employment, employment training, and vocational services;

"(J) adoption counseling services, that present adoption as an option for pregnant adolescents, or referral to a licensed adoption agency for adoption counseling;

"(K) mental health services and referral to mental health services and to other appropriate physical health and social services; and

"(L) encouragement of parent and family involvement in each of the core services described in subparagraphs (A) through (J).

"(4) ELIGIBLE GRANT RECIPIENT.—The term 'eligible grant recipient' means a public or nonprofit private organization or agency that demonstrates, to the satisfaction of the Secretary—

"(A) in the case of an organization that will provide care services, the capability of providing all care services in a single setting or the capability of creating a network through which all care services would be provided; or

"(B) in the case of an organization that will provide prevention services, the capability of providing such services.

"(5) ELIGIBLE PERSON.—The term 'eligible person' means—

"(A) with regard to the provision of care services, adolescents, both male and female, a pregnant adolescent and her male partner, or an adolescent parent; or

"(B) with regard to the provision of prevention services and referral to such other services that may be appropriate, an adolescent who is not already a parent.

"(6) PREVENTION SERVICES.—The term 'prevention services' means services described in subparagraphs (B) and (G) of paragraph (3) and referrals to such other services that may be appropriate for adolescents who are not already parents and includes services to be offered in schools at local discretion.

"(7) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.

"(8) SUPPLEMENTAL SERVICES.—The term 'supplemental services' means those services that may be provided by a grantee, as determined by the Secretary by regulation, which may include—

"(A) child care sufficient to enable the adolescent parent to continue education or to enter into employment, including services to be provided within secondary schools at local discretion;

"(B) consumer education and homemaking;

"(C) counseling for the immediate and extended family members of the eligible person;

"(D) transportation;

"(E) referral to licensed residential care or maternity home services;

"(F) referral to licensed adoption agencies for adoption placement services;

"(G) employability training and counseling; and

"(H) such other services as are consistent with this title as the Secretary may approve in accordance with regulations promulgated by the Secretary.

"SEC. 2003. AUTHORITY TO MAKE GRANTS FOR SERVICES.

"The Secretary may make grants to provide care services to pregnant adolescents and their male partners and adolescent parents and prevention services to nonpregnant adolescents. Grants shall be used to provide, supplement, or improve the quality of such services.

"SEC. 2004. USE OF GRANTS FOR SERVICES.

"(a) USES.—A grant made under this title may be used to—

"(1) provide eligible persons—

"(A) care services;

"(B) prevention services; or

"(C) any combination of care and prevention services;

"(2) coordinate, integrate, and provide linkages among providers of care, prevention, and other services for eligible persons in furtherance of the purposes of this title;

"(3) provide supplemental services where such services are not adequate or not available to eligible persons in the community and that are essential to the care of eligible persons and to the prevention of adolescent pregnancy;

"(4) plan, for a period of not more than 1 year, for the administration and coordination of pregnancy prevention services and programs of care for eligible persons that will further the objectives of this title; and

"(5) fulfill assurances required for grant approval by section 2006.

"(b) FEES.—Grantees shall charge fees for services only pursuant to a fee schedule, approved by the Secretary as a part of the application described in section 2006, that bases fees charged by the grantee on the income of the eligible person and takes into account the difficulty adolescents face in obtaining resources to pay for services. In no case may a grantee discriminate with regard to the

provision of services to any individual because of that individual's inability to provide payment for such services.

"SEC. 2005. PRIORITIES, AMOUNTS, AND DURATION OF GRANTS FOR SERVICES.

"(a) PRIORITIES.—In approving applications for grants for services under this title, the Secretary shall give priority to applicants who—

"(1) serve an area where there is a high incidence of adolescent pregnancy;

"(2) serve an area with a high proportion of low-income families and where the availability of programs of care for eligible persons is low;

"(3) show evidence—

"(A) in the case of an applicant who will provide care services, of having the ability to bring together a wide range of needed core services and, as appropriate, supplemental services in comprehensive single-site programs, or to establish a well-integrated network of such services (appropriate for the target population and geographic area to be served including the special needs of rural areas) for eligible persons; or

"(B) in the case of an applicant who will provide prevention services, of having the ability to provide prevention services for adolescents and their families that are appropriate for the target population and the geographic area to be served, including the special needs of rural areas;

"(4) will utilize to the maximum extent feasible existing available programs and facilities such as community health centers, child welfare agencies, children and youth centers, maternal and infant health centers, regional rural health facilities, licensed adoption agencies, maternity homes, school and other educational programs, family planning clinics, mental health programs, nutrition programs, recreation programs, and other ongoing pregnancy prevention and pregnancy-related services;

"(5) make use, to the maximum extent feasible, of other Federal, State, and local funds, programs, contributions, and other third-party reimbursements;

"(6) can demonstrate a community commitment to the program by making available to the program non-Federal funds, personnel, and facilities;

"(7) have involved the community to be served, including public and nonprofit private agencies, adolescents, and families, in the planning and implementation of the program; and

"(8) will demonstrate innovative and effective approaches in addressing the problems of adolescent pregnancy or parenthood, including outreach to adolescent males and approaches for providing pregnant adolescents with adequate information about adoption.

"(b) AMOUNTS.—

"(1) IN GENERAL.—The amount of a grant for a program for services under this title shall be determined by the Secretary, based on factors such as the incidence of adolescent pregnancy in the geographic area to be served, and the adequacy of pregnancy prevention services and programs of care for eligible persons in such area.

"(2) RURAL AREAS.—In making grants for services under this title, the Secretary shall consider the special needs of rural areas and, to the maximum extent practicable, shall distribute funds taking into consideration the relative number of adolescents in such areas in need of such services.

"(c) FEDERAL SHARE.—

"(1) IN GENERAL.—Subject to paragraph (3), a grant for services under this title may not exceed 75 percent of the costs of the program for any year.

"(2) FORM OF NON-FEDERAL CONTRIBUTIONS.—Non-Federal contributions required by paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

"(3) WAIVER.—The Secretary may waive the limitation specified in paragraph (1) for any year in accordance with criteria established by regulation.

"SEC. 2006. REQUIREMENTS FOR APPLICATIONS FOR GRANTS FOR SERVICES.

"(a) IN GENERAL.—An application for a grant for services under this title shall be in such form and contain such information as the Secretary may require, and shall include—

"(1) an identification of the incidence of adolescent pregnancy and related problems;

"(2) a description of the economic conditions and income levels in the geographic area to be served;

"(3) a description of existing pregnancy prevention services and programs of care for eligible persons (including adoption services), and including where, how, by whom, and to which population groups such services are provided, and the extent to which they are coordinated in the geographic area to be served;

"(4) a description of the major unmet needs for services for adolescents at risk of initial or recurrent pregnancies and an estimate of the number of adolescents not being served in the area;

"(5)(A) in the case of an applicant who will provide care services, a description of how all core services will be provided in the program using funds under this title or will otherwise be provided by the grantee in the area to be served, the population to which such services will be provided, how such services will be coordinated, integrated, and linked with other related programs and services and the source or sources of funding of such core services in the public and private sectors; or

"(B) in the case of an applicant who will provide prevention services, a description of the necessary services to be provided and how the applicant will provide such services;

"(6) a description of the manner in which adolescents needing services other than the services provided directly by the applicant will be identified and how access and appropriate referral to such other services (such as medicaid; licensed adoption agencies; maternity home services; public assistance; employment services; child care services for adolescent parents; and other city, county, and State programs related to adolescent pregnancy) will be provided, including a description of a plan to coordinate such other services with the services supported under this title;

"(7) a description of the results expected from the provision of services, and the procedures to be used for evaluating those results;

"(8) assurances that the applicant will have an ongoing quality assurance program;

"(9) assurances that the applicant shall have a system for maintaining the confidentiality of patient records in accordance with regulations prescribed by the Secretary;

"(10) assurances that the applicant will demonstrate its financial responsibility by the use of such accounting procedures and other requirements as may be prescribed by the Secretary;

"(11) assurances that the applicant will make maximum use of other sources of Federal and State funding;

"(12)(A) a description of—

"(i) the schedule of fees to be used in the provision of services, which shall comply with section 2004(c); and

"(ii) a corresponding schedule of discounts to be applied to the payment of such fees, which shall—

"(I) comply with section 2004(b);

"(II) be adjusted on the basis of the ability of the eligible person to pay; and

"(III) provide that no fee will be imposed on any eligible individual with an income of less than 100 percent of the official poverty line;

"(B) assurances that the applicant has made and will continue to make every reasonable effort—

"(i) to secure from eligible persons payment for services in accordance with such schedules;

"(ii) to collect reimbursement for health or other services provided to persons who are entitled to have payment made on their behalf for such services under any Federal or other government program or private insurance program; and

"(iii) to seek such reimbursement on the basis of the full amount of fees for services without application of any discount; and

"(C) assurances that the applicant has submitted or will submit to the Secretary such reports as the Secretary may require to determine compliance with this paragraph;

"(13) assurances that the applicant will make maximum use of funds available under title X;

"(14) assurances that the acceptance by any individual of family planning services or family planning information (including educational materials) provided through financial assistance under this title shall be voluntary and shall not be a prerequisite to eligibility for or receipt of any other service furnished by the applicant;

"(15) assurances that fees collected by the applicant for services rendered in accordance with this title shall be used by the applicant to further the purposes of this title;

"(16) assurances that the applicant, if providing both prevention and care services, will not exclude or discriminate against any adolescent who receives prevention services and subsequently requires care services as a pregnant adolescent;

"(17) a description of how the applicant will ascertain whether services for which adolescents have been referred have actually been obtained and develop a plan to ensure that needed services actually are received;

"(18) assurances that unemancipated minors requesting services from the applicant will be encouraged to consult with their parents with respect to such services and that services shall not be denied to unemancipated minors who decide not to consult their parents;

"(19) assurances that all pregnant adolescents receiving services will be informed of the availability of counseling (either by the entity providing care services or through a referral agreement with such other entity that provides such counseling) on all options, regarding the pregnancy;

"(20) assurances that primary emphasis for services supported under this title shall be given to adolescents 17 and under who are not able to obtain needed assistance through other means;

"(21) assurances that funds received under this title shall not supplant funds received from any other Federal, State, or local program or any private sources of funds; and

"(22) a plan for the conduct of, and assurances that the applicant will conduct, evaluations of the effectiveness of the services supported under this title in accordance with subsection (b).

"(b) EVALUATIONS.—

"(1) IN GENERAL.—Each grantee that receives funds for a grant for services under this title shall expend at least 3 percent but not in excess of 10 percent of the amounts received under this title for the conduct of evaluations of the services supported under this title. The Secretary may, for a particular grantee on good cause shown, waive the preceding sentence with respect to the amounts to be expended on evaluations, but may not waive the requirement that such evaluations be conducted.

"(2) INDEPENDENT EVALUATION.—Evaluations required by paragraph (1) shall be conducted by an organization or entity that is independent of the grantee providing services supported under this title.

"(c) REPORTS.—

"(1) IN GENERAL.—Each grantee that participates in the program established by this title shall make such reports concerning its use of Federal funds as the Secretary may require, including reports on prevention programs and care programs.

"(2) CONTENTS OF REPORTS ON PREVENTION PROGRAMS.—Reports on prevention programs shall be in a standard format as prescribed by the Secretary and shall include a description of—

"(A) the characteristics, educational attainments, and economic status of clients;

"(B) the clients' previous exposure in home, school, or other locations to educational efforts regarding sexuality and family life;

"(C) the types of interventions employed in the prevention program;

"(D) the before and after outcome measurements on variables appropriate to the intervention;

"(E) to the extent possible and where appropriate to program goals, the pregnancy and sexually transmitted disease rates subsequent to intervention; and

"(F) the extent of parent or family involvement in the program.

"(3) CONTENTS OF REPORTS ON CARE PROGRAMS.—Reports on care programs shall be in standard format as prescribed by the Secretary and shall include a description of—

"(A) the characteristics, health history, educational attainments, and economic status of clients at the time of entry;

"(B) the client prenatal care and pregnancy outcome, complications of pregnancy and delivery, and infant birth outcomes;

"(C) the characteristics, educational attainments, and economic status of clients at time of follow-up and infant follow-up information;

"(D) the types of services provided to clients; and

"(E) the extent of parent or family involvement in the services provided.

"(4) COMPARISON DATA.—Reports on prevention programs and care programs shall include control group data or other appropriate comparison data to provide comparisons with project data and to indicate program impact or effectiveness.

"(5) FOLLOW-UP DATA.—Reports on prevention programs and care programs shall include, to the extent possible, follow-up data on a random sample of program graduates and dropouts.

"(d) TIMING OF SERVICES.—No application submitted for a grant for a program for care services under this title may be approved unless the Secretary is satisfied that core services shall be available through the applicant within a reasonable time after such grant is received.

"SEC. 2007. COORDINATION OF FEDERAL AND STATE PROGRAMS.

"(a) FEDERAL PROGRAMS.—The Secretary shall coordinate Federal policies and programs providing services relating to the prevention of initial and recurrent adolescent pregnancies and providing care services for eligible persons. In achieving such coordination, the Secretary shall—

"(1) require grantees who receive grants for services under this title to report periodically to the Secretary concerning Federal, State, and local policies and programs that interfere with the delivery of and coordination of pregnancy prevention services and other programs of care for pregnant adolescents and adolescent parents;

"(2) provide technical assistance to facilitate coordination by State and local recipients of Federal assistance;

"(3) give priority in the provision of funds, where appropriate, to applicants using single or coordinated grant applications for multiple programs; and

"(4) give priority, where appropriate, to the provision of funds under Federal programs administered by the Secretary (other than the program established by this title) to programs providing comprehensive prevention services and comprehensive programs of care for eligible persons.

"(b) OTHER RECIPIENTS.—Any recipient of a grant for services under this title shall coordinate its activities with any other recipient of such a grant that is located in the same locality.

"SEC. 2008. GRANTS FOR RESEARCH.

"(a) IN GENERAL.—

"(1) AUTHORIZATION.—The Secretary may make grants to public agencies or nonprofit private organizations or institutions of higher education to support the research and dissemination activities described in paragraphs (4), (5), and (6) of section 2001(b).

"(2) DURATION.—The Secretary may make grants or enter into contracts under this section for a period of 1 year. A grant or contract under this section for a program may be renewed for 4 additional 1-year periods, which need not be consecutive.

"(3) AMOUNT LIMITATION.—A grant or contract for any 1-year period under this section may not exceed $100,000 for the direct costs of conducting research or dissemination activities under this section and may include such additional amounts for the indirect costs of conducting such activities as the Secretary determines appropriate. The Secretary may waive the preceding sentence with respect to a specific program if the Secretary determines that—

"(A) exceptional circumstances warrant such waiver and that the program will have national impact;

"(B) additional amounts are necessary for the direct costs of conducting limited programs for the provision of necessary services in order to provide data for research carried out under this title; or

"(C) several grantees together require more than $100,000 to evaluate the effectiveness of different combinations of services, and if such grantees demonstrate evidence of reasonable progress in the first year, such multisite evaluation studies shall receive preference for funding renewal.

"(4) CARRYOVER FOR REPORT.—The amount of any grant or contract made under this section may remain available for obligation or expenditure after the close of the 1-year period for which such grant or contract is made in order to assist the recipient in preparing the report required by subsection (f)(1).

"(b) USE OF FUNDS.—

"(1) IN GENERAL.—Funds provided for research under this section may be used for descriptive or explanatory surveys, evaluation studies, longitudinal studies, or limited programs for services that are for the purpose of increasing knowledge and understanding of the matters described in paragraphs (4) and (5) of section 2001(b).

"(2) LIMITATIONS.—Funds provided under this section may not be used for the purchase or improvement of land, or the purchase, construction, or permanent improvement (other than minor remodeling) of any building or facility.

"(c) PREREQUISITES.—The Secretary may not make any grant or enter into any contract to support research or dissemination activities under this section unless—

"(1) the Secretary has received an application for such grant or contract that is in such form and that contains such information as the Secretary may by regulation require;

"(2) the applicant has demonstrated that the applicant is capable of conducting one or more of the types of research or dissemination activities described in paragraph (4), (5), or (6) of section 2001(b); and

"(3) in the case of an application for a research program, the panel established by subsection (e)(2) has determined that the program is of scientific merit.

"(d) COORDINATION.—The Secretary shall coordinate research and dissemination activities carried out under this section with research and dissemination activities carried out by the National Institutes of Health.

"(e) REVIEW OF APPLICATIONS.—

"(1) SYSTEM.—The Secretary shall establish a system for the review of applications for grants and contracts under this section. Such system shall be substantially similar to the system for scientific peer review of the National Institutes of Health and shall meet the requirements of paragraphs (2) and (3).

"(2) PANEL.—

"(A) ESTABLISHMENT.—In establishing the system required by paragraph (1), the Secretary shall establish a panel to review applications under this section.

"(B) EXPERTISE.—Panel members should have expertise in research and evaluation and should represent disciplines relevant to the study of adolescent pregnancy and parenting.

"(C) LIMIT ON PHYSICIANS.—Not more than 25 percent of the members of the panel shall be physicians.

"(D) MEETINGS.—The panel shall meet as often as may be necessary to facilitate the expeditious review of applications under this section, but not less than once each year.

"(E) REVIEW.—The panel shall review each program for which an application is made under this section, evaluate the scientific merit of the program, determine whether the program is of scientific merit, and make recommendations to the Secretary concerning whether the application for the program should be approved.

"(3) GRANT DETERMINATION.—The Secretary shall make grants under this section from among the programs that the panel established by paragraph (2) has determined to be of scientific merit and may only approve an application for a program if the panel has made such determination with respect to such a program. The Secretary shall make a determination with respect to an application within 1 month after receiving the determinations and recommendations of such panel with respect to the application.

"(f) REPORTS.—

"(1) RESEARCH REPORTS.—

"(A) IN GENERAL.—The recipient of a grant or contract for a research program under this section shall prepare and transmit to the Secretary a report describing the results and conclusions of such research. Except as provided in subparagraph (B), such report shall be transmitted to the Secretary not later than 12 months after the end of the year for which funds are provided under this section. The recipient may utilize reprints of articles published or accepted for publication in professional journals to supplement or replace such report if the research contained in such articles was supported under this section during the year for which the report is required.

"(B) MULTIYEAR PROGRAMS.—In the case of any research program for which assistance is provided under this section for 2 or more consecutive 1-year periods, the recipient of such assistance shall prepare and transmit the report required by subparagraph (A) to the Secretary not later than 12 months after the end of each 1-year period for which such funding is provided.

"(2) OTHER REPORTS.—Recipients of grants and contracts for dissemination under this section shall submit to the Secretary such reports as the Secretary determines appropriate.

"SEC. 2009. EVALUATION.

"Of the funds appropriated under this title, the Secretary shall reserve not less than 1 percent and not more than 3 percent for the evaluation of activities carried out under this title. The Secretary shall submit to the appropriate committees of Congress a summary of each evaluation conducted under this section and a summary of the data reported by grantees under section 2006(c).

"SEC. 2010. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—For the purpose of carrying out this title, there are authorized to be appropriated $60,000,000 for each of the fiscal years 1992 through 1994.

"(b) GRANTS FOR SERVICES.—At least two-thirds of the amounts appropriated to carry out this title shall be used to make grants for services.

"(c) PREVENTION SERVICES.—Not more than one-third of the amounts specified under subsection (b) for use for grants for services shall be used for grants for prevention services.

"SEC. 2011. FUND RESTRICTION.

"No funds for grants made under this title may be used for payment for the performance of an abortion.".

SEC. 204. ADOLESCENT HEALTH DEMONSTRATION PROJECTS.

(a) ESTABLISHMENT OR SUPPORT.—The Secretary of Health and Human Services (hereinafter in this section referred to as the "Secretary") shall make grants in fiscal years 1991 through 1995 to public and nonprofit private entities to establish or support adolescent health demonstration projects in secondary schools or entities associated with secondary schools for the purpose of demonstrating how such projects may be established throughout the United States.

(b) PROJECT REQUIREMENTS.—An adolescent health demonstration project established or supported under subsection (a) shall—

(1) provide nutrition and hygiene counseling, health care related to sports, family planning information and services, prenatal and postpartum care, family life and parenting counseling, and alcohol and drug abuse education and treatment;

(2) serve adolescents prior to their graduation from high school;

(3) encourage family participation, to the extent practical;

(4) obtain the approval of the school board in the locality to be served by the project prior to the implementation of the project;

(5) furnish such reports and data as the Secretary may require, including, at a minimum, the number and characteristics of individuals served, the services provided, and the results achieved; and

(6) establish a community advisory committee to oversee the establishment and implementation of such project, that shall include students, parents, school personnel, physicians, religious and business leaders, and other community representatives and shall establish policies for the project with respect to the services to be provided under the project, the populations to be served, the personnel who will provide services, fees to be charged, and other policy issues.

(c) AREAS TO BE SERVED.—In making grants under subsection (a), the Secretary shall give priority to applications for projects that will serve areas with low-income residents or minority populations.

(d) ABORTION RESTRICTION.—None of the funds provided under a grant awarded under subsection (a) may be used to perform or pay for abortions.

(e) REPORT.—The Secretary shall, in each fiscal year, set aside not more than 5 percent of the amount appropriated for grants under this section to evaluate the operations of the projects for which grants were made under this section. Not later than December 1, 1996, the Secretary shall prepare and submit to the appropriate committees of Congress a report containing the result of such evaluation together with such recommendations as the Secretary may have respecting the extension of the grant authority under this section or the establishment of a continuing service program.

SEC. 205. COBRA DISPLACED FAMILY AND DISABILITY AMENDMENTS.

(a) EXTENSION OF COBRA CONTINUATION BENEFITS.—

(1) IRC AMENDMENT.—Subclause (IV) of section 4980B(f)(2)(B)(i) of the Internal Revenue Code of 1986 (relating to maximum required period of continuation coverage for other qualifying events) is amended to read as follows:

"(IV) GENERAL RULE FOR OTHER QUALIFYING EVENTS.—

"(a) IN GENERAL.—Except as otherwise provided in this subclause, in the case of a qualifying event not described in paragraph (3)(B) or (3)(F), the date which is 36 months after the date of the qualifying event.

"(b) INDIVIDUALS OVER 50 YEARS OF AGE AT TIME OF QUALIFYING EVENT.—Subdivision (a) shall not apply in the case of a qualifying event described in subparagraph (A) or (C) of paragraph (3) for a qualified beneficiary who is 50 years of age or older as of the date of the qualifying event.

"(c) CHILDREN.—In the case of a qualified beneficiary described in subsection (g)(1)(A)(ii) who is under 20 years of age as of the date of a qualifying event described in subparagraph (A) or (C) of paragraph (3) and who has a parent who is a qualified beneficiary and is 50 years of age or older as of the date of the individual's 23rd birthday.".

(2) ERISA AMENDMENT.—Clause (iv) of section 602(2)(A) of the Employee Retirement Income Security Act of 1974 (relating to maximum required period of continuation coverage for other qualifying events) is amended to read as follows:

"(iv) GENERAL RULE FOR OTHER QUALIFYING EVENTS.—

"(I) IN GENERAL.—Except as otherwise provided in this clause, in the case of a qualifying event not described in section 2203(2), the date which is 36 months after the date of the qualifying event.

"(II) INDIVIDUALS OVER 50 YEARS OF AGE AT TIME OF QUALIFYING EVENT.—Subclause (I) shall not apply in the case of a qualifying event described in paragraph (1) or (3) of section 2203 for a qualified beneficiary who is 50 years of age or older as of the date of the qualifying event.

"(III) CHILDREN.—In the case of a qualified beneficiary described in section 2208(3)(A)(ii) who is under 20 years of age as of the date of a qualifying event described in paragraph (1) or (3) of section 2203 and who has a parent who is a qualified beneficiary and is 50 years of age or older as of the date of the qualifying event, the period of coverage shall not terminate before the individual's 23rd birthday.".

(3) PHSA AMENDMENT.—Clause (iii) of section 2202(2)(A) of the Public Health Service Act (relating to maximum required period of continuation coverage for other qualifying events) is amended to read as follows:

"(iii) GENERAL RULE FOR OTHER QUALIFYING EVENTS.—

"(I) IN GENERAL.—Except as otherwise provided in this clause, in the case of a qualifying event not described in section 603(2), the date which is 36 months after the date of the qualifying event.

"(II) INDIVIDUALS OVER 50 YEARS OF AGE AT TIME OF QUALIFYING EVENT.—Subclause (I) shall not apply in the case of a qualifying event described in paragraph (1) or (3) of section 603 for a qualified beneficiary who is 50 years of age or older as of the date of the qualifying event.

"(III) CHILDREN.—In the case of a qualified beneficiary described in section 607(3)(A)(ii) who is under 20 years of age as of the date of a qualifying event described in paragraph (1) or (3) of section 603 and who has a parent who is a qualified beneficiary and is 50 years of age or older as of the date of the qualifying event, the period of coverage shall not terminate before the individual's 23rd birth.".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to qualifying events occurring on or after the date of the enactment of this Act for plan years beginning on or after such date.

(b) PERIOD OF EXTENSION OF COVERAGE FOR DISABLED INDIVIDUALS.—

(1) UNDER INTERNAL REVENUE CODE OF 1986.—

(A) IN GENERAL.—Paragraph (2)(B) of section 4980B(f) of the Internal Revenue Code of 1986 is amended—

(i) in the last sentence of clause (i)—

(I) by striking "at the time of a qualifying event described in paragraph (3)(B)" and inserting "before the end of the 18-month period referred to in subclause (I) or (II)", and

(II) by striking "29 months" and inserting "the period of months preceding the first month in which the individual becomes entitled to benefits under part A of title XVIII of the Social Security Act" ; and

(ii) in clause (v), by striking "at the time of a qualifying event described in paragraph (3)(B)" and inserting "before the end of the 18-month period referred to in subclause (I) or (II) of clause (i)".

(B) NOTICES.—Paragraph (6)(C) of such section is amended—

(i) by striking "at the time of a qualifying event described in paragraph (3)(B)" and inserting "before the end of the 18-month period referred to in subclause (I) or (II) of paragraph (2)(B)(i)", and

(ii) by striking "within 60 days after the date of the determination" and inserting "not later than the end of such 18-month period".

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to plan years beginning on or after the date of the enactment of this Act, regardless of whether the qualifying event occurred (and the period of continuation coverage began) before, on, or after such date and shall apply to an individual for whom the period of continuation coverage (as applied before the date of the enactment of this Act) had expired before the beginning of the first such plan year.

(2) PUBLIC HEALTH SERVICE ACT.—

(A) IN GENERAL.—Section 2202(2) of the Public Health Service Act (42 U.S.C. 300bb-2(2)) is amended—

(i) in the last sentence of subparagraph (A)—

(I) by striking "at the time of a qualifying event described in section 2203(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii)", and

(II) by striking "29 months" and inserting "the period of months preceding the first month in which the individual becomes entitled to benefits under part A of title XVIII of the Social Security Act" ; and

(ii) in subparagraph (E), by striking "at the time of a qualifying event described in section 2203(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii) of subparagraph (A)".

(B) NOTICES.—Section 2206(3) of such Act (42 U.S.C. 300bb-6(3)) is amended—

(i) by striking "at the time of a qualifying event described in section 2203(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii) of section 2202(2)(A)", and

(ii) by striking "within 60 days after the date of the determination" and inserting "not later than the end of such 18-month period".

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to plan years beginning on or after the date of the enactment of this Act, regardless of whether the qualifying event occurred (and the period of continuation coverage began) before, on, or after such date and shall apply to an individual for whom the period of continuation coverage (as applied before the date of the enactment of this Act) had expired before the beginning of the first such plan year.

(D) NOTIFICATION OF CHANGES.—Not later than 45 days after the date of the enactment of this Act, each group health plan (covered under section 2201 of the Public Health Service Act) shall notify each qualified beneficiary who has elected continuation coverage under title XXII of such Act of the amendments made by this subsection.

(3) ERISA.—

(A) IN GENERAL.—Section 602(2) of the Employee Retirement Income Security Act of 1974 (42 U.S.C. 1162(2)) is amended—

(i) in the last sentence of subparagraph (A)—

(I) by striking "at the time of a qualifying event described in section 603(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii)", and

(II) by striking "29 months" and inserting "the period of months preceding the first month in which the individual becomes entitled to benefits under part A of title XVIII of the Social Security Act" ; and

(ii) in subparagraph (E), by striking "at the time of a qualifying event described in section 603(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii) of subparagraph (A)".

(B) NOTICES.—Section 606(3) of such Act (42 U.S.C. 1166(3)) is amended—

(i) by striking "at the time of a qualifying event described in section 603(2)" and inserting "before the end of the 18-month period referred to in clause (i) or (ii) of section 602(2)(A)", and

(ii) by striking "within 60 days after the date of the determination" and inserting "not later than the end of such 18-month period".

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to plan years beginning on or after the date of the enactment of this Act, regardless of whether the qualifying event occurred (and the period of continuation coverage began) before, on, or after such date and shall apply to an individual for whom the period of continuation coverage (as applied before the date of the enactment of this Act) had expired before the beginning of the first such plan year.

(D) NOTIFICATION OF CHANGES.—Not later than 45 days after the date of the enactment of this Act, each group health plan (within the meaning of section 607(1) of the Employee Retirement Income Security Act of 1974) shall notify each qualified beneficiary who has elected continuation coverage under title VI of such Act of the amendments made by this subsection.

SEC. 206. FEDERAL EMPLOYEE FAMILY-BUILDING.

(a) FAMILY-BUILDING BENEFIT.—Section 8902 of title 5, United States Code, is amended by adding at the end the following:

"(o)(1) For the purpose of this subsection—

"(A) the term 'family-building procedure' means—

"(i) a medical procedure to overcome infertility, including procedures to achieve pregnancy and procedures to carry pregnancy to term; and

"(ii) procedures relating to child adoption; and

"(B) the term 'child' means an individual who is under 18 years of age and unmarried.

"(2) Any contract under this chapter which provides obstetrical benefits shall also provide benefits for family-building procedures. Any deductible, coinsurance provision, and other similar term or condition under any such contract shall be no more restrictive for family-building benefits than for obstetrical benefits.

"(3) To the extent that a contract under this chapter relates to procedures under paragraph (1)(A)(ii), such contract shall provide that—

"(A) benefits shall consist of reimbursement for reasonable and necessary—

"(i) medical expenses directly relating to the adoption of the child (such as those relating to obstetrical care for the biological mother, medical care for the child, and physical examinations for the pre-adoptive or adoptive parent or parents); and

"(ii) counseling fees directly relating to the adoption of the child; and

"(B) benefits shall be available in connection with—

"(i) obstetrical care for the biological mother if, or to the extent that, the pre-adoptive or adoptive parent or parents are legally responsible (whether by contract or under applicable provisions of law) for the cost of such care; and

"(ii) medical care for the child if, or to the extent that, the pre-adoptive or adoptive parent or parents are legally responsible (whether by contract or under applicable provisions of law) for the cost of such care.".

(b) USE OF SICK LEAVE; PROHIBITION OF COERCION.—Section 6307 of title 5, United States Code, is amended by adding at the end the following:

"(d)(1) The Office of Personnel Management shall prescribe regulations under which sick leave otherwise available to an employee under this subchapter shall also be available for purposes relating to family-building procedures.

"(2)(A) An employee may not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with such other employee's rights under this subsection.

"(B) For the purposes of this subsection—

"(i) the term 'family-building procedure' has the meaning given such term by section 8902(o)(1)(A); and

"(ii) the term 'intimidate, threaten, or coerce' includes promising to confer or conferring any benefit (such as appointment, promotion, or compensation), or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).".

TITLE III—PREVENTION

SEC. 301. MEDICAID INFANT MORTALITY AMENDMENTS.

(a) PHASED-IN COVERAGE OF PREGNANT WOMEN AND INFANTS UP TO 185 PERCENT OF POVERTY LEVEL.—

(1) IN GENERAL.—Section 1902(l)(2)(A) of the Social Security Act (42 U.S.C. 1396a(l)(2)(A)) is amended—

(A) in clause (ii)—

(i) in subclause (I), by striking "and" at the end of subclause (I);

(ii) by striking the period at the end of subclause (II) and inserting a comma; and

(iii) by adding at the end the following new subclauses:

"(III) July 1, 1992, 150 percent, or, if greater, the percentage provided under clause (v), and

"(IV) July 1, 1994, 185 percent."; and

(B) by adding at the end the following new clause:

"(v) In the case of a State which, as of the date of the enactment of this clause, has established under clause (i), or has enacted legislation authorizing, or appropriating funds, to provide for, a percentage (of the income official poverty line) that is greater than 150 percent, the percentage provided under clause (ii) for medical assistance on or after July 1, 1992, shall not be less than—

"(I) the percentage specified by the State in an amendment to its State plan (whether approved or not) as of the date of the enactment of this clause, or

"(II) if no such percentage is specified as of the date of the enactment of this clause, the percentage established under the State's authorizing legislation or provided for under the State's appropriations.".

(2) FLEXIBILITY IN INCOME METHODOLOGY AND DEDUCTION OF CHILD CARE IN COMPUTATION OF INCOME.—Section 1902(l)(3)(E) of such Act (42 U.S.C. 1396a(l)(3)(E)) is amended by striking "(E)" and inserting the following:

"(E)(i) with respect to an individual described in subparagraph (A) or (B) of paragraph (1), family income shall be determined in accordance with a methodology which is no more restrictive than the methodology employed under the State plan under part A or E of title IV (except to the extent such methodology is inconsistent with clause (D) of subsection (a)(17) and except that there shall be disregarded costs for such child care as is necessary for the employment of the pregnant woman or the caretaker of the infant), and costs incurred for medical care or

for any other type of remedial care shall not be taken into account, and

"(ii) with respect to an individual described in paragraph (1)(C) or (1)(D),".

(3) PROHIBITING APPLICATION OF RESOURCE TEST.—Section 1902(l)(3) of such Act (42 U.S.C. 1396a(l)(3)) is amended—

(A) in subparagraph (A) to read as follows:

"(A)(i) no resource standard or methodology shall be applied to individuals who are eligible for medical assistance because of subsection (a)(10)(A)(i)(IV), and (ii) application of a resource standard or methodology for individuals who are eligible for medical assistance because of subsection (a)(10)(A)(i)(VI) or (a)(10)(A)(ii)(IX) shall be at the option of the State, but any such resource standard or methodology may not be more restrictive than the corresponding standard or methodology that is applied under the State plan under part A of title IV;";

(B) by striking subparagraphs (B) and (C); and

(C) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(4) EFFECTIVE DATES.—

(A) HIGHER INCOME STANDARDS.—Except as provided in subparagraph (C), the amendments made by paragraph (1) shall apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1992, with respect to eligibility for medical assistance on or after such date, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(B) INCOME METHODOLOGY AND RESOURCE STANDARD.—Except as provided in subparagraph (C), the amendments made by paragraphs (2) and (3) shall apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1992, with respect to eligibility for medical assistance on or after such date, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(C) EXCEPTION FOR CERTAIN STATES.—In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation authorizing or appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this subsection, the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this section. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(b) OPTIONAL COVERAGE OF PRENATAL AND POST PARTUM HOME VISITATION SERVICES.—

(1) IN GENERAL.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended—

(A) by striking "and" at the end of paragraph (21);

(B) by redesignating paragraph (22) as paragraph (25);

(C) by redesignating paragraphs (23) and (24) as paragraphs (22) and (23), respectively; and

(D) by inserting after paragraph (23) the following new paragraph:

"(24) prenatal home visitation services for high-risk pregnant women, post partum home visitation services with respect to high-risk infants under 1 year of age, or both (as specified by the State), as prescribed by a physician; and".

(2) CONFORMING AMENDMENTS.—Section 1902 of such Act (42 U.S.C. 1396a) is amended—

(A) in subsection (a)(10)(C)(iv), by striking "(21)" and inserting "(24)"; and

(B) in subsection (j), by striking "(22)" and inserting "(25)".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to services furnished on or after July 1, 1992, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

SEC. 302. BREAST CANCER SCREENING SAFETY.

(a) CERTIFICATION OF MAMMOGRAPHY FACILITIES.—Part F of title III of the Public Health Service Act (42 U.S.C. 262 et seq.) is amended by adding at the end the following new subpart:

"Subpart 3—Mammography Facilities

"SEC. 354. CERTIFICATION OF MAMMOGRAPHY FACILITIES.

"(a) DEFINITIONS.—As used in this section:

"(1) ACCREDITATION BODY.—The term 'accreditation body' means a body that has been approved by the Secretary under subsection (e)(1)(A) to accredit facilities.

"(2) CERTIFICATE.—The term 'certificate' means the certificate described in subsection (b)(1).

"(3) CERTIFIED FACILITY.—The term 'certified facility' means a facility to which the Secretary has issued and, if appropriate, renewed a certificate in accordance with subsection (c).

"(4) FACILITY.—The term 'facility' means a hospital outpatient department, clinic, radiology practice, or mobile unit, an office of a physician, or other facility, as determined by the Secretary, that conducts breast cancer screening or diagnosis through mammography.

"(5) INTERSTATE COMMERCE.—The term 'interstate commerce' means trade, traffic, commerce, transportation, transmission, or communication—

"(A) within the District of Columbia; or

"(B) between—

"(i) any State or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia; and

"(ii) any place outside the State, possession, Commonwealth, or District.

"(6) MAMMOGRAM.—The term 'mammogram' means a radiographic image produced through mammography.

"(7) MAMMOGRAPHY.—The term 'mammography' means radiography of the breast for the purpose of enabling a physician to determine the presence, size, location, and extent of cancerous or potentially cancerous breast tissue.

"(b) CERTIFICATE REQUIREMENT.—

"(1) CERTIFICATE.—No facility may conduct an examination or procedure described in paragraph (2) in performing mammography after December 31, 1992, unless the facility obtains a certificate—

"(A) that is issued and, if applicable, renewed by, the Secretary in accordance with subsection (c); and

"(B) that is applicable to the examination or procedure to be conducted.

"(2) EXAMINATION OR PROCEDURE.—A facility shall obtain a certificate in order to—

"(A) operate equipment that is used to image the breast in performing mammography and that has been sold or offered for sale in interstate commerce;

"(B) interpret a screening mammogram produced by the equipment; or

"(C) inspect the equipment and conduct oversight of quality assurance practices at a facility with the equipment.

"(c) ISSUANCE AND RENEWAL OF CERTIFICATES.—

"(1) IN GENERAL.—The Secretary may issue or renew a certificate for a facility that submits the application described in subsection (d).

"(2) TERM.—The Secretary may issue or renew a certificate under this section for not more than 2 years.

"(d) APPLICATION FOR CERTIFICATE.—In order to obtain or renew a certificate for a facility, the person who owns or leases the facility or an authorized agent of the person shall submit to the Secretary, in such form and manner as the Secretary shall prescribe, an application that contains—

"(1) a description of the manufacturer, model, and type of each x-ray machine, image receptor, and processor operated in the performance of mammography at the facility;

"(2) a description of the procedures currently used to provide mammography at the facility, including—

"(A) the number and types of procedures performed;

"(B) the methodologies for mammography; and

"(C) the qualifications (educational background, training, and experience) of the personnel performing radiological procedures, the medical physicist inspecting mammography equipment at the facility, and the physicians reading and interpreting the results from the procedures;

"(3) proof of accreditation under subsection (e);

"(4) a satisfactory assurance that the facility will be operated in accordance with standards established by the Secretary under subsection (f);

"(5) a satisfactory assurance that the facility will be operated in accordance with the standards of the accreditation body that accredits the facility and will authorize the accreditation body to submit to the Secretary (or such State agency as the Secretary may designate) such information as the Secretary may require;

"(6) a satisfactory assurance that the facility will—

"(A) permit inspections by the Secretary under subsection (g);

"(B) make such records and information available, and submit such reports, to the Secretary as the Secretary may reasonably require; and

"(C) update the information submitted under paragraph (1) or (2) not later than 6 months after the date the information becomes incomplete or inaccurate; and

"(7) such other information as the Secretary may require.

"(e) ACCREDITATION.—

"(1) APPROVAL OF ACCREDITATION BODIES.—

"(A) IN GENERAL.—The Secretary may approve a private nonprofit organization to accredit facilities for purposes of subsection (d)(3) if the accreditation body provides satisfactory assurances that the body will—

"(i) comply with the requirements described in paragraphs (3) and (4);

"(ii) submit to the Secretary the name of any facility for which the accreditation body denies, suspends, withdraws, or revokes accreditation, or against which the body takes any other action, within 30 days of the action;

"(iii) notify the Secretary at least 30 days before the accreditation body changes the standards of the body; and

"(iv) notify each facility accredited by the accreditation body if the Secretary withdraws approval of the accreditation body under paragraph (2), within 21 days of the withdrawal.

"(B) CRITERIA AND PROCEDURES.—The Secretary shall promulgate regulations under which the Secretary may approve an accreditation body.

"(2) WITHDRAWAL OF APPROVAL.—

"(A) IN GENERAL.—The Secretary shall promulgate standards under which the Secretary may withdraw the approval of an accreditation body if the Secretary determines that the accreditation body does not meet the requirements of clauses (i) through (iv) of paragraph (1)(A).

"(B) EFFECT OF WITHDRAWAL.—

"(i) EFFECTIVE PERIOD OF CERTIFICATE.—Except as provided in clause (ii) or (iii), if the Secretary withdraws the approval of an accreditation body under subparagraph (A), the certificate of any facility accredited by the body shall continue in effect until the date specified by the Secretary at the time the Secretary approves, under paragraph (1)(A), an accreditation body that may accredit the facility.

"(ii) INTERMEDIATE SANCTIONS.—If the Secretary takes action against a facility under subsection (h), the certificate of the facility shall continue in effect until the earlier of—

"(I) the effective date of the action, which shall be not earlier than 120 days after the facility receives the notification described in subsection (h)(1); or

"(II) 180 days after the facility receives the notification.

"(iii) SUSPENSION, REVOCATION, OR LIMITATION.—If the Secretary takes action against a facility under subsection (i), the certificate of the facility shall continue in effect until the Secretary takes the action.

"(3) ACCREDITATION.—In determining whether or not to accredit a facility, an approved accreditation body shall—

"(A) inspect facilities using inspectors who the Secretary determines are qualified to evaluate the equipment used by the facilities in performing mammograms;

"(B) inspect facilities with such frequency as the Secretary may determine to be necessary; and

"(C) apply standards equal to or more stringent than the standards established by the Secretary under subsection (f).

"(4) COMPLIANCE.—An approved accreditation body shall take measures to ensure that facilities accredited by the body will continue to meet the standards of the accreditation body.

"(5) WITHDRAWAL OR REVOCATION OF ACCREDITATION.—

"(A) INTERMEDIATE SANCTIONS.—Except as provided in subparagraph (B), if an accreditation body withdraws or revokes the accreditation of a facility, the certificate of the facility shall continue in effect until the earlier of—

"(i) the effective date of any action taken by the Secretary under subsection (h), which shall be not earlier than 120 days after the notification described in subsection (h)(1); or

"(ii) 180 days after the notification.

"(B) SUSPENSION, REVOCATION, OR LIMITATION.—If an accreditation body withdraws or revokes the accreditation of a facility, and the Secretary takes action under subsection (i), the certificate of the facility shall continue in effect until the effective date of the action.

"(6) EVALUATION AND REPORT.—

"(A) EVALUATION.—The Secretary shall evaluate annually the performance of each approved accreditation body by—

"(i) inspecting under subsection (g) a sufficient number of the facilities accredited by the body to allow a reasonable estimate of the performance of the body; and

"(ii) such additional means as the Secretary determines to be appropriate.

"(B) REPORT.—The Secretary shall annually prepare and submit to Congress, a report that describes the results of the evaluation conducted in accordance with subparagraph (A).

"(f) QUALITY STANDARDS.—

"(1) IN GENERAL.—The Secretary shall establish standards for facilities to assure the safety and accuracy of mammography, including—

"(A) standards that require establishment and maintenance of a quality assurance and quality control program that is adequate and appropriate to ensure the reliability, clarity, and accurate interpretation of radiologic images;

"(B) standards that require use of radiological equipment specifically designed for mammography, including radiologic standards;

"(C) a requirement that personnel who perform mammograms be—

"(i) licensed by a State to perform radiological procedures; or

"(ii) certified as qualified to perform radiological procedures by an organization described in paragraph (4)(A);

"(D) minimum training and performance standards for personnel who perform mammograms;

"(E) a requirement that mammograms be interpreted by a physician who is certified as qualified to interpret screening mammography procedures by—

"(i) a board described in paragraph (4)(B); or

"(ii) a program that complies with the standards described in paragraph (4)(C);

"(F) requirements that—

"(i) a facility that performs the original mammogram and the first screening mammogram of a woman maintain the mammograms in the permanent medical records of the woman; and

"(ii) a facility that performs any mammogram maintain the mammogram for not less than 5 years; and

"(G) a requirement that a medical physicist who is qualified in mammography and certified by a board described in paragraph (4)(D) perform an annual inspection of screening mammography equipment and oversight of quality assurance practices at each facility.

"(2) CONSIDERATIONS.—In developing standards under paragraph (1), the Secretary shall consider the appropriateness of standards issued by the American College of Radiology. In determining the appropriateness of such standards, the Secretary shall consider—

"(A) the examinations and procedures performed and the methodologies employed by facilities, including—

"(i) monitoring repeat mammograms;

"(ii) submitting mammograms to peer review panels for second readings;

"(iii) performing a second reading within the facility; and

"(iv) following up patient biopsies;

"(B) the complexity of the process for performing mammograms;

"(C) the degree of independent judgment involved in performing mammograms;

"(D) the calibration and quality control requirements of the radiological equipment used, including image quality and dose;

"(E) the difficulty in reading and interpreting mammogram results;

"(F) the value of a requirement for physical consultation at the facility, independent of the regulatory inspection process described in subsection (g); and

"(G) such other factors as the Secretary considers relevant.

"(3) EXPLANATION OF DIFFERENCES.—Simultaneously with the establishment of standards under paragraph (1), if the Secretary issues a standard that is less stringent than a corresponding standard set by the American College of Radiology, the Secretary shall publish in the Federal Register an explanation of, and justification for, the difference between the standards.

"(4) APPROVAL OF CERTIFICATION ORGANIZATIONS.—The Secretary shall by regulation—

"(A) specify organizations eligible to certify individuals to perform radiological procedures;

"(B) specify boards eligible to certify individuals to interpret screening mammograms;

"(C) establish standards regarding the qualifications for individuals described in subparagraph (B) for programs certifying the individuals; and

"(D) specify boards eligible to certify individuals qualified to inspect screening mammography equipment and to oversee quality assurance practices at mammography facilities.

"(g) INSPECTIONS.—

"(1) IN GENERAL.—The Secretary may enter and inspect certified facilities to determine compliance with the standards established under subsection (f).

"(2) TIMING.—The Secretary may conduct announced or unannounced inspections during the regular hours of operation of the facilities.

"(3) IDENTIFICATION.—The Secretary may conduct inspections only on presenting identification to the owner, operator, or agent in charge of the facility to be inspected.

"(4) SCOPE OF INSPECTION.—In conducting inspections, the Secretary—

"(A) shall have access to all equipment, materials, records, and information that the Secretary considers necessary to determine whether the facility is being operated in accordance with this section; and

"(B) may copy, or require the facility to submit to the Secretary, any of the materials, records, or information.

"(5) ELEMENTS OF INSPECTION.—All inspections shall include an inspection of the beam quality, average glandular dose, and phantom image quality of the mammography system, and other features as determined by the Secretary.

"(6) QUALIFICATIONS OF INSPECTORS.—Qualified radiological physicists shall conduct all inspections. The Secretary may designate a Federal officer or employee to conduct inspections, or request that a State designate an officer or employee to conduct the inspections.

"(7) FREQUENCY.—The Secretary shall conduct inspections of certified facilities not less often than annually.

"(8) RECORDS OF INSPECTIONS.—Each facility shall maintain records of an inspection for not less than 7 years after the date of the inspection.

"(h) INTERMEDIATE SANCTIONS.—

"(1) IN GENERAL.—The Secretary may impose sanctions under this subsection in lieu of the actions authorized by subsection (i) if a facility receives notification—

"(A) that the Secretary has determined that the facility is not in compliance with the standards established under subsection (f) or the requirements described in subparagraphs (A) through (C) of subsection (d)(6), in the case of a facility accredited by an accreditation body from which the Secretary has withdrawn approval under subsection (e)(2); or

"(B) that the accreditation body that accredited the facility under subsection (e) has withdrawn or revoked the accreditation of the facility.

"(2) TIMING.—The Secretary may not impose sanctions under this subsection until the Secretary determines, not earlier than 120 days after the date of the notification described in subparagraph (A), that a certified facility has failed to take corrective action to bring the facility into substantial compliance with the standards or the requirements, as appropriate.

"(3) TYPES OF SANCTIONS.—The Secretary may impose sanctions under this subsection consisting of—

"(A) directed plans of correction;

"(B) civil money penalties in an amount not to exceed $10,000 for each failure to substantially comply with, or each day on which a facility fails to substantially comply with, the standards established under subsection (f) or the requirements described in subparagraphs (A) through (C) of subsection (d)(6); or

"(C) payment for the cost of onsite monitoring.

"(4) PROCEDURES.—The Secretary shall develop and implement procedures under which the Secretary may impose intermediate sanctions under this subsection. The procedures shall—

"(A) specify the time and the manner in which the Secretary may impose sanctions;

"(B) provide for notice to the owner or operator of the facility;

"(C) provide a reasonable opportunity for the owner or operator to respond to the proposed sanction; and

"(D) include appropriate procedures for appealing determinations relating to the imposition of intermediate sanctions.

"(i) SUSPENSION, REVOCATION, AND LIMITATION.—

"(1) IN GENERAL.—The certificate of a facility issued under this section may be suspended, revoked, or limited if the Secretary finds, after providing, except as provided in paragraph (2), reasonable notice and an opportunity for a hearing to the owner or operator of the facility, that the owner, operator, or any employee of the facility—

"(A) has been guilty of misrepresentation in obtaining the certificate;

"(B) has performed, or represented the facility as entitled to perform, a type of examination or procedure described in subparagraphs (A) through (C) of subsection (b)(2) that is outside the scope of the certificate for the facility;

"(C) has failed to comply with the requirements of subsection (d)(6)(C) or the standards established by the Secretary under subsection (f);

"(D) has failed to comply with reasonable requests of the Secretary for any record, information, report, or material that the Secretary concludes is necessary to determine the continued eligibility of the facility for a certificate or continued compliance with the standards established under subsection (f);

"(E) has refused a reasonable request of the Secretary, any Federal officer or employee duly designated by the Secretary, or any State officer or employee duly designated by the State, for permission to inspect the facility or the operations and pertinent records of the facility in accordance with subsection (g);

"(F) has violated or aided and abetted in the violation of any provision of, or regulation promulgated under, this section; or

"(G) has failed to comply with an intermediate sanction imposed under subsection (h).

"(2) ACTION BEFORE A HEARING.—

"(A) IN GENERAL.—The Secretary may suspend or limit the certificate of the facility before holding a hearing required by paragraph (1) if the Secretary makes the finding described in paragraph (1) and determines that—

"(i) the failure of a facility to comply with the standards established by the Secretary under subsection (f) presents an imminent and serious risk to human health; or

"(ii) a facility has engaged in an action described in subparagraph (D) or (E) of paragraph (1).

"(B) HEARING.—If the Secretary suspends or limits a certificate under subparagraph (A), the Secretary shall provide an opportunity for a hearing to the owner or operator of the facility not later than 60 days from the effective date of the suspension or limitation. The suspension or limitation shall remain in effect until the decision of the Secretary made after the hearing.

"(3) INELIGIBILITY TO OWN OR OPERATE FACILITIES AFTER REVOCATION.—If the Secretary revokes the certificate of a facility on the basis of an act described in paragraph (1), no person who owned or operated the facility at the time of the act may, within 2 years of the revocation of the certificate, own or operate a facility that requires a certificate under this section.

"(j) INJUNCTIONS.—If the Secretary determines that continuation of any activity related to the provision of mammography by a facility would constitute a significant hazard to the public health, the Secretary may bring suit in the district court of the United States for the district in which the facility is situated to enjoin continuation of the activity. Upon a proper showing, the district court shall grant a temporary injunction or restraining order against continuation of the activity without requiring the Secretary to post a bond, pending issuance of a final order under this subsection.

"(k) JUDICIAL REVIEW.—

"(1) PETITION.—If the Secretary imposes an intermediate sanction on a facility under subsection (h) or suspends, revokes, or limits the certificate of a facility under subsection (i), the owner or operator of the facility may, not later than 60 days after the date the action of the Secretary becomes final, file a petition with the United States court of appeals for the circuit in which the facility is situated for judicial review of the action. As soon as practicable after receipt of the petition, the clerk of the court shall transmit a copy of the petition to the Secretary or other officer designated by the Secretary. As soon as practicable after receipt of the copy, the Secretary shall file in the court the record on which the action of the Secretary is based, as provided in section 2112 of title 28, United States Code.

"(2) ADDITIONAL EVIDENCE.—If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order the additional evidence (and evidence in rebuttal of the additional evidence) to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may determine to be proper. The Secretary may modify the findings of the Secretary as to the facts, or make new findings, by reason of the additional evidence so taken, and the Secretary shall file the modified or new findings, and the recommendations of the Secretary, if any, for the modification or setting aside of the original action of the Secretary with the return of the additional evidence.

"(3) JUDGMENT OF COURT.—Upon the filing of the petition referred to in paragraph (1), the court shall have jurisdiction to affirm the action, or to set the action aside in whole or in part, temporarily or permanently. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive.

"(4) FINALITY OF JUDGMENT.—The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification, as provided in section 1254 of title 28, United States Code.

"(l) SANCTIONS.—Any person who intentionally violates any requirement of this section or any regulation promulgated under this section—

"(1) shall be imprisoned for not more than 1 year or fined in accordance with title 18, United States Code, or both; and

"(2) for a second or subsequent offense shall be imprisoned for not more than 3 years or fined in accordance with title 18, United States Code, or both.

"(m) FEES.—

"(1) CERTIFICATE FEES.—The Secretary shall require payment of fees for the issuance and renewal of certificates.

"(2) ADDITIONAL FEES.—The Secretary shall require the payment of fees for inspections of facilities that were accredited by accreditation bodies from whom the Secretary withdrew approval under subsection (e)(2).

"(3) CRITERIA.—

"(A) CERTIFICATE FEES.—Fees imposed under paragraph (1) shall be sufficient to cover the general costs of administering this section except for costs described in subparagraph (B), including—

"(i) evaluating and monitoring quality assurance and quality control programs;

"(ii) excluding and monitoring accreditation bodies; and

"(iii) monitoring compliance with the requirements of this section.

"(B) ADDITIONAL FEES.—Fees imposed under paragraph (2) shall be sufficient to cover the cost of the Secretary in carrying out the inspections.

"(n) INFORMATION.—

"(1) IN GENERAL.—Not later than April 1, 1992, and annually thereafter, the Secretary shall compile and make available to physicians and the general public information that the Secretary determines is useful in evaluating the performance of a facility, including a list of facilities—

"(A) that have been convicted under Federal or State laws relating to fraud and abuse, false billings, or kickbacks;

"(B) that have been subject to intermediate sanctions under subsection (h), together with a statement of the reasons for the sanctions;

"(C) that have had certificates revoked, suspended, or limited under subsection (i), together with a statement of the reasons for the revocation, suspension, or limitation;

"(D) against which the Secretary has taken action under subsection (j), together

with a statement of the reasons for the action;

"(E) that have been the subject of a sanction under subsection (l), together with a statement of the reasons for the sanction; and

"(F) whose accreditation has been withdrawn or revoked, together with a statement of the reasons of the withdrawal or revocation.

"(2) DATE.—The information to be compiled under paragraph (1) shall be information for the calendar year preceding the date the information is to be made available to the public.

"(3) EXPLANATORY INFORMATION.—The information to be compiled under paragraph (1) shall be accompanied by such explanatory information as may be appropriate to assist in the interpretation of the information compiled under the paragraph.

"(o) DELEGATION.—In carrying out this section, the Secretary may enter into an agreement with a Federal, State, or local public agency or nonprofit private organization, use the services or facilities of the agency or nonprofit private organization, and pay for the services or use of facilities in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"(p) STATE LAWS.—

"(1) CONSISTENT LAWS.—Except as provided in paragraph (2), nothing in this section shall be construed as affecting the power of any State to enact and enforce laws relating to the matters covered by this section to the extent that the laws are not inconsistent with this section or with the regulations issued under this section.

"(2) MORE STRINGENT LAWS.—If a State enacts laws relating to matters covered by this section that provide for requirements equal to or more stringent than the requirements of this section or than the regulations issued under this section, the Secretary may exempt facilities in that State from compliance with this section.

"(q) MAMMOGRAPHY REGISTRY.—

"(1) RESEARCH.—

"(A) ESTABLISHMENT OF GRANTS.—The Secretary shall make grants to such entities as the Secretary may determine to be appropriate to conduct research on new methods of establishing a Mammography Registry, including archiving and retrieval of mammography images, physician reports, and outcome and follow-up information.

"(B) USE OF FUNDS.—Grants awarded under subparagraph (A) may be used—

"(i) to study—

"(I) improved methods of mammography film duplication, centralized digital archiving, and individual patient archiving in a Mammography Registry; and

"(II) mechanisms for limiting access and maintaining confidentiality of all stored data; and

"(ii) to conduct pilot testing of the methods and mechanisms described in subclauses (I) and (II) of clause (i) on a limited basis.

"(C) APPLICATION.—To be eligible to receive funds under this paragraph, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(D) REPORT.—A recipient of a grant under this paragraph shall submit a report to the Secretary containing the results of the study and testing conducted under clauses (i) and (ii) of subparagraph (B), along with recommendations for methods of establishing a Mammography Registry.

"(2) ESTABLISHMENT.—The Secretary shall establish a Mammography Registry based on the recommendations contained in the report described in paragraph (1)(D).

"(3) STANDARDS AND PROCEDURES.—The Secretary shall establish standards and procedures for the operation of the Mammography Registry, including procedures to maintain confidentiality of patient records.

"(4) INFORMATION.—The Secretary may require that facilities provide to the Registry relevant data that could help in the research of the causes, characteristics, and prevalance of, and potential treatments for, breast cancer, if the information may be disclosed under section 552 of title 5, United States Code. The data may include information on patients relating to age, race, geographic location, type of breast cancer, family history, occupational hazards, other medical conditions, uses of mammographic images, estrogen replacement, use of oral contraception, number of conceptions or births, and age of the patient at each conception or birth.".

(b) APPLICATION OF STANDARDS TO MEDICARE PROGRAM.—

(1) IN GENERAL.—Section 1834(c)(3) of the Social Security Act (42 U.S.C. 1395m(c)(3)), as added by section 4163 of the Omnibus Budget Reconciliation Act of 1990, is amended to read as follows:

"(3) QUALITY STANDARDS.—Screening mammography performed under this part shall be performed—

"(A) at a certified facility, as defined in section 354(a)(2) of the Public Health Service Act, that is in compliance with the requirements described in subparagraphs (A) through (C) of section 354(d)(6) of such Act; and

"(B) in accordance with the standards established under section 354(f) of such Act.".

(2) CONFORMING AMENDMENTS.—

(A) Section 1862(a)(1)(F) of the Social Security Act (42 U.S.C. 1395y(a)(1)(F)) is amended by striking "established under section 1834(c)(3)" and inserting "described in section 1834(c)(3)".

(B) Section 1863 of the Social Security Act (42 U.S.C. 1395z) is amended by striking "established under section 1834(c)(3)" and inserting "described in section 1834(c)(3)".

(C) The first sentence of section 1864(a) of the Social Security Act (42 U.S.C. 1395aa(a)) is amended by striking "established under section 1834(c)(3)" and inserting "described in section 1834(c)(3)".

SEC. 303. MEDICAID COVERAGE FOR MAMMOGRAPHY AND PAP SMEAR SCREENING.

(a) REQUIREMENT.—Section 1905(a)(17) of the Social Security Act (42 U.S.C. 1396d(a)(17)) is amended—

(1) by inserting "(A)" after "(17)"; and

(2) by inserting before the semicolon at the end the following: ", (B) screening mammography (as defined in section 1861(jj)) conducted consistent with the frequency specified under section 1834(c)(2), and (C) screening pap smears (as defined in section 1861(nn))".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) apply (except as provided under paragraph (2)) to payments under title XIX of the Social Security Act for calendar quarters beginning on or after April 1, 1992, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(2) REQUIREMENT OF LEGISLATIVE ACTION.—In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation authorizing or appropriating funds) in order for the plan to meet the additional requirement imposed by the amendments made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet this additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 304. MEDICARE COVERAGE OF BONE MASS MEASUREMENTS.

Section 1861 of the Social Security Act (42 U.S.C. 1395x), as revived by section 201(a)(1) of the Medicare Catastrophic Coverage Repeal Act of 1989 and as amended by the Omnibus Budget Reconciliation Act of 1989, is amended—

(1) in subsection (s)—

(A) in paragraph (11), by striking all that follows "(bb))" and inserting a semicolon,

(B) in paragraph (12)(C), by striking all that follows "area)" and inserting "; and", and

(C) by inserting after paragraph (12) the following new paragraph:

"(13) bone mass measurement (as defined in subsection (jj));"; and

(2) by inserting after subsection (ii) the following new subsection:

"Bone Mass Measurement

"(jj)(1) The term 'bone mass measurement' means a radiologic or radioisotopic procedure performed on a qualified individual (as defined in paragraph (2) for the purpose of detecting bone loss through the use of single and dual photon absorptiometry, dual energy x ray absorptiometry or similar dual energy techniques, or quantitative computed tomography, and includes a physician's interpretation of the results of the procedure.

"(2) For purposes of paragraph (1), the term 'qualified individual' means (in accordance with regulations prescribed by the Secretary)—

"(A) an estrogen-deficient woman at clinical risk for osteoporosis;

"(B) an individual with vertebral abnormalities;

"(C) an individual receiving long-term glucocorticoid steroid therapy; or

"(D) an individual with primary hyperparathyroidism.".

SEC. 305. WOMEN AND AIDS OUTREACH AND PREVENTION.

Title XXV of the Public Health Service Act (42 U.S.C. 300ee et seq.) is amended by adding at the end the following new part:

"PART C—MISCELLANEOUS PROGRAMS

"SEC. 2531. PREVENTION ACTIVITIES FOR WOMEN.

"(a) ESTABLISHMENT OF PROGRAM.—Subject to subsection (b), the Secretary may make grants for the purpose of—

"(1) providing preventive health services to women, including the provision of counseling regarding the etiologic agent for acquired immune deficiency syndrome, the provision of counseling regarding other sexually transmitted diseases, and the provision of voluntary family planning services;

"(2) screening women for infection with such agent and for other sexually transmitted diseases;

"(3) providing treatment for such diseases other than acquired immune deficiency syndrome;

"(4) providing appropriate referrals regarding the provision of other services to women

who are receiving services pursuant to any of paragraphs (1) through (3), including, as appropriate, referrals for treatment for infection with such agent, referrals for treatment for substance abuse, referrals regarding pregnancy, childbirth, and pediatric care, and referrals for housing services;

"(5) providing follow-up services regarding the referrals, to the extent practicable;

"(6) improving referral arrangements for purposes of paragraph (4);

"(7) in the case of any woman receiving services pursuant to any of paragraphs (1) through (6), providing to the partner of the woman the services described in such paragraphs, as appropriate;

"(8) providing outreach services to inform women of the availability of the services specified in paragraphs (1) through (7); and

"(9) providing training regarding the effective provision of services to individuals served pursuant to the grant.

"(b) MINIMUM QUALIFICATIONS OF GRANTEES.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant—

"(1) is a grantee under section 329, section 330, or section 1001, or is another public or nonprofit private entity that provides health or voluntary family planning services to a significant number of low-income women; and

"(2) provides the health or voluntary family planning services in a geographic area for which a significant number of cases of acquired immune deficiency syndrome in women, and in newborn infants, has been reported to and confirmed by the Director of the Centers for Disease Control.

"(c) CONFIDENTIALITY.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to maintain the confidentiality of information on individuals regarding screenings of the individuals for sexually transmitted diseases, subject to complying with applicable law.

"(d) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

"(e) EVALUATIONS AND REPORTS.—

"(1) EVALUATIONS.—The Secretary shall, directly or through contracts with public or private entities, provide for evaluations of projects carried out pursuant to subsection (a).

"(2) REPORTS.—Not later than 1 year after the date on which amounts are first appropriated under subsection (f), and annually thereafter, the Secretary shall submit to the Congress a report summarizing evaluations carried out under paragraph (1) during the preceding fiscal year.

"(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $10,000,000 for fiscal year 1992, $15,000,000 for fiscal year 1993, and $20,000,000 for fiscal year 1994.".

SEC. 306. PREVENTION OF INFERTILITY DUE TO SEXUALLY TRANSMITTED DISEASES.

(a) FINDINGS.—Congress finds that—

(1) chlamydia and gonorrhea are treatable sexually transmitted diseases that can cause infertility among women if treatment for the diseases is not received;

(2) effective treatments exist for such diseases, and cases of infertility arising from the diseases are therefore preventable;

(3) an estimated 125,000 women in the United States become infertile each year as a result of complications resulting from chlamydia, gonorrhea and other sexually transmitted diseases, and such infertility often occurs before the women have made the decision to begin or complete their families;

(4) chlamydia is believed to be the most common sexually transmitted disease in the United States, with an estimated 4,000,000 new cases of the disease occurring each year and women and sexually active teenagers are at particular risk for contracting the disease;

(5) in 1987, chlamydia resulted in $1,400,000,000 of direct and indirect costs to the taxpayers of the United States, and 75 percent of such costs were due to cases of the disease that could have been easily and successfully treated;

(6) gonorrhea is the most commonly reported sexually transmitted disease in the United States, with approximately 1,000,000 new cases of the disease reported to public health officials each year;

(7) the failure to receive treatment for chlamydia or gonorrhea can have serious consequences for women in addition to infertility, including life-threatening complications in pregnancy;

(8) women with chlamydia or gonorrhea are twice as likely to experience an ectopic pregnancy, and the occurrence of either of such diseases during pregnancy is associated with premature births, with stillbirths, and with low birth weight;

(9) although chlamydia and gonorrhea are easily detected and treated, the majority of women with the disease experience no symptoms, and therefore rarely seek routine screening and treatment for the diseases;

(10) the single most effective means of preventing infertility and serious complications in pregnancy is through routine annual screening for, and prompt treatment of, chlamydia and gonorrhea in women and their partners;

(11) providers of gynecological services are particularly appropriate entities through which such routine annual screenings (and treatment, as appropriate) can be provided; and

(12) as a result of insufficient funding, health clinics that provide gynecological care to low-income women are currently unable to provide screenings for chlamydia and gonorrhea as part of routine gynecological care.

(b) ESTABLISHMENT OF PROGRAM OF GRANTS.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following new part:

"PART M—PREVENTABLE CASES OF INFERTILITY

"SEC. 399G. INFERTILITY ARISING AS RESULT OF SEXUALLY TRANSMITTED DISEASES.

"(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control, may make grants to States, political subdivisions of States, and any other public and nonprofit private entity for the purpose of carrying out the activities described in subsection (c) regarding any treatable sexually transmitted disease that can cause infertility in women if treatment is not received for the disease.

"(b) SPECIFICATION OF RELEVANT DISEASES.—

"(1) IN GENERAL.—For each fiscal year, the Secretary shall make a determination specifying all sexually transmitted diseases that are diseases described in subsection (a).

"(2) DISEASES APPLICABLE WITH RESPECT TO GRANTEE INVOLVED.—In making a grant under subsection (a) to an applicant for the grant, the Secretary shall make a determination in order to select, from among the diseases specified for purposes of paragraph (1) for the fiscal year involved, the particular diseases with respect to which the grant is to be made to the applicant. The Secretary may select, for purposes of the determination, any or all of the diseases so specified. The Secretary may not make such a grant unless the applicant agrees to carry out this section only with respect to the disease or diseases selected for the applicant through the determination.

"(c) AUTHORIZED ACTIVITIES.—With respect to any sexually transmitted disease described in subsection (a), the activities referred to in such subsection are—

"(1) screening women for the disease and for secondary conditions resulting from the disease, and as appropriate, to provide pregnancy testing;

"(2) providing treatment to women for the disease;

"(3) providing referrals regarding the provision of other medical services to women screened pursuant to paragraph (1), including, as appropriate, referrals for evaluation and treatment regarding acquired immune deficiency syndrome and other sexually transmitted diseases and referrals regarding pregnancy, childbirth, and pediatric care;

"(4) providing counseling to women on the prevention and control of the disease, including, in the case of a woman with the disease, counseling on the benefits of locating and providing such counseling to any individual from whom the woman may have contracted the disease and any individual whom the woman may have exposed to the disease;

"(5) in the case of any woman receiving services pursuant to any of paragraphs (1) through (4), providing to the partner of the woman the services described in such paragraphs, as appropriate;

"(6) providing follow-up services for determining medical outcomes;

"(7) providing outreach services to inform women of the fact that the services described in paragraphs (1) through (5) are available from the grantee involved;

"(8) providing to the public information and education on the prevention and control of the disease, including disseminating such information;

"(9) providing training to enable appropriate individuals to administer tests and provide counseling to women and their partners concerning prevention and treatment of the disease; and

"(10) to collect, in accordance with subsection (k), data on the incidence and prevalence of the disease in order to assist in carrying out activities for the prevention and control of the disease, including activities to educate the public regarding the disease.

"(d) REQUIREMENT OF AVAILABILITY OF ALL SERVICES THROUGH EACH GRANTEE.—The Secretary may not make a grant under subsection (a) unless the applicant involved agrees that each authorized service will be available through the applicant. With respect to compliance with such agreement, the applicant may expend the grant to provide any of the services directly, and may expend the grant to enter into agreements with other public or nonprofit private entities under which the entities provide the services.

"(e) REQUIRED PROVIDERS REGARDING CERTAIN SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant involved agrees that, in expending the grant to provide authorized services, the

services described in paragraphs (1) through (8) of subsection (c) will be provided only through entities that are grantees under section 329, 330, or 1001, or that are public or nonprofit private entities that provides health or voluntary family planning services to a significant number of low-income women.

"(f) QUALITY ASSURANCE REGARDING SCREENING FOR DISEASES.—For purposes of this section, the Secretary shall establish criteria for ensuring the quality of screening procedures for diseases described in subsection (a). The Secretary may not make a grant under such subsection unless the applicant involved agrees, with respect to any disease selected in the determination made under subsection (b)(2) for the applicant, to carry out screenings for the disease in accordance with such criteria.

"(g) COORDINATION OF SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant involved agrees to coordinate all authorized services provided through the applicant for the purpose of ensuring efficiency in the provision of the services.

"(h) CONFIDENTIALITY.—The Secretary may not make a grant under subsection (a) unless the applicant involved agrees to maintain the confidentiality of information on individuals regarding screenings of the individuals for sexually transmitted diseases, subject to complying with applicable law.

"(i) LIMITATION ON IMPOSITION OF FEES FOR SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant involved agrees that, if a charge is imposed for the provision of services or activities under the grant, such charge—

"(1) will be made according to a schedule of charges that is made available to the public;

"(2) will be adjusted to reflect the income of the individual involved; and

"(3) will not be imposed on any individual with an income of less than 150 percent of the official poverty line, as established by the Director of the Office of Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981.

"(j) LIMITATIONS ON CERTAIN EXPENDITURES.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees that not more than 20 percent of the grant will be expended—

"(1) for carrying out paragraphs (7) and (8) of subsection (c);

"(2) for the coordinate of efforts under subsection (g); and

"(3) during the first year of the grant, for the preparation and submission of the reports required in subsection (k), including the collection of data required to be contained in the reports, and 15 percent of the grant shall be expended for such in each subsequent year of the grant.

"(k) REPORTS TO SECRETARY.—

"(1) COLLECTION OF DATA.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees, with respect to any disease selected in the determination made under subsection (b)(2) for the applicant, to submit to the Secretary, for each fiscal year for which the applicant receives such a grant, a report providing—

"(A) the incidence of the disease among the population of individuals served by the applicant;

"(B) the number and demographic characteristics of such population;

"(C) the types of interventions and treatments provided by the applicant, and the health conditions with respect to which referrals have been made pursuant to subsection (c)(3);

"(D) an estimate by the applicant of the effect of the services provided under the grant on the community in which the services have been provided; and

"(E) providing such other information as is available to the applicant and determined by the Secretary to be relevant regarding the prevention and control of the disease.

"(2) UTILITY AND COMPARABILITY OF DATA.—The Secretary shall carry out activities for the purpose of ensuring the utility and comparability of data collected pursuant to paragraph (1). The Secretary may not make a grant under subsection (a) unless the applicant involved makes such agreements as the Secretary determines to be necessary for such purpose.

"(l) SUBMISSION OF PLAN FOR PROGRAM OF GRANTEE.—

"(1) IN GENERAL.—The Secretary may not make a grant under subsection (a) unless the applicant involved submits to the Secretary a plan describing the manner in which the applicant will comply with the agreements required as a condition of receiving such a grant, including a specification of the entities through which authorized services will be provided and a specification of the manner in which such services will be coordinated for purposes of subsection (g).

"(2) PARTICIPATION OF CERTAIN ENTITIES.—The Secretary may not make a grant under subsection (a) unless the applicant provides assurances satisfactory to the Secretary that the plan submitted under paragraph (1) has been prepared in consultation with an appropriate number and variety of—

"(A) representatives of entities in the geographic area involved that provide services for the prevention and control of sexually transmitted diseases, including programs to provide to the public information and education regarding such diseases; and

"(B) representatives of entities in such area that provide family planning services.

"(m) REQUIREMENT OF APPLICATION AND TERM OF GRANT.—

"(1) APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary, the application contains the plan required in subsection (l), and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

"(2) TERM OF GRANT.—Grants awarded under this section shall be for a term of 3 years. The Secretary shall require only a single application for each such grant.

"(n) TECHNICAL ASSISTANCE, AND SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.—

"(1) TECHNICAL ASSISTANCE.—The Secretary, acting through the Director of the Centers for Disease Control, shall provide training and technical assistance to grantees under subsection (a) with respect to the planning, development, and operation of any program or service carried out under such subsection. The Secretary may provide such technical assistance directly or through grants or contracts.

"(2) SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.—

"(A) Upon the request of a grantee under subsection (a), the Secretary may, subject to subparagraph (B), provide supplies, equipment, and services for the purpose of aiding the grantee in carrying out such subsection and, for such purpose, may detail to the State or any grantee any officer or employee of the Department of Health and Human Services.

"(B) With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of the grant to the State by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"(o) EVALUATIONS AND REPORTS BY SECRETARY.—

"(1) EVALUATIONS.—The Secretary shall, directly or through contracts with public or private entities, provide for annual evaluations of programs carried out pursuant to subsection (a) in order to determine the quality and effectiveness of the programs.

"(2) REPORT TO CONGRESS.—Not later than 1 year after the date on which amounts are first appropriated pursuant to subsection (r), and annually thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report—

"(A) summarizing the information provided to the Secretary in reports made pursuant to subsection (k), including information on the incidence of sexually transmitted diseases described in subsection (a); and

"(B) summarizing evaluations carried out pursuant to paragraph (1) during the preceding fiscal year.

"(p) COORDINATION OF FEDERAL PROGRAMS.—The Secretary shall coordinate the activities carried out under the program established in this section with any similar activities regarding sexually transmitted diseases that are carried out under other programs administered by the Secretary, including the coordination of such activities of the Director of the Centers for Disease Control with such activities of the Director of the National Institutes of Health.

"(q) DEFINITION.—For purposes of this section, the term 'authorized service' means any service or activity described in subsection (c).

"(r) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section other than subsection (s), there is authorized to be appropriated $80,000,000 for each of the fiscal years 1992 through 1995.

"(s) SEPARATE GRANTS FOR RESEARCH ON DELIVERY OF SERVICES.—

"(1) IN GENERAL.—The Secretary may make grants for the purpose of conducting research on the manner in which the delivery of services under subsection (a) may be improved. The Secretary may make such grants only to grantees under such subsection and to public and nonprofit private entities that are carrying out projects substantially similar to projects carried out under such subsection.

"(2) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out paragraph (1), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1992 through 1995.".

INITIATIVES IN WOMEN'S HEALTH EQUITY ACT

WOMEN'S HEALTH RESEARCH ACT

Directs NIH to focus on women's health research;

Creates Office of Women's Health; and

Creates Centers of Excellence on Women's Health.

Total cost of $27.5 million in FY '92.

WOMEN'S MENTAL HEALTH RESEARCH ACT

Directs ADAMHA to focus on women's health;

Creates Office of Women's Health; and

Creates Centers of Excellence on Women's Health.

Total cost of $27.5 million in FY '92.

OVARIAN CANCER RESEARCH ACT

$30 million to National Cancer Institute for basic research on ovarian cancer, including work on early-detection test.

BREAST CANCER BASIC RESEARCH ACT

$25 million to National Cancer Institute for basic research on breast cancer.

BREAST CANCER SCREENING SAFETY ACT OF 1991

National Accreditation program to assure quality screens.

Each facility must use correct equipment, qualified individuals to screen and interpret.

Annual inspections by accrediting body to assure compliance.

SUCCESSES IN LAST YEAR'S WOMEN'S HEALTH EQUITY ACT

Breast and Cervical Cancer Mortality Prevention Act signed by President, 8/10/90, BAM Initiative.

Increases low-income women's access to mammography and pap smear screening;

Develops education programs for public;

Improves education and training of health officials;

Appropriated $29 m for implementation;

Pres. FY '92 budget allocates $50 m.

Medicare coverage of mammograms included in OBRA '90.

Provides Medicare payment for regular screening beginning Jan. 1, 1991, BAM Support for Initiative in WHEA.

Office of Women's Health Research at NIH included in FY '91 Appropriations Bill with funding BAM Initiative.

Increased funding for breast cancer research included in FY '91 Appropriations Bill, BAM Initiative.

Medicaid infant mortality amendments bill called for coverage for pregnant women and kids under age 6 up to 185% of poverty. Final passage in OBRA '90 of pregnant women and kids up to 133% of poverty.●

Mr. REID. Mr. President, I rise today in support of a group poorly represented here in the U.S. Congress: Women.

Two hundred years of a male-dominated legislature has left its mark on women in many areas, particulary in that of medical research. Traditionally, men have decided, and still do, what types of medical research get funded, and at what levels. Men are in the majority in the Congress, men are in the majority in medical research. This means the needs of women are overlooked.

I am here to speak for those women currently suffering from female specific diseases, and for those who may have died from those diseases, If men suffered from illnesses such as interstitial cystitis, multiple sclerosis, lupus, and osteoporosis at the same rate women do, I would wager that much more research would be done on these illnesses. Perhaps there would even be cures. I call this inequity medical sexism.

Senator BARBARA MIKULSKI has championed the prevention of, and treatment for, the most prevalent of female specific illnesses such as breast, cervical, and uterine cancers. In fact, just this morning, Senator MIKULSKI, when announcing her women's Health Equity Act, spoke with enough strength and eloquence to motivate all men and women in Congress to sit up and recognize the medical sexism which exists in our country. I commend my friend and colleague for her consistent outstanding efforts as a legislator, and I look forward to supporting her efforts every step of the way.

Our Women's Health Equity Act creates a program within the Public Health Service to provide grants to States for preventive breast and cervical cancer screening and referral services for low-income women.

It is no surprise that if detected early, breast and cervical cancers have high survival rates. But, I repeat, if detected early, Regular screening, for all women in our society, prevention, cures—these are what research can bring to women in the United States.

Osteoporosis is a quiet disorder among women which results in gradual bone loss, and is responsible for about 1.3 million fractures every year. It affects an estimated 28 million Americans—almost half of all women over age 45 and 90 percent of women over age 75. It even affects some men. I am pleased to say that Senator GRASSLEY recently introduced The Osteoporosis and Related Bone Disorders Research, Education, and Health Services Act of 1991. I support and applaud his efforts fully, and look forward to seeing the high incidence of osteoporosis decreased.

I was shocked this week to learn that 90 percent of the 20,000 new cases a year diagnosed as lupus—an inflammatory disease of the connective tissue—are in women. Each year 5,000 people die from this painful disease. This disorder of the autoimmune system causes antibodies to attack the body's own components. While researchers believe that there is a genetic predisposition to this illness, they have a long way to go yet.

Multiple sclerosis devastates the lives of twice as many women as men. Well over 250,000 Americans are suffering from this disease, which seems closer to a cure every day. But we don't have a cure yet.

Lastly, I would like to draw attention to a mysterious disease, perhaps the most mysterious I have ever heard of, which is painful and debilitating to those who suffer from it, and baffling to those who are involved in treating it. Estimates are that 500,000 Americans, 90 percent of whom are women, suffer from an illness known as interstitial cystitis. There is no known cause or cure for this disease which is marked by scarring and stiffening of the bladder wall, ulcers or cracks in the lining of the bladder, frequent urge to urinate, and pelvic pain.

A German psychiatric text of only a few decades ago read like this:

Urgent bladder symptoms without any established organic causes would appear to be a psychosomatic illness usually affecting married women in midlife. The majority of patients manifest serious neurotic disorders such as anxiety neuroses, hysteria, phobia, and depression. Patients have sexual disorders, hysterical personality structure, dominated by Oedipus of phallic problems * * *.

Such medical literature was in effect telling interstitial cystitis patients that they were just crazy.

This disrespect and ignorance has plagued medical research. I am pleased to say that this will be the case no more, thanks to legislators like Senator MIKULSKI, Senator GRASSLEY, and others. I intend to see that through the Labor HHS Appropriations Subcommittee, research for female specific diseases receives sufficient resources.

As I have said before, women have been sorely underrepresented in positions that affect this Nation's health policy. Health problems unique to women have received inadequate attention. I intend to change that trend.

Mr. AKAKA. Mr. President, I rise today to cosponsor the Women's Health Equity Act of 1991 being introduced by the Senator from Maryland [Ms. MIKULSKI]. This legislation builds upon last year's bill, S. 2961, which specifically addressed the unmet health care needs of American women.

As an original cosponsor of S. 2961, I am gratified that significant portions of the measure were enacted, including the Breast and Cervical Cancer Act, Medicare coverage of mammograms and the phasing-in of mandatory Medicaid coverage for some children up to 19 years of age.

In spite of these advances, Mr. President, much more must be done to promote greater equity in the delivery of health care services to women.

We are all aware that there are diseases and conditions unique to women—or, which are more prevalent or more serious in women—or, for which specific risk factors or treatments differ for women.

The statistics on gender-related diseases are staggering. One half of all women over age 45, and 90 percent of all women over age 75, suffer from osteoporosis—one in nine women born in the United States will develop breast cancer—and death from alcoholism is at least 50 percent higher among women than men.

At all economic and educational levels, there is a serious lack of information and resources necessary for women to make informed choices about their health. For far too long, their health needs have received limited funding and research support.

Women must no longer be victimized by this inequity in funding.

Today, women are the fastest growing group of those infected with AIDS in the United States. Heart disease

kills more women than any other cause.

And, the United States has a higher infant mortality rate than over 20 other industrialized countries.

To address these critical health issues, the Women's Health Equity Act encompasses 21 different proposals in the areas of research, services and prevention.

We need to expand research on women's health issues, improve access to health care services and develop prevention programs specifically designed for women.

Although the Federal Government spends over $8 billion a year on medical research, only 14 percent of the budgets of the National Institutes of Health and the National Institutes of Mental Health are spent on women's health research. It is no surprise then, that most medical data is based on white, middle-aged men.

We can right this inequity by permanently authorizing the Office of Research on Women's Health at NIH. This Office was established last September to assist in the coordination and monitoring of efforts to improve women's health research at the Federal level.

It would do so by identifying needs, supplementing existing funds for research on women's health and gender differences, coordinating research among the Institutes, and establishing statistical data banks.

A companion office in the Alcohol, Drug Abuse, and Mental Health Administration was also established last year.

Although 50 percent of alcoholics are women, only one out of three people receiving treatment for alcoholism are female.

Under our legislation, funding to the National Institute of Alcohol Abuse and Alcoholism for research on women and alcohol would be increased by $23 million. Right now, only a paltry 5 percent of the Institute's budget is focused on women.

Each year, more than 1 million teenage girls become pregnant. If present trends continue, approximately 40 percent of all 14-year-old girls will be pregnant at least once before reaching the age of 20.

To respond to this disturbing fact, the Health Equity Act would establish and support adolescent health demonstration projects in high schools. Through such programs, teenage girls would have broader access to prenatal and post partum care, family planning, and counseling.

Mr. President, this legislative package also expands Medicare and Medicaid programs for pregnant women and children, makes mandatory Medicaid coverage for routine mammography and cervical cancer screening, and improves the quality of mammography screening.

Initiatives on infertility prevention and control, AIDS outreach and prevention for women in high risk areas, and diagnostic testing for osteoporosis are also featured.

At this time, I would like to commend the Congressional Caucus for Women's Issues and, in particular, Senator BARBARA MIKULSKI, for their steadfast leadership in bringing women's health issues to the forefront. I might also mention that without Senator MIKULSKI'S leadership in the Senate, we would not be where we are today.

Passage of this legislation would commit the Federal Government to improving women's health care in America. Women should not be at risk because of inadequate research into diseases, misread pap smears, or lack of health care information.

For far too long, women's lives have been endangered needlessly. We can, and we must, act swiftly to respond to these urgent needs.

Mr. President, I call on all my colleagues to support and pass the Women's Health Equity Act of 1991.

The health care needs of over half the Nation have been neglected for too long.

By Mr. DOMENICI (for himself and Mr. INOUYE)

S. 515. A bill to authorize appropriations out of the Highway Trust Fund for Indian reservation roads for fiscal years 1992 through 1996; to the Select Committee on Indian Affairs.

AUTHORIZATION OF APPROPRIATIONS FOR INDIAN RESERVATION ROADS

• Mr. DOMENICI. Mr. President, today the distinguished chairman of the Select Committee on Indian Affairs, Mr. INOUYE, and I are introducing legislation to correct a funding deficit that has existed for much too long.

The problem to which I refer is the inadequate level of funding that has been provided to address the road needs of the Indian people of this country.

The legislation I am introducing quite simply strives to finally provide the Indian people with the necessary level of funding to upgrade their deteriorating and inadequate road system. The bill authorizes $225 million per year over the next 5 years to accomplish that objective.

As we begin our comprehensive review of the national highway system, it is my hope that this bill will help define what portion of the highway trust fund should be provided for Indian reservation roads.

The level of funding contained in this bill is based on a survey that was performed to dermine the needs of the Indian people. The part of the Indian reservation roads [IRR] system that was examined in this survey is comprised of about 20,000 miles of roadway under the jurisdiction of the Bureau of Indian Affairs. Another 24,500 miles of the IRR falls under the jurisdiction of State and local governments.

This needs survey outlines the inadequacy of funding for the BIA system of over 20,000 miles of roadway:

> In the 1930's the annual funds available for both Construction and Maintenance ranged from $2.0 to $4.0 million. In the late Fifties, the construction funding level exceeded $10.0 million annually for the first time. In the Seventies, funding reached almost $80 million in 1979, then began to decline. Starting with the Surface Transportation Assistance Act (STAA) of 1982, the funding levels stabilized. There was $75 million available from the Highway Trust Fund (HTF) in FY 1983 and $100.0 million annually for years 1984–1986. The 1987 Surface Transportation and Uniform Relocation Assistance Act reduced the annual Trust Fund Authorization to $80 million for FY 1987–1991. These levels were not indexed for inflation.
>
> The reduced $80.0 million authorization is very inadequate to meet the needs of the BIA system of roads. It is estimated that $95 million is needed annually to just continue the current BIA IRR system at its present condition and level of service.
>
> Approximately $227 million per year is needed to bring the BIA system to an acceptable level of completion in 25 years. Many of the IRR provide access to the nation's most scenic areas, and are essential to Indian economic development.

Mr. President, there are more than 500 federally recognized Native American tribes and Alaskan villages located in this country. Most of their reservations are located in isolated areas where there is little economic opportunity. Therefore, an adequate road system is an absolutely necessary component in providing economic opportunities for these people. Much of the isolation that exists is directly related to the fact that an adequate road system does not exist.

The needs survey rated the condition of the BIA roads. The results are an embarrassment. Only 11 percent of the paved roads and 0 percent of the unpaved roads were rated as good. Conversely, 53 percent of the paved roads and a staggering 90 percent of the unpaved roads were rated as poor. Fair condition was given to 36 percent of the paved roads and 10 percent of the unpaved roads.

While the survey found that most existing bridges on the BIA system have been rehabilitated within the past 10 to 15 years, there is a pressing need for new bridges.

As the Congress begins to review the Federal-aid Highway System, I look forward to working closely with my colleagues on the Environment and Public Works Committee to make sure that the pressing needs of the Indian people are thoroughly addressed. I urge the members of that committee to review this bill.

Mr. President, I ask unanimous consent the text of this bill be printed at this point in the RECORD.

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

S. 515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $225,000,000 for each of the fiscal years 1991, 1992, 1993, 1994, 1995, and 1996 for the purpose of carrying out the provisions of title 23, United States Code, with respect to Indian reservation roads.●

By Mr. SIMON:

S. 516. A bill to prevent potential abuses of electronic monitoring in the workplace; to the Committee on Labor and Human Resources.

PRIVACY FOR CONSUMERS AND WORKERS ACT

Mr. SIMON. Mr. President, I am today introducing legislation that would outlaw secret monitoring in the workplace.

Most Americans believe that their telephone conversations with private businesses or Government agencies are free from third-party surveillance. However, as many as 400 million such calls a year are subject to invasion by snooping supervisors. Telephone companies, insurance firms, direct mail marketers and even Government agencies such as the Internal Revenue Service and the Social Security Administration regularly listen in on calls between their employees and the public.

Countless telephone callers, since they are not aware that an intruder is overhearing what they believe to be a private conversation, are in this way deprived of the right to make fundamental choices about what sensitive information they are willing to divulge.

For example, a caller could be discussing a claim for an intimate medical matter, such as a case of AIDS, with an insurance company employee. While the AIDS victim is on the line, he does not know that the claims specialist's supervisor is secretly monitoring his call. Similarly, a taxpayer may be talking about a financial problem with an IRA employee. The taxpayer has no idea the conversation is subject to hidden surveillance by another Government official.

It is an unfortunate irony that the Federal Bureau of Investigation is required to obtain a court order to wiretap a telephone, even in cases of national security, but that employers are permitted to spy at will on their own personnel and the public.

Telephone eavesdropping in the workplace not only tramples upon public's right to privacy but also violates employees' dignity.

Mr. President, in addition to secretly listening in on consumers' telephone calls, businesses and Government agencies are making rampant use of computers to evaluate employees' job performance.

Demonstrating the magnitude of this intrusive practice, in 1987 the Office of Technology Assessment reported that concealed computer monitoring was being used by employers to evaluate the pay and performance of up to 6 million American office workers.

In the case of clandestine telephone surveillance, employers now use computers as a tool to supplement company supervisors' scrutiny of workers' conversations with customers. The computer is used to record information about the length of time the employee spends handling a business call and the kinds of transactions the worker carries out during the conversation.

Just as neither the employee nor the customers knows that a supervisor is on the telephone line, similarly neither party to the conversation is aware that a computer is silently collecting information about the content of the call.

Secret electronic surveillance is also used by management as a tool to monitor the output of employees who use video display terminals [VDT's] and other computer equipment to do their assignments.

Monitored employees, whether in telephone conversations with the public or in producing work with computers, must carry out rapid repetitive duties that require rigorous attention to detail executed under the stress of constant supervision and the demand for faster output. In one mail order firm, employee turnover rose to 80 percent after the company instituted covert electronic monitoring of its VDT operators.

In reality, secret monitoring is the merciless electronic whip that drives the fast pace of today's workplace in the service industry.

Most disturbing, concealed monitoring imposes the worst features of old-fashioned factories on today's office workers. Unrestrained surveillance of workers has turned many modern offices into electronic sweatshops.

In assembly-line environments, employees must labor at top speed under a pace set by unwinking computer taskmasters. These machines are ever vigilant. They watch every work activity that an employee performs, even counting the number of keystrokes per second that he or she makes.

The computer sets arbitrary work rules and then inexorably tracks the employee to ensure that these standards are being met. Standards are frequently ratcheted up, and evaluations become based on the minute details rather than on the final product or service.

The relentless assault of secret monitoring impels employees to care more about meeting a numerical standard measured by a lifeless computer than about meeting the service needs of a customer.

The result is that for millions of wage earners, the "electronic supervisor" is the new boss in the information age. Workers justifiably complain of dehumanization when companies use computers as surrogates for human supervisors to set standards and evaluate performance.

From a related standpoint, secret surveillance is taking a devastating toll on the occupational safety and health of workers who are subjected to this misguided business policy. Employees who labor under the scrutiny of concealed monitoring suffer high levels of stress-related medical problems such as ulcers, heart disease, fatigue, diabetes, and depression.

Mr. President, Americans should not be forced to give up their dignity or sacrifice their health when they go to work. We have occupational safety and health laws to protect workers' bodies. Congress similarly needs to reduce stressful environments and provide justice on the job for workers subjected to secret monitoring.

Prof. Alan F. Westin of Columbia University, an expert on individual rights in the business world, has observed that—

> Americans are coming to believe that the rights we attach to citizenship in society—free expression, privacy, equality and due process—ought to have their echo in the workplace.

To help achieve that goal, I am today introducing the Privacy for Consumers and Workers Act. This legislation strikes a careful balance between the demands for technological change and the need for citizen protection.

The bill would provide employees for the first time with a "right to know" when and under what conditions monitoring will take place. The measure would require employers to give workers advance notice of the types of monitoring that will occur and how they will be used.

The bill stipulates that when monitoring is occurring, workers—and, in the case of third-party telephone surveillance, the public—would have to be notified with a beeping tone or other form of contemporaneous communication.

The Privacy for Consumers and Workers Act mandates that monitoring be relevant to job performance. Thus, if employers must monitor, they should monitor the work and not the worker. The bill also prohibits the collection of data pertaining to employees' exercise of their first amendment rights. An additional provision specifies that monitoring cannot be the exclusive basis for performance evaluation or disciplinary action.

Mr. President, Supreme Court Justice Louis Brandeis referred to the right to privacy as "the right to be left alone, the right most valued by a civilized society." My legislation would help preserve this most fundamental of American values in an era of growing use of surveillance technologies at the workplace.

Mr. President, I ask unanimous consent that a summary of the bill and the

text of the legislation be printed in the RECORD at the conclusion of my statement. I also ask unanimous consent that an article by Peter Kilborn from the New York Times entitled "Workers Using Computers Find a Supervisor Inside," also be included in the RECORD at the conclusion of my statement.

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

S. 516

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 "Privacy for Consumers and Workers Act".

SEC. 2. DEFINITIONS.

As used in this Act—

(1) the term "electronic monitoring" means the collection, storage, analysis, and reporting of information concerning an employee's activities by means of a computer, electronic observation and supervision, remote telephone surveillance, telephone call accounting, or other form of visual, auditory, or computer-based surveillance conducted by any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system;

(2) the term "employee" means any current or former employee of an employer;

(3) the term "employer" means any person who employs employees, and includes any individual, corporation, partnership, labor organization, unincorporated association, or any other legal business, the Federal Government, any State (or political subdivision thereof), and any agent of the employer;

(4) the term "personal data" means any information concerning an employee which, because of name, identifying number, mark, or description, can be readily associated with a particular individual, and such term includes information contained in printouts, forms, or written analyses or evaluations;

(5) the term "prospective employee" means an individual who has applied for a position of employment with an employer; and

(6) the term "Secretary" means the Secretary of Labor.

SEC. 3. NOTICE.

(a) IN GENERAL.—Each employer who engages in electronic monitoring shall provide each affected employee with prior written notice describing the following regarding the electronic monitoring directly affecting the employee:

(1) The forms of electronic monitoring to be used.

(2) The personal data to be collected.

(3) The frequency of each form of electronic monitoring which will occur.

(4) The use of personal data collected.

(5) Interpretation of printouts of statistics or other records of information collected through electronic monitoring.

(6) Existing production standards and work performance expectations.

(7) Methods for determining production standards and work performance expectations based on electronic monitoring statistics.

(b) NOTICE CONCERNING EXISTING FORMS OF ELECTRONIC MONITORING.—(1) Each employer shall notify a prospective employee at any personal interview or meeting of existing forms of electronic monitoring which may directly affect the prospective employee if such employee is hired by the employer.

(2) Each employer, upon request by a prospective employee, shall provide the prospective employee with the written notice described in subsection (a) regarding existing forms of electronic monitoring which may directly affect the prospective employee if such employee is hired by the employer.

(3) Each employer who engages in electronic monitoring shall provide the affected employee with a signal light, beeping tone, verbal notification, or other form of visual or aural notice, at periodic intervals, that indicates that electronic monitoring is taking place. If the electronic monitoring is conducted on a continuous basis during each of the employee's shift, such notice need not be provided at periodic intervals.

(4) An employer who engages in telephone service observation shall provide the affected customer with a signal light, beeping tone, verbal notification, or other form of visual or aural notice, at periodic intervals, indicating that the telephone service observation is taking place.

(c) NOTICE TO CURRENTLY AFFECTED EMPLOYEES.—Notwithstanding subsection (a), an employer who is engaged in electronic monitoring on the effective date of this Act shall have 90 days after such date to provide each affected employee with the required written notice.

SEC. 4. ACCESS TO RECORDS.

Each employer shall permit an employee (or the employee's authorized agent) to have access to all personal data obtained by electronic monitoring of the employee's work.

SEC. 5. PRIVACY PROTECTIONS.

(a) RELEVANCY REQUIRED.—An employer shall not collect personal data on an employee through electronic monitoring which is not relevant to the employee's work performance.

(b) DISCLOSURE LIMITED.—An employer shall not disclose personal data obtained by electronic monitoring to any person or business entity except to (or with the prior written consent of) the individual employee to whom the data pertains, unless the disclosure would be—

(1) to officers and employees of the employer who have a legitimate need for the information in the performance of their duties;

(2) to a law enforcement agency in connection with a criminal investigation or prosecution; or

(3) pursuant to the order of a court of competent jurisdiction.

SEC. 6. USE OF DATA COLLECTED BY ELECTRONIC MONITORING.

(a) DATA MAY NOT BE USED AS SOLE BASIS FOR EVALUATION.—An employer shall not use personal data obtained by electronic monitoring as the exclusive basis for individual employee performance evaluation or disciplinary action, unless the employee is provided with an opportunity to review the personal data within a reasonable time after such data is obtained.

(b) DATA MAY NOT BE USED AS SOLE BASIS FOR PRODUCTION QUOTAS.—An employer shall not use personal data obtained by electronic monitoring data as the sole basis for setting production quotas or work performance expectations.

(c) DATA MAY NOT DISCLOSE EMPLOYEE'S EXERCISE OF CONSTITUTIONAL RIGHTS.—An employer shall not maintain, collect, use, or disseminate personal data obtained by electronic monitoring which describes how an employee exercises rights guaranteed by the First Amendment unless such use is expressly authorized by statute or by the employee to whom the data relates or unless pertinent to and within the scope of, an authorized law enforcement activity.

SEC. 7. ENFORCEMENT PROVISIONS.

(a) CIVIL PENALTIES.—(1) Subject to paragraph (2), any employer who violates any provision of this Act may be assessed a civil penalty of not more than $10,000.

(2) In determining the amount of any penalty under paragraph (1), the Secretary shall take into account the previous record of the person in terms of compliance with this Act and the gravity of the violation.

(3) Any civil penalty assessed under this subsection shall be collected in the same manner as is required by subsections (b) through (e) of section 503 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1853) with respect to civil penalties assessed under subsection (a) of such section.

(b) INJUNCTIVE ACTIONS BY THE SECRETARY.—The Secretary may bring an action under this section to restrain violations of this Act. The Solicitor of Labor may appear for and represent the Secretary in any litigation brought under this Act. In any action brought under this section, the district courts of the United States shall have jurisdiction, for cause shown, to issue temporary or permanent restraining orders and injunctions to require compliance with this Act, including such legal or equitable relief incident thereto as may be appropriate, including employment, reinstatement, promotion, and the payment of lost wages and benefits.

(c) PRIVATE CIVIL ACTIONS.—An employer who violates this Act shall be liable to the employee or prospective employee affected by such violation. Such employer shall be liable for such legal or equitable relief as may be appropriate, including employment, reinstatement, promotion, and the payment of lost wages and benefits.

(2) An action to recover the liability prescribed in paragraph (1) may be maintained against the employer in any Federal or State court of competent jurisdiction by an employee or prospective employee for or on behalf of such employee, prospective employee, and for other employees or prospective employees similarly situated. No such action may be commenced more than 3 years after the date of the alleged violation.

(3) The court, in its discretion, may allow the prevailing party (other than the United States) reasonable costs, including attorney's fees.

(d) WAIVER OF RIGHTS PROHIBITED.—The rights and procedures provided by this Act may be waived by contract or otherwise, unless such waiver is part of a written settlement agreed to and signed by the parties to the pending action or complaint under this Act.

SEC. 8. REGULATIONS.

The Secretary shall, within 6 months after the date of the enactment of this Act, issue rules and regulations to carry out the provisions of this Act.

SEC. 9. INAPPLICABLE TO MONITORING CONDUCTED BY LAW ENFORCEMENT AGENCIES.

This Act shall not apply to electronic monitoring administered by law enforcement agencies as may otherwise be permitted in criminal investigations.

NOTICE

The bill requires employers to provide employees with prior written notice of: the forms of electronic monitoring they will be subjected to and the frequency of the monitoring; how to interpret the records or

printouts of statistics on the monitoring and how production standards are based on those statistics; what kind of personal data on the employee will be kept, and what the personal data will be used for.

Employers shall provide prospective employees with the notice described above for monitoring activities that may directly affect the prospective employee if hired. Such notice shall be provided at any personal interview or meeting with the prospective employee, or upon the request of the prospective employee.

Employers shall notify employees while the computer or telephone monitoring is taking place. In the case of telephone monitoring, the notice must also be given to the third party or customer being monitored.

Employers shall have 90 days after enactment to provide written notice to existing employees.

PERFORMANCE EVALUATIONS AND DISCIPLINARY ACTION

The employer may not use the computer monitoring data as the exclusive basis for individual performance evaluations or for disciplinary action, unless the employee is allowed to review the personal data within a reasonable amount of time after it is obtained.

PRODUCTION QUOTAS

The data may not be used as the sole basis for setting production quotas.

FIRST AMENDMENT RIGHTS

In addition, the data may not disclose an employee's exercise of rights guaranteed by the first amendment.

ENFORCEMENT

Violations of the provisions of this act shall be punishable by a civil penalty, not to exceed $10,000.

The Secretary of Labor may bring injunctive action to enforce the provisions of this act.

Employees may bring civil actions in the appropriate court for damages arising from violations of this act.

Rights protected by this act may not be waived.

The Secretary shall have 6 months to issue rules and regulations regarding the enforcement of this act.

CRIMINAL INVESTIGATIONS

The provisions of this Act shall not apply to monitoring conducted by law enforcement agencies as otherwise permitted in criminal investigations.

[From the New York Times, Dec. 23, 1990]

WORKERS USING COMPUTERS FIND A SUPERVISOR INSIDE

(By Peter T. Kilborn)

CHICAGO.—Now and then, Harriette Ternipsede stands up, defying the stream of calls pouring into her telephone. When she does, she said, her supervisors at the Trans World Airlines reservations office here call across the rows of sales agents and tell her to sit down.

Although standing up slows production, it gives her relief from two-hour stretches of sitting at a computer terminal, and, she says, "It's a way to show I'm a person."

But it is not just the supervisors across the room who are watching Ms. Ternipsede. Through her telephone and video display terminal, Ms. Ternipsede's employers constantly monitor the speed and efficiency with which she makes plane reservations and sells tickets.

CLAIMS OF A SWEATSHOP

Ms. Ternipsede, a 55-year-old veteran agent at T.W.A., is among millions of workers, women mostly, in the back offices of airlines, Government agencies, insurance companies, mail-order houses and telephone companies who are the cogs in what some employees call an electronic sweatshop.

Through the telephones and computer terminals they use, the workers and their performance can be watched, measured and analyzed in microchip detail.

Some companies use the systems openly and rather benignly to track their business and help laggards among workers improve.

And some T.W.A. agents say the company's intensive monitoring is understandable. "You're not getting trustworthy people," said Joseph Garza, 38, who was shifted last month from selling reservations to the low-pressure desk where agents work out fares for complicated itineraries. "You're getting more 18-year-olds, not college-educated, not creative. So naturally, T.W.A. says this is the only way to get something out of these people."

But advocates for workers, like the organization Nine-to-Five, say other companies run dehumanizing pressure cookers, relegating management prerogatives to electronic taskmasters. They say the companies program high performance goals into computers and push employees to work faster to meet them, much as manufacturers speed up assembly lines. And as a result of listening in on calls, they say, the companies make judgments about workers without letting the employees defend themselves.

Because computers can measure quantity better than quality, critics of the monitoring systems say employees who do the fastest work often reap greater rewards than do those who do the best work. They complain of invasions of privacy, of managers who are oblivious to human needs and of stress-induced illnesses or injuries.

In October, a study of 762 telephone workers nationwide by Michael J. Smith, chairman of the industrial engineering department at the University of Wisconsin in Madison, and the Communications Workers of America, said 81 percent of those who were monitored had symptoms or complaints of depression, as against 69 percent of those who were not monitored. Fifty-one percent of the monitored workers cited stiff or sore wrists, as against 24 percent of the other workers.

Three years ago the Congressional Office Technology Assessment estimated that 6 million to 10 million workers were regularly monitored electronically at their computers. Mr. Smith said the number has probably doubled since then.

At hundreds of companies, the performance of data-entry clerks is judged by the speed of their computer-measured keystrokes. Directory-assistance oprators at telephone companies are allotted 25 seconds or less to root out a number, however vague the request, and computers record their times.

In supermarkets, computers measure the speed with which the checkout clerks sweep purchases over the optical scanners.

In an office building in downtown St. Louis, customer-service representatives at Union Pacific Railroad offices who book shipments for companies that send their goods by rail work at the kind of pace that telephone operators and airline reservation agents do.

"A customer calls in and says, 'I need two freezer cars to ship frozen french fries from American Falls, Idaho, to a warehouse in Kentucky,'" said Tracey Young, an official with the transportation and communication workers union. He said computers track the origin, duration and frequency of calls and that secretly and at random supervisors listen in.

LIMIT TO LISTENING IN

In response to employee complaints, the Social Security Administration this year relaxed its eavesdropping practice for its telephone workers who take calls from the public.

Carol Fehner, a representative of the administration's field office employees, said management agreed to listen in on no more than 15 calls a month to employees with more than two years' experience and to disclose when it would listen. But newer employees are subject to listening on up to 40 calls and, without warning, computer monitoring.

Early this year Senator Paul Simon of Illinois, chairman of the Senate Labor Committee's Subcommittee on Employment and Productivity, and Representative William L. Clay of Missouri, both Democrats, proposed legislation to prevent invasions of privacy.

Under the measure, companies would be required to inform both employees and the consumers who telephone them when their conversations are being monitored. The bills found wide support but were overwhelmed in the crush of other legislation. Brian Kennedy, an aide to employment and productivity subcommittee, said they would be reintroduced next year.

Nine-to-Five, a Cleveland-based organization that runs a telephone hot line to take worker complaints about monitoring, says most of the hundreds of calls it receives annually come from airline and telephone employees. Cindia Cameron, who runs the hot line, said that among the airlines, T.W.A., United, Eastern and American are mentioned the most.

Although the monitoring by one company may be no more rigorous than by the others, she said, "the agents at T.W.A. are the most vocal."

Four years ago, the workers at T.W.A. voted to have the International Association of Machinists and Aerospace Workers represent them. But because of delays in preparing a contract, which the union attributes to foot-dragging by management and Washington regulators, Ms. Ternipsede has stepped into the breach as a trouble-shooter for her fellow employees. She helps workers present their grievances to the company, and she and 25 colleagues have put up $100 each to retain a lawyer.

T.W.A. declined to let a reporter interview management here or to visit the office. But Donald C. Morrison, the company's vice president for public affairs, said that many employees like the computer monitoring system, and that, indeed, some of the best workers like being assessed by a system that is free of human bias. "I don't think we're different from any other type of workplace," Mr. Morrison said.

"From the standpoint of productivity," he said, "we believe it's possible for all agents to maintain the bench marks. We want to make sure the customers, paying hard-earned dollars, are getting what they paid for."

Agents here and at T.W.A.'s other telephone reservation offices in Manhattan, St. Louis and Los Angeles get weekly and monthly report cards based on the computer's measurements of the time they spend on the phone and on the supervisors' assessments of their phone conversations.

Grades run from 1 (very bad) to 5 (very good). Workers earning 5's are awarded certificates that entitle them to an hour off with pay. Ones and 2's bring days off without pay and the possibility of eventual dismissal.

"Supervisors don't know whether they're there to make money or run a prison camp," said Paul C. Theile, an agent here who helps other employees lodge grievances. "As an educational tool, monitoring is probably a good thing. But they don't train you, they control you.

Turnover is high here, employees say, and would be higher if workers were not constrained by their pay and pensions. Older, experienced employees make more than $20,000 a year. Instead of resigning, some employees say, they fight the system by doing less work.

"I'm a 3," said a longtime agent in her late 30's who said she feared letting her name be used. "I could do better. I've been a 5. But I don't care. You don't get fired for a 3. I'm just biding my time."

A DAY ON THE JOB: RIGID RULES AND FEW EXCUSES

At the Chicago office, on the 17th floor of a black-and-glass tower on North Michigan Avenue, about 300 sales agents assigned staggered shifts enter a large open room to be briefed on changes in fares or routes. They can be up to 30 seconds late before they are docked.

Once at their desks, the agents enter individual passwords into their computers and phones. "Then you hit the 'Avi,' button," said Betty Granger, an agent assigned to handle complaints from passengers. "Hitting Avi means you're available. The calls start popping in."

And the computer starts counting. It counts the duration of a call and the time an agent spends between calls, usually to wrap up a reservation. A few years ago, agents were allowed seven seconds between calls, Ms. Ternipsede said, but now all computer-calculated time between calls is weighed against them in determining their grades.

The computer also records when employees sign in, when they sign out and whether they exceed their 30 minutes for lunch, their two, 15-minute breaks and the 10 minutes they are allowed in the restroom a day. It calculates the percentage of the workday that employees are plugged in to their machines, the number of calls they take in a day and the average length of their calls.

Each week, typically, the agent is given a record of the computer's calculations with his or her grade. But the computer calculations are not the only measurement of productivity. The company keeps a monthly record of each worker's sales performance, called a monitor. To earn 5's on the monitors, workers must be patient and courteous.

Supervisors prepare the monitors by listening in on calls. They tick off how faithfully the agents comply with eight criteria of the airline's programmed sales pitch. The agents must introduce themselves. They must obtain the caller's name and use it twice in talking with him or her. They must press to convert inquiries into sales.

While at their desks, agents cannot make or receive outside calls. Supervisors deliver messages to the agents, and the company provides three free phones in the lounge for local calls. But to use them, agents must sign off their machines, risking cuts in their grades.

Workers say T.W.A.'s preoccupation with absolutes extends to other aspects of their jobs, too.

"An employee is absent when he fails to report for or remain at work as scheduled," the agents' handbook states. "Lateness is a short absence. Absence includes all time lost from work schedule whether avoidable or unavoidable, excluding death emergencies and jury duty."

Six absences of any duration over a two-year period are grounds for dismissal, although it is not automatic.

On Valentine's Day this year, three women, Lee Kilmas, Kathy Ostrowski and Denise Pienta, got stuck in a major snowstorm and never made it in for their 6 P.M. shift; a fourth, Lynn Cummings, arrived two and one-half hours late. Mr. Theile said one of the women asked to cash in some time off for good grades, but management would not allow it. The woman made up their time by working late other days, but their absences went into their records.

"The company is not inhuman," Mr. Morrison said. "We understand that there are snowstorms. All we're saying is absences are grounds for dismissal. We're not saying the employees will be dismissed."

MANDATED OVERTIME

When the company has what it deems an emergency, like a discount fare promotion that prompts a lot of calls, it can require agents to work beyond their normal quitting times. The company first asks for volunteers, and if it does not get enough, it sets a green light on the walls flashing. The light is a signal to agents to look for a bulletin in their terminals, and the bulletin orders them to stay at their desks.

"They can come tap you on the shoulder and force you to work, one hour, two hours," said Richard DeVito, an agent at T.W.A.'s office at Penn Plaza in Manhattan. "We've had women coming out of there almost hysterical."

Ms. Ternipsede said that in Chicago this year workers have started leaving anyway. For doing so, she said, they get letters of reprimand, which can lead to dismisal.

Mr. Morrison said: "When we have a situation that if for what we believe are emergency conditions it is necessary to ask employees to remain on mandatory overtime, we have the prerogative, and the employees are aware of it."

SEEKING CHANGE: SMARTER COMPUTERS, BETTER MANAGERS

But critics say the system has built-in flaws. With its computers, T.W.A. can determine how many seats an agent sells, but it cannot distinguish between the sale of a money-losing, $99 discount fare and a globe-hopping, $8,000 first-class fare.

"A real question about these systems is whether the indicators they use are legitimate," said Mr. Smith at the University of Wisconsin. "It's much easier to use them to increase quantity than quality."

Bigger questions involve the issues of privacy and intimidation. Experts fear that mean-spirited supervisors could manipulate such a computer system to jeopardize a worker's job. "You can find little mistakes and compile a list of things that look bad," said Mr. Kennedy, the Senate subcommittee aide. "You can do that to anyone."

Gary T. Marx, professor of sociology at the Massachusetts Institute of Technology, said, "Some people like a system that measures their productivity and helps them improve." But he said companies get into trouble when they give management wide authority to ignore and override the computer.

Some companies have made more room to accommodate workers' complaints. Ms. Cameron of Nine-to-Five cited Northwest Airlines, where new management has jettisoned a system like T.W.A.'s, and a regional telephone company, U S West in Denver, where the communications workers union negotiated a contract a few weeks ago that eliminated the aspects of electronic monitoring that employees deemed offensive.

Among other things, the U S West agreement requires that supervisors tell the company's 5,000 operators and clerks when they will be monitored for the purpose of job assessment and that management allow the workers the choice of being monitored remotely or with the supervisor sitting at the worker's side.

Sue Pisha, a union official who helped negotiate the contract said that workers' use of time is still recorded, but that the measurements cannot be included in performance reviews. "Right now," she said, "I don't see any major problem."

At Northwest's Seattle reservation office, Renee Maurel, an agent, said, "I was a number on an assembly line." Then last year Alfred Checchi and other investors took over the airline. "He said employees are paramount. He told us, 'If we can't make you happy, you can't make the customer happy. So let's start making you happy. He started treating people like family, not like slaves rowing across the ocean."

As at U S West, workers are told when they are to be monitored. "They say, 'If you were going to do anything weird today, don't do it today because we're listening.'" Ms. Maurel said.

She said the calls are also taped so there is less room for disagreement about how the agent handles the call.

By Mr. BOREN (for himself and Mr. PELL):

S. 517. A bill entitled the "Educational Exchanges Enhancement Act of 1991"; to the Committee on Foreign Relations.

EDUCATIONAL EXCHANGES ENHANCEMENT ACT

• Mr. BOREN. Mr. President, in the years since World War II, America's standing as leader of the free world has rested by and large on our military strength: Our military authority allowed us to leverage a leadership position in world political and economic spheres. With the Soviet Union and their Warsaw Pact allies looming as a military menace, our friends in Western Europe and Asia naturally deferred to us in policy matters: we were the big player on their team and we called the shots.

As the war in the gulf has shown us, the United States, while still clearly a major leader in the free world, is now part of a larger international partnership with our allies. And nations that once fought against us are now fighting with us. While cold war rivalries still dictated American foreign policy just a few short years ago, now the threat of a major military conflict with the Soviet Union is greatly reduced, even in light of current internal instability in the Soviet Union. Our allies are no longer bound to the United States by a need for military protection against the Eastern bloc and many of our one-time enemies are now looking to us for leadership and guidance.

We now have before us the opportunity for a new and different kind of leadership role: Not one based on containment, but on partnership; not one based on military stand-offs and survival strategies, but on the fundamental merits and strengths of the American system.

What are we doing to prepare ourselves for this new leadership rôle? What are we doing to shift our emphasis from military to economic strength? The United States will be among world leaders in the 21st century only if we recognize and respond to the changing priorities in the world, only if we develop the resources and promote the assets necessary to lead.

Among the skills most basic to a world leadership role is an understanding of the world's languages and cultures. Until now, we have educated our children largely in a vacuum with little regard for the international community in which we live. It was possible for us to get by with this insular and isolationist approach to education when our leadership was based on military strength: The world came to us and spoke our language. That is clearly no longer the case.

With the many countries in the Eastern bloc opening to new economic opportunities and with Asia and Western Europe developing as formidable market networks, it is urgent that the United States move vigorously to take its place in the international community. Very simply, either our children will develop the skills necessary to function in the international community or they will be shut out of it.

Our ignorance of world cultures and world languages severely limits our ability to enter into global exchange. One hundred percent of high school graduates in Japan speak fluent English: They have to take 6 years of it to graduate. Japanese high schools place a high priority on the study of foreign language. Do you know what percentage of American students studied Japanese here at home? Two one-hundredths of 1 percent. In fact, only about 25 percent of American high school students are enrolled in any foreign language courses at a time when the European Community has adopted as a goal for all of its students fluency in two languages other than their own.

The war in the gulf serves as a vital example of why we must educate our students about more than just American history. The resolution of the conflict in the Persian Gulf area will leave a very different power structure in the Middle East than the one we knew before the conflict began. Now, more than ever, it is essential that Americans understand the history of the Middle East. In order to help play a role in developing the future of this volatile region, we must be fully aware of its past. Unfortunately, while there are a great number of respected American academics and policymakers with expertise in Middle Eastern affairs, our Nation's students, by and large, lack knowledge about this region. And, as many reports have revealed, the Middle East is not the only region of the world our students have not studied adequately.

In a Gallup poll published in the National Geographic magazine last year, American students between ages 18 and 24 ranked dead last in geographic knowledge among the 10 nations surveyed. The survey reveals some ominous trends: while Soviet students, predictably, scored well above their elders whose educational opportunities were limited, American students scored significantly below older Americans. Soviet students answered nearly a third more questions correctly than we did and the National Geographic Society's chairman, Gilbert Grosvenor, remarked, "Younger Soviets have come a long way toward knowing the world around them." Kindly, he did not comment on how far American youth has to go to achieve that same knowledge. If we expect to be world leaders in the next century, we must, at the very least, be able to understand and communicate with that world.

As we continue to isolate ourselves with our confining educational system, other nations are doing just the reverse: reaching out, establishing ties, learning and working together. It is clear that the rest of the world understands the importance of exposure to foreign cultures and languages—especially the culture and language of the United States: More than 356,000 students from other countries came here to study last year. How many of our students went in the other direction? Only 33,000 American students ventured out of this country for at least a semester of study. Taiwan and Malaysia, countries with a combined population of 37 million, sent more students to the Untied States than the total of American students who studied abroad.

We must encourage foreign students to come to the United States to study. What better way to promote the economic and political ideals of the United States than for the youth of the international community to see those ideals in action, first-hand?

The Soviet Union is an important example today of the need to encourage student exchange so that we may also encourage the exchange of democratic ideas and philosophy. As the leadership is tested in the Soviet Union and more and more of its citizens demand new and important rights, the United States should be willing to provide the forums for educational exchange for both our students and theirs. These exchange programs can help make it more difficult to reverse the progress which has been made in bringing more freedom to the Soviet Union.

The U.S. Congress must establish a scholarship exchange program that will vastly increase where our students go to study and exchange ideas. We must recognize that, in this quickly changing world, no longer should we just have a handful of students and academics studying in Moscow, for example. We must ensure that our students study in a far larger classroom. Our students need to be sent to such areas as Soviet Georgia, Latvia, and Kamchatka. As newly emerging voices of freedom speak out, our students can be an important conduit for knowledge of these regions. And their students will need, now more than ever, to have the opportunity to study in the United States and understand the intricacies of democracy.

As history has shown us, students can provide the loudest voice for positive change. It's no surprise that many of the Chinese students at Tiananmen Square who so valiantly sought freedom for their nation had studied in the United States. They knew what freedom was. They had seen it. One of the best ways we can export American ideals is to have students from other nations come and take them home.

Ironically, this process was understood and routinely practiced by the communist world in the last decade. The Soviet Union accepted as many as 35,900 students annually from developing countries in the 1980's. In 1986, for example, students from developing nations in Africa studying in the Eastern Bloc far outnumbered those studying in the United States. In 1987, Cuba accepted twice as many Angolan students as we did, three times as many Ethiopians. While our country is virtually swamped with students from industrialized Western nations, we have shamefully ignored their counterparts in the Third World.

And while we must welcome students all over the world, especially those from developing countries, exchange is reciprocal—to communicate, to particiapte in the international community we, too, must understand the languages and cultures of the world. It is no longer enough that only they understand us.

How do we reverse the isolating effects of our educational system? How do we develop the resources basic to leadership standing in the international community? I believe this legislation addresses these vital needs.

Senator PELL and I worked with many of our distinguished colleagues in the bipartisan foreign policy leadership in Congress over a year ago on a proposal to President Bush to create a student exchange agreement with the Soviet Union. Mr. Bush presented the idea to President Gorbachev at the Malta Summit and our governments have already signed a general agreement toward the implementation of that accord here in Washington earlier

this year. That agreement was a good step forward, but we must go much farther to move out of isolation and into the international community.

The Educational Exchanges Enhancement Act of 1991 will spark the cultural and educational exchange so critical to our international position. Designed to supplement Fulbright and other successful exchange programs, it provides support for undergraduate study at an age when students form lifelong bonds of friendship, when they are most open to the benefits of foreign study. It will allow students who out of financial hardship could never even travel, much less study abroad, to have that chance. The program provides 10,000 scholarships to American students going abroad and 10,000 to students of other countries coming to the United States. The program keys on countries where exchanges are currently limited—and most needed: it encourages students from the new democracies of Eastern Europe to study in America, for example, and will help fund studies for Americans in nations where the United States is currently underrepresented, such as Asia and South America. Doubling current funding levels for exchange programs, the legislation authorizes an initial $50 million appropriation in 1992 expanding to 200 million in 1995.

I am very pleased that the chairman of the Senate Foreign Relations Committee, Senator PELL, is joining me as he did last year as a coauthor of this bill. His commitment to this scholarship progam is further evidence of his long-standing commitment to excellence in international education.

We don't suggest that this legislation alone will fully integrate the United States into the international community, that it will entirely eliminate the degree of isolation which has come from the insular nature of our educational system. But it's a first step. It's a step toward spreading and firmly rooting the ideals of democracy and economic freedom around the world. It's a step toward developing the assets we must have to lead a world which is adopting those ideals. The next decade presents us with unique opportunities to prepare this nation for the changing realities of the next century. We must seize these opportunities now. They may not come again.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD immediately following this statement. I also ask that the list of organizations which have endorsed the Boren-Pell Educational Exchanges Enhancement Act of 1991 be included in the RECORD.

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

S. 517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as "The Educational Exchanges Enhancement Act of 1991".

FINDINGS

SEC. 2. The Congress finds that:

(1) United States educational exchange programs, and in particular the Fulbright Academic Exchange Program and the Humphrey Fellowship Program, have served to promote the free exchange of ideas and knowledge between the United States and other countries and have thus served to promote democratic ideals;

(2) Expanded educational exchange programs between the United States and other countries will support the process of democratization now underway around the world and will, by enhancing mutual understanding, contribute to a more free and peaceful world;

(3) Existing private and foreign government educational exchange programs provide significant opportunities for Americans to study and live in Western Europe as well as provide significant resources for students from certain countries and certain backgrounds to study in the United States;

(4) Expanded United States Government exchange programs should promote increased exchange of students and scholars between the United States and the Soviet Union, between the United States and the new democracies of Eastern Europe, and between the United States and countries not significantly benefitting from existing exchange of persons programs; and

(5) Further, enhanced United States Government exchange programs should provide scholarships to students from countries and economic backgrounds not adequately represented in the current United States foreign student population.

ENHANCED EDUCATIONAL EXCHANGE PROGRAMS

SEC. 3. (a) Not later than September 30, 1995, the number of scholarships provided to foreign students and scholars by the Bureau of Educational and Cultural Affairs of the United States Information Agency for the purpose of study, research, or teaching in the United States shall be increased by ten thousand over the number of scholarships provided in fiscal year 1990.

(b) Not later than September 30, 1995, the number of scholarships provided to United States students and scholars by the Bureau of Educational and Cultural Affairs of the United States Information Agency for the purpose of study, research, or teaching in other countries shall be increased by ten thousand over the number of scholarships provided in fiscal year 1990.

(c) For the purposes of this section a scholarship shall be defined as a stipend equal to not less than one-half the total cost of at least one semester's tuition and living expenses at an United States or foreign university or other institution of higher learning.

(d) Scholarships provided to meet the requirements of subsection (a) shall be available only to students and scholars from the new democracies of Eastern Europe, to students and scholars from the Soviet Union, to students and scholars from countries with fewer than one thousand citizens studying in the United States, and to students who are determined by the Director of the Bureau of Educational and Cultural Affairs to be from economic, social or ethnic backgrounds not represented in the foreign student population in the United States.

(e) Scholarships provided to meet the requirements of subsection (b) shall be available only for study, research, and teaching in the new democracies of Eastern Europe, the Soviet Union, and non-European countries.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. To carry out the purposes of this Act and in addition to funds otherwise made available to the Bureau of Educational and Cultural Affairs, there are authorized to be appropriated to the Bureau of Educational and Cultural Affairs of the United States Information Agency $50,000,000 in fiscal year 1992, $100,000,000 in fiscal year 1993, $150,000,000 in fiscal year 1994, and $200,000,000 in fiscal year 1995.

LIST OF ORGANIZATIONS ENDORSING THE EDUCATIONAL EXCHANGES ENHANCEMENT ACT OF 1991

Fulbright Association.
Institute of International Education.
International Exchange Association.
International Research and Exchanges Board.
Joint National Committee for Languages.
Liaison Group for International Education Exchange.
Meridian House International.
National Association of State Universities and Land-Grant Colleges.
American Council on Education.
Association of International Education Administrators.
International Student Exchange Program.
National Council for Languages and International Study.
National Council for International Visitors.•

By Mr. BENTSEN (for himself, Mr. PACKWOOD, and Mr. HEINZ):

S.J. Res. 78. Joint resolution to designate the month of November 1991 and 1992 as "National Hospice Month"; to the Committee on the Judiciary.

NATIONAL HOSPICE MONTH

• Mr. BENTSEN. Mr. President, on behalf of myself, Senator PACKWOOD and Senator HEINZ, I am pleased to introduce a joint resolution designating November 1991 and 1992 as National Hospice Month.

Hospice became a covered benefit under Medicare and an optional State Medicaid benefit in April 1986. Today, over 897 hospices are Medicare certified.

As many of my colleagues may know, while modern hospice care has been available in England since 1967, it is a relatively new concept in the United States. The first American hospice opened in 1974. Today, about 1,683 programs exist in each of the 50 States, an indication that Americans now see hospice care as a legitimate and needed alternative to the more traditional care of the terminally ill provided in institutions. In my home State of Texas the number of hospice programs has doubled since 1986. Hospices provide medically directed, interdisciplinary pro-

grams of palliative services to the terminally ill and their families. Some even provide spiritual support and bereavement counseling services in both home and inpatient settings.

Hospice gives support to the patient who might otherwise suffer through his last stage of life alone and in fear; hospice reminds the family members that it is acceptable to be angry and to feel loss, and that they are not alone. The growing number of AIDS patients has given an even greater challenge to hospices across the country, and specialized programs of care are being developed to help AIDS victims and their families.

I urge my colleagues to support this legislation, which will focus attention on hospice care and on the thousands of health care professionals, volunteers, patients and their families who serve and are served by the Nation's hospices.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD immediately following my remarks.

There being no objection, the joint resolution was order to be printed in the RECORD, as follows:

S.J. RES. 78

Whereas hospice care has been demonstrated to be a humanitarian way for terminally ill patients to approach the end of their lives in comfort with appropriate, competent, and compassionate care in an environment of personal individuality and dignity;

Whereas hospice advocates care for the patient and family by attending to their physical, emotional, and spiritual needs and specifically, the pain and grief they experience;

Whereas hospice care is provided by an interdisciplinary team of physicians, nurses, social workers, pharmacists, psychological and spiritual counselors, and community volunteers trained in the hospice concept of care;

Whereas hospice is becoming a full partner in the Nation's health care system;

Whereas the enactment of a permanent medicare hospice benefit and an optional medicaid hospice benefit makes it possible for many more United States citizens to have the opportunity to elect to receive hospice care;

Whereas private insurance carriers and employers have recognized the value of hospice care by the inclusion of hospice benefits in health care coverage packages; and

Whereas there remains a great need to increase public awareness of the benefits of hospice care: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November in 1991 and 1992 is designated as "National Hospice Month". The President is authorized and requested to issue a proclamation calling upon all government agencies, the health care community, appropriate private organizations, and people of the United States to observe such months with appropriate forums, programs and activities designed to encourage national recognition of and support for hospice care as a humane response to the needs of the terminally ill and as a viable component of the health care system in the Nation.●

By Mr. D'AMATO:

S.J. Res. 79. Joint resolution authorizing and requesting the President to designate the second full week in March 1991 as "National Employ the Older Worker Week"; to the Committee on the Judiciary.

NATIONAL EMPLOY THE OLDER WORKER WEEK

● Mr. D'AMATO. Mr. President, I rise today to introduce a bill that would designate the week of March 18, 1991, as "National Employ the Older Worker Week."

Persons over 55 years of age constitute over 20 percent of the Nation's population as a whole, and their potential for the workplace should not be overlooked. This legislation is designed to recognize the older worker as a valuable and much-needed element of our work force. Their low absenteeism and characteristic diligence demonstrate that they are indeed capable and effective employees.

Too often, older people are discouraged from going back to work. Under current law, Social Security recipients between the ages of 65 and 69 are subject to an income earnings test which results in the loss of $1 of benefits for every $3 of earnings above $9,720. This creates an unfair obstacle for those seniors who wish to utilize their talents through employment.

These two issues are closely linked. The repeal of the income earnings test would be an effective way of giving older workers the incentive to seek employment opportunities. And, by devoting a full week to the recognition of this situation, we can focus public attention on the advantages of employing older individuals. We can encourage employers in all industries to give special consideration to older workers. Everyone involved would benefit from their experience and dedication.●

ADDITIONAL COSPONSORS

S. 155

At the request of Mr. METZENBAUM, the names of the Senator from Georgia [Mr. FOWLER], the Senator from Massachusetts [Mr. KERRY], and the Senator from Rhode Island [Mr. PELL] were added as consponsors of S. 55, a bill to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes.

S. 91

At the request of Mr. DOMENICI, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 91, a bill to provide a comprehensive congressional campaign financing reform to encourage grassroots campaign giving, lessen the role of special economic interests, prohibit the use of soft money, discourage candidate expenditures of personal wealth, and otherwise restore greater competitive balance to the congressional electoral process.

S. 105

At the request of Mr. D'AMATO, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 105, a bill entitled the "The Drug Kingpin Death Penalty Act."

S. 143

At the request of Mr. MCCONNELL, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 143, a bill to amend the Federal Election Campaign Act of 1971 to reduce special interest influence on elections, to increase competition in politics, to reduce campaign costs, and for other purposes.

S. 237

At the request of Mr. NUNN, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of S. 237, a bill to amend title 37, United States Code, to increase the rate of special pay for duty subject to hostile fire or imminent danger.

S. 255

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 255, a bill to require Congress to purchase recycled paper and paper products to the greatest extent practicable.

S. 270

At the request of Mr. GRASSLEY, the names of the Senator from Nevada [Mr. BRYAN], the Senator from Arizona [Mr. DECONCINI], the Senator from Vermont [Mr. JEFFORDS], and the Senator from California [Mr. CRANSTON] were added as cosponsors of S. 270, a bill to require regular reports to the Congress on the amount of expenditures made to carry out Operation Desert Shield and Operation Desert Storm and on the amount of contributions made to the United States by foreign countries to support Operation Desert Shield and Operation Desert Storm.

S. 282

At the request of Mr. BINGAMAN, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 282, a bill to direct the Director of the General Services Administration to make paper with recycled content available to the Secretary of Agriculture and for the Secretary of Agriculture to establish a pilot program within the Forest Service for the use of paper with recycled content.

S. 284

At the request of Mr. BRADLEY, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 284, a bill to amend the Internal Revenue Code of 1986 with respect to the tax treatment of payments under life insurance contracts for terminally ill individuals.

S. 294

At the request of Mr. BUMPERS, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of

S. 294, a bill to amend the Federal Election Campaign Act to exclude from the definition of "independent expenditures" those expenditures that are not truly independent of the legislative process.

S. 308

At the request of Mr. MITCHELL, the name of the Senator from North Carolina [Mr. HELMS] 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. 313

At the request of Mr. SPECTER, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 313, a bill to carry out obligations of the United States under the United Nations Charter and other international agreements pertaining to the protection of human rights by establishing a civil action for recovery of damages from a person who engages in torture or extra judicial killing.

S. 349

At the request of Mr. BUMPERS, the names of the Senator from Indiana [Mr. LUGAR], and the Senator from Kentucky [Mr. FORD] were added as cosponsors of S. 349, a bill to amend the Fair Labor Standards Act of 1938 to clarify the application of such act, and for other purposes.

S. 352

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 352, a bill to protect the rights of persons to due process of law and equal protection of the laws in guardianship proceedings.

S. 354

At the request of Mr. KASTEN, the names of the Senator from Alaska [Mr. STEVENS], and the Senator from Oregon [Mr. PACKWOOD] were added as cosponsors of S. 354, a bill to amend the Internal Revenue Code of 1986 to permit mortgage revenue bond financing of mortgages for veterans of Operation Desert Shield.

S. 360

At the request of Mr. BUMPERS, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from Rhode Island [Mr. PELL], the Senator from New York [Mr. D'AMATO], the Senator from South Dakota [Mr. DASCHLE], the Senator from North Carolina [Mr. HELMS], the Senator from Michigan [Mr. LEVIN], the Senator from South Dakota [Mr. PRESSLER], the Senator from Wisconsin [Mr. KOHL], the Senator from Hawaii [Mr. INOUYE], and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 360, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small businesses, and for other purposes.

S. 385

At the request of Mr. AKAKA, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 385, a bill to amend section 21A of the Federal Home Loan Bank Act to establish additional procedures and requirements relating to the identification and disposition of environmentally sensitive land and other property with natural, cultural, recreational, or scientific values of special significance by the Resolution Trust Corporation.

S. 420

At the request of Mr. SARBANES, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 420, a bill to increase to $50,000 the maximum grant amount awarded pursuant to section 601 of the Library Services and Construction Act.

S. 448

At the request of Mr. SYMMS, the names of the Senator from Missouri [Mr. DANFORTH], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 448, a bill to amend the Internal Revenue Code of 1986 to allow tax-exempt organizations to establish cash and deferred pension arrangements for their employees.

SENATE JOINT RESOLUTION 36

At the request of Mr. PRESSLER, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of Senate Joint Resolution 36, a joint resolution to designate the months of November 1991, and November 1992, as "National Alzheimer's Disease Month."

SENATE JOINT RESOLUTION 49

At the request of Mr. SARBANES, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of Senate Joint Resolution 49, a joint resolution to designate 1991 as the "Year of Public Health" and to recognize the 75th anniversary of the founding of the Johns Hopkins School of Public Health.

SENATE JOINT RESOLUTION 65

At the request of Mr. D'AMATO, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of Senate Joint Resolution 65, a joint resolution designating the week beginning May 12, 1991, as "Emergency Medical Services Week."

SENATE JOINT RESOLUTION 73

At the request of Mr. SPECTER, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of Senate Joint Resolution 73, a joint resolution designating October 1991 as "National Domestic Violence Awareness Month."

SENATE JOINT RESOLUTION 75

At the request of Mr. BROWN, the names of the Senator from Utah [Mr. GARN], the Senator from Connecticut [Mr. DODD], the Senator from Colorado [Mr. WIRTH], the Senator from Arizona [Mr. MCCAIN], the Senator from Washington [Mr. GORTON], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of Senate Joint Resolution 75, a joint resolution pertaining to U.S. economic sanctions against Iraq.

SENATE CONCURRENT RESOLUTION 12

At the request of Mr. LEVIN, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of Senate Concurrent Resolution 12, a concurrent resolution to express the sense of the Congress that the civil rights and civil liberties of all Americans, including Arab Americans, should be protected at all times, and particularly during times of international conflict of war, and for other purposes.

SENATE RESOLUTION 41

At the request of Mr. LIEBERMAN, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Resolution 41, a resolution to establish April 15, 1991, as National Recycling Day.

AMENDMENTS SUBMITTED

RESOLUTION TRUST CORPORATION FUNDING ACT

D'AMATO AMENDMENT NO. 13

Mr. D'AMATO proposed an amendment to the bill (S. 419) to amend the Federal Home Loan Bank Act to enable the Resolution Trust Corporation to meet its obligations to depositors and others by the least expensive means, as follows:

At the appropriate place in the bill, add the following new section:

SEC. . RESIDENTIAL TENANT PROTECTION.

Section 11(a)(1) of the Federal Deposit Insurance Act is amended by inserting at the end of section 212(e)(1)(C) the following language:

"(D) The right of a conservator or receiver for any insured depository institution to disaffirm or repudiate any contract or lease shall not apply to a residential lease or tenancy that is required by operation of state or local law during the effective term of the lease, or if the leased residence is occupied by a 'qualified tenant.' For purposes of this subparagraph a 'qualified tenant' means an individual or family who uses the leased property as the principal residence and whose income does not exceed one hundred and seventy-five percent of area median income, as determined by the Department of Housing and Urban Development."

GRAHAM AMENDMENT NO. 14

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 419, supra, as follows:

Strike section 2 of S. 419 and insert the following:

SEC. 2. RESOLUTION TRUST CORPORATION AUTHORIZATIONS.

Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b))) is amended by adding at the end the following:

"(15) ADDITIONAL IMMEDIATE FUNDING.—

"(A) IN GENERAL.—In addition to the sums authorized by paragraph (14), the Secretary of the Treasury shall make available to the Corporation $15,000,000,000 from monies not otherwise appropriated.

"(B) LIMITATION.—No sums appropriated by subparagraph (A), or by paragraph (14), may be obligated after September 30, 1991, except in the case of a resolution transaction with respect to which a bidder has been selected as of such date.

"(16) ADDITIONAL MATCHING FUNDING.—

"(A) IN GENERAL.—For every dollar in cash dividends the Corporation receives after March 1, 1991, from a receivership estate under its control, where such receivership was established on or before March 1, 1991, the Secretary of the Treasury shall make available to the Corporation a matching dollar from monies not otherwise appropriated.

"(B) LIMITATION.—The matching funds appropriated by subparagraph 16(A) may not exceed $15,000,000,000.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 27, 1991, at 10 a.m. to hold a hearing on proposed benefits for troops in the Middle East.

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 Tuesday, February 26, 1991, and Wednesday, February 27, 1991, at 10 a.m. to hold a hearing on the nomination of Robert Martinez to be Director of the Office of National Drug Control Policy.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. MITCHELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the fiscal year 1992 veterans programs budget on Wednesday, February 27, 1991, at 9 a.m. in the committee's hearing room, SR-418.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Permanent Committee on Investigations of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Wednesday, February 27, 1991, to hold hearings on mercenaries and drug cartels.

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

SUBCOMMITTEE ON SECURITIES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Securities Subcommittee of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Wednesday, February 27, 1991, at 9:30 a.m. to conduct a hearing on the subject of limited partnership reorganizations referred to as "rollups."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 27, at 5 p.m. to receive a closed briefing on the "Javits Report" on prospective arms sales.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the full committee of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., February 27, 1991, on S. 244, a bill to provide for a referendum on the political status of Puerto Rico.

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

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Wednesday, February 27, 1991, at 2 p.m., to receive testimony on current trends in Eastern Europe.

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

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 February 27, 1991, at 9:30 a.m. on insurance company insolvency.

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

ADDITIONAL STATEMENTS

THE WISCONSIN BANKING INDUSTRY

• Mr. KOHL. Mr. President, last week, I had the opportunity to meet with about 30 bankers in Wisconsin. We discussed the administration's proposed banking reforms, the overall state of the banking industry, and the unique concerns of Wisconsin banks.

I have come away from that meeting with two important messages that I want to deliver.

The first is to my constituents in Wisconsin: Wisconsin banks are healthy and sound. Your deposits of up to $100,000 are backed by Federal insurance. But, better than that, in Wisconsin banks, your deposits up to and beyond $100,000 are backed by well-capitalized, sound financial institutions.

Let me share with you some statistics that confirm this. Using the latest figures from the Wisconsin Commissioner of Banking's Office, the ratio of capital to assets in Wisconsin banks is over 9 percent while the U.S. average is closer to 6 percent. Return on assets in Wisconsin banks is twice the national average, and Wisconsin's banks return on equity is 12.49 percent compared with a national average of less than 9 percent.

To put it in more homey terms, in Wisconsin, only three banks have failed—since the Great Depression. A recent New York Times article published a list of banks with percentages of nonperforming loans high enough to raise the concerns of Federal regulators—that is, 8 percent. No Wisconsin bank showed up on that list. Wisconsin banks are well run and well regulated. Their enviable reputation does not deserve to be tarnished by the current debate on the health of the national banking system.

In other words, I want to urge my constituents to try and separate what they hear about problem banks in the Southwest and Northeast from what is fact about Wisconsin banks. If you are concerned about the safety of your deposits, give your bankers a chance to explain why your money is safe with them.

That brings me to my second message—this time to my colleagues. As we take up banking reform this year, we must recognize that, though the national banking system may be faltering, banks in some regions are thriving.

Of course, Congress has to address the weakening bank insurance fund. And, of course, Congress has an obligation to limit the Federal Government's liability under our deposit insurance system. But we must not destroy healthy banks with our efforts to cure sick banks.

Mr. President, I am proud of Wisconsin's history of conservative, healthy banking. And while I believe it is Congress' duty to assure a healthy national banking system, I cannot see the sense of doing so in a way that weakens Wisconsin's banking system.•

THE COMPREHENSIVE MATERNAL AND EARLY CHILDHOOD HEALTH CARE ACT

• Mr. KOHL. Mr. President, I am proud to join Senator KENNEDY as a cosponsor of S. 493, the Comprehensive Prenatal and Early Childhood Health Care Act of 1991. This legislation responds in both a cost-effective and coordinated manner to some of the most serious maternal and child health problems facing our Nation.

I am especially pleased that this legislation addresses the critical need to step up our efforts against our Nation's appalling infant mortality rate. Redirecting funds from community and migrant health centers and the Maternal and Child Health Grant Program to target efforts to only 10 cities, as was proposed in the President's budget, clearly isn't the answer. These facilities and providers represent the frontline in our fight against infant mortality, and they deserve much of the credit for the limited progress that has been made in reducing infant death rates nationwide.

S. 493 recognizes their vital role in this battle by authorizing funds for CMHC's to expand existing comprehensive perinatal and early childhood health care services. It would also provide resources to allow more facilities to offer coordinated services to combat the many factors that contribute to our Nation's shameful infant mortality rate. Instead of serving only women and infants in a limited number of cities, this initiative will improve maternal and child health nationwide, in both urban and rural areas.

I am especially pleased that this package includes some components of the Comprehensive Assistance to Substance Abusing Families Act, a bill that I introduced last year. These provisions would address one of the most tragic phenomenons in our country today—infant deaths and disabilities resulting from substance abuse by pregnant and postpartum women—by expanding treatment options and by encouraging treatment providers to coordinate activities with other agencies serving these women. In addition, this legislation would expand the CDC's effective Smoking Cessation in Pregnancy Program nationwide—an initiative which could cut infant mortality and low birthweight rates significantly.

Perhaps most important, this legislation emphasizes and expands immunization programs for preschool children. Over and over again, vaccination programs have proven to be one of the most cost-effective ways to improve children's health and to reduce health care expenditures in our country. For every dollar spent on immunizations, $10 are saved in later medical costs. This initiative ensures that immunization programs are even more cost-effective by expanding the CDC's bulk purchase program of vaccine doses for State health departments.

Mr. President, there is so much talk about investing in our Nation's children, and regrettably little action. This legislation provides a critical opportunity to back our strong words with solid and effective action. I thank our distinguished and deeply committed colleague from Massachusetts for his leadership in this area and I urge my colleagues to join us in this effort.•

TRIBUTE TO CODY-JESS WOOLLEY

• Mr. DECONCINI. Mr. President, I would like to bring to the attention of the Senate the efforts of 8-year-old C.J. Woolley. C.J. is a second grade student at Blue Ridge Elementary School in Pinetop, AZ. Many parents from the Pinetop area have been deployed in the gulf with the 1404 Transportation Unit of the Arizona National Guard. In an effort to help the families of these Americans, C.J. has organized Operation Mountain Love. Operation Mountain Love is designed to raise money for those families which are in need at this difficult time.

The initiative that this young man has shown is truly remarkable and C.J. should be commended for his willingness to assist his community and to help those who are in need.

Arizonans and Americans everywhere can be proud of C.J.'s efforts to help military families get through these difficult times. This second grader is doing a commendable job in raising support for our troops and their families. Mr. President, I ask that my colleagues join me and all Arizonans in applauding C.J. for his ambitious project and wishing him the best of luck in his future endeavors.•

COMMEMORATING BLACK HISTORY MONTH

• Mr. MCCAIN—

> They ask but the rights which are theirs by God's universal law, and which are the natural outgrowth, the logical sequence of the condition in which the legislative enactments of this nation have placed them. They appeal to you and to me to see that they receive that protection which alone will enable them to pursue their daily avocations with success and enjoy the liberties of citizenship on the same footing with their white neighbors and friends.

Mr. President, that was a statement made before this great body on March 16, 1870, by the Honorable Hiram Revels, Republican Senator from the State of Mississippi. Mr. Revels was the first African-American to be seated by the Senate. He made this statement during a fierce debate regarding the seating of the Georgia delegation during the Reconstruction era. I rise today to pay tribute to Mr. Revels and to the many other African-Americans who have helped so significantly to enrich American history.

Mr. President, the month, February is a special time for African-Americans. In 1976, Congress designated February as Black History Month. It is a time to celebrate a rich and proud history of achievement over adversity.

As we take time to celebrate the accomplishments of Black Americans this month, let us keep in mind that we still have a long way to go to achieve true racial equality. But as we work toward that day, let us be guided by our reflections on the milestones of black history that have made America a more just society.

We remember those who paid the ultimate price for freedom during our Nation's times of war and domestic turmoil. We remember the more than 5,000 African-American soldiers who served during the Revolutionary War and fought for freedoms that they would not realize for more than 100 years after the battle had ended. These heroic soldiers paved the way for future African-Americans in the armed services. African-Americans like Crispus Attucks whose life was the first to be taken in the Revolutionary War and in the Civil War which claimed over 38,000 other African-American soldiers, to the courage our soldiers are displaying in the Persian Gulf today, African-Americans have revealed the "last full measure of their devotion" to their country.

Inexcusably, many African-Americans have been disenfranchised from the mainstream of society. Black history in this country has been largely undocumented. Nowhere is this more true than in the Southwest, where the extraordinary lives of many African-Americans have gone unheralded.

Despite the obstacles of racism and poverty, many African-Americans have contributed substantially to the progress of the Nation. The history of my State of Arizona has been vastly affected by the achievements by African-Americans.

Arizona's history is centered on the folk heroes of the Old West, the Indians, cowboys, pioneers, and soldiers. African-Americans played a large role in this western tradition. They were the Buffalo soldiers, adorned with that name by the Kiowa, Cheyenne, and Apache tribes who fought them. Arizona was grateful for the protection of the brave soldiers of the all-black 9th and 10th Cavalry as well as the 24th and 25th Infantry, stationed at Fort McDowell and Fort Huachuca.

These units, created in 1866, scouted 34,420 miles of western desert and plain, laid hundreds of miles of new roads and telegraph lines, protected mail coaches, guarded the Mexican border, and protected settlers. Eleven African-American soldiers were awarded medals of honor during the western campaign. Two of the most memorable were Sgt. Benjamin Brown and Cpl. Isiah Mays. They served in the 24th Infantry Division, and their gallantry in action was displayed in a fierce fight with outlaws who had robbed an Army payroll. Brown was shot in the stomach and continued to fight until wounded in both arms. Both were honored for their bravery in the fight.

One the most well-known African-American soldiers in the Arizona frontier was Lt. Henry O. Flipper. In 1877, Lieutenant Flipper was the first African-American to graduate from West Point. He was recognized as an accom-

plished engineer as well as a skilled negotiator in the conclusion of a border agreement between the United States and Mexico.

Lieutenant Flipper's military career was not without controversy. He was dishonorably discharged after being falsely accused of actions unbecoming an officer. Despite suffering the undeserved ignominy of a dishonorable discharge, Lieutenant Flipper remained in the Southwest to enrich the lives of many more Americans, and in 1976, he was exonerated posthumously by the Army Board for the Correction of Military Records. He now occupies a distinguished place in American history unblemished by mistakes that were not his.

Mr. President, there have been regrettable moments in Arizona history which set us back in our march to a more just and equal society. In 1912, the Arizona State Constitution established a legal system of segregation. The Constitution required separate public facilities such as bathrooms and drinking fountains. It also established a segregated school system which had not existed in Arizona prior to this constitution. Although it was not strictly enforced, it was another unnecessary indignity that African-Americans had to bear in Arizona.

Despite obstacles to their advancement, African-Americans played a meaningful role in the development of Arizona. Dr. Winston C. Hackett, a graduate of Fisk University, established the Booker T. Washington Memorial Hospital in 1916. The hospital served all races of the Phoenix area. Hackett remained for the rest of his life a prominent civic leader in the community.

In 1919, the Phoenix Advancement League was formed by entrepreneurs Samuel Bayless and C. Credille. This organization was a forerunner to the NAACP in Phoenix. The league fought segregation and bigotry through changes in the law. By 1922, other branches were active in Tucson, Flagstaff, Bisbee, and Yuma.

Although the early history of African-Americans in Arizona was fraught with difficulties, it was also ennobled by their triumphs over adversity. Because our history is so rich with the achievements of African-Americans, I must take this opportunity to apologize to those whose accomplishments I have failed to mention. African-American history is the history of a people who fully represent the meaning of the American spirit. Despite extreme adversity, despite the persistent degradation of racism and racist laws, the African-American experience in Arizona is marked chiefly by persistence and success.

I want to recognize today, some contemporary Arizona heroes: Dr. Lincoln Ragsdale who, after serving the United States in the all black 99th Fighter Squadron in World War II, known as the Tuskegee Airmen, settled in Phoenix and is now a prominent businessman. When the civil rights movement came to Arizona, Dr. Ragsdale, as well as the Reverend George Benjamin Brooks and others, were there on the western front of the civil rights movements.

Another of our State pioneers is my friend and long time confidant, Judge Cecil Patterson, who 13 years ago was appointed to the Superior Court of Arizona. He was most recently chosen to head our State Attorney General's Department of Human Services and Civil Rights.

I would also like to mention the achievements of Don Tucker, the first African-American ever to be named U.S. marshal for the District of Arizona.

All of these distinguished individuals have established themselves as role models, not only to the African-American community, but to all Arizonans.

Accomplishments by individuals within the minority community not only serve as examples of determination and achievement but also as a reminder that we must continue to move forward to enact policy that will empower African-Americans to stake their claim to the American dream. It is our duty to create and maintain an atmosphere in which creativity and determination is rewarded through equal opportunity for all members of society.

However, it is important to remember that changes in law are not enough. The most difficult, and the most important change must take place in the hearts and minds of all men and women. The Constitution states that all men are created equal. The Constitution is not only a legal and a moral injunction, but a call to conscience.

I believe that Black History Month is an example of how this country can celebrate the uniqueness of one of its many cultures. However, black history or the history of any of our Nation's peoples should not be remembered just 1 month a year. As Americans we should realize that our society is composed of many cultures. Our religion, politics, science, arts, industry and agriculture are the work of a multitude of cultures all united by their attraction to the universal appeal of our national ideal—the desire to live free and prosperous lives. The great success of our democratic experiment is the direct consequence of a multicultural heritage. Though we are many, we are one.

Mr. President, I have explained what Black History Month means to me. I would also like to have printed in the RECORD statements from some of the African-Americans that I admire and respect. I contacted Judge Cecil Patterson and Don Tucker and asked them to share with us their thoughts of what this month means to them. I ask that their statements be printed in the RECORD following the conclusion of my remarks.

Finally, Mr. President, I want to say a few words about one of the greatest figures in black history, Dr. Martin Luther King. For the all too brief time he was among us, Dr. King was our moral compass. He pointed us back in the direction of our founding principles. His guidance was delivered with love and without malice to anyone. His advocacy responded forcefully to his often malicious and violent opponents, but without using the methods used so cruelly against him. He knew that the violence inflicted on him and on his race did not reflect the real character of America, but were symptoms of a nation at risk of losing its virtue. He called us back from the precipice of that near catastrophe. That is why Dr. King is a hero to me.

I know that all the dimensions of Martin Luther King's American Dream are not yet realized. I know that every day, in every community in America, injustice has its advocates. But we are much farther along "the torturous road from Montgomery" than we were the day he died. Let us use the celebration of this month, and the memory of this gentleman's unsurpassed humanitarianism, to complete the journey and get over to the promised land.

The statements follow:

STATEMENT OF THE HONORABLE CECIL PATTERSON

It is a time to reflect on your heritage and history, a time to look at your forebearers experiences, and a time to get strength from your cultural heritage. It is a source of strength and pride reinforced through an expanding knowledge. This reflection is a process, a continuing growth as apart of a very prominent group in the United States as well as growth as an individual. In Arizona the effort requires greater focus because of the smaller number of blacks. But, the quality of our celebration is second to none. The focus on our accomplishments, the abundance of our heritage, the celebrations of our triumphs are strong as it would be where there are larger numbers of blacks residing. Art, music, literature, and politics all intertwine to carry out the richness of our legacy.

As I reflect on Black History Month, I am reminded of the story about a Black woman, that scrubbed floors and worked as a domestic maid, to earn enough money to send her son to college. When she went with him to college on that first day, her son was denied admittance because of his grades, educational background and the feeling he couldn't compete with the other students. The Black woman got on her knees and begged the college president to give her son a chance. The college president told this proud black woman, that she need not get on her knees because if her son had just a small portion of the character and determination that she displayed, he would allow him to be admitted into his university.

Several years later, the college president was approached as he was walking through the airport by a tall, well-dressed, young Black man. After a general conversation the young Black man reminded the college president of the day his mother begged him to let her son into his university. The young Black man thanked the college president and before walking away he stated that he was the top pilot for a major airlines. As the young Black man was walking away, the college president, thought to himself "Don't tell me what a Black person can't do if someone just gives them a chance". That Black woman is an integral part of Black History and a legacy for all, not just Blacks, but Whites, Hispanics, Indians, etc.

Blacks since the days of slavery have struggled and gone against seemingly insurmountable odds to not only survive but to change our society. Blacks such as George Washington Carver, Martin Luther King, General Chappie James, Barbara Jordan, Shirley Chisam, have all made a mark in the history of this country. How can Black Americans and this whole country not be proud of General Colin Powell during this crucial times in history.

As the Black U.S. Marshal from Arizona, I am extremely proud to follow in the foot steps of the first black U.S. Marshal for this country, Frederick A. Douglas, District of Columbia, 1877-1881, who said "without struggles, there is no progress".

As Black Americans, we must continue to build on the legacy of our Fathers and Mothers and continue to help build this country to its infinite greatness, because without the contributions of Black Americans throughout our history, this country wouldn't be where it is today.

I join in the celebration of Black History Month, February 1991, and hope all races of men, women and children of this country attempt to understand each other and our histories so that our future, as one peoples, will not only be insured, but enhanced.●

TRIBUTE TO MIKE ELLIS

● Mr. HATCH. Mr. President, I am pleased to recognize Mike Ellis, an individual who uses his considerable talents to serve others. Mr. Ellis, a resident of Orem, UT, will shortly relinquish his post as president of the National Utility Contractors Association [NUCA]. During his outstanding tenure, he has demonstrated outstanding leadership in our Nation's vital underground utility construction industry, especially his strong commitment to the future of clean water resources across America.

Under Mr. Ellis' capable leadership, NUCA has proposed creative, promising ways to finance our Nation's urgent drinking water and waste water treatment needs. These delivery systems are part of our core infrastructure and must be preserved, rehabiliated, and developed. In addition, great progress has been made to improve safety within the industry. At Mr. Ellis' direction, NUCA has also worked to relieve small utility contractors from unnecessary and burdensome regulations.

Fundamental to Mr. Ellis' success in life is his dedication to his family and faith. As the father of seven children, his commitment to his wife and family is as strong as his work ethic. He also gives generously of his time as a member of the Church of Jesus Christ of Latter-day Saints.

I am delighted to share the contributions of this fine citizen with my colleagues. Mike Ellis is a credit to his family, his community, and his industry.●

RULES OF PROCEDURE, GOVERNMENTAL AFFAIRS COMMITTEE

● Mr. GLENN. Mr. President, I herewith submit a copy of rules of procedure adopted by the Committee on Governmental Affairs pursuant to rule XXVI, section 2, Standing Rules of the Senate, and ask that they be printed in the RECORD at this point.

The rules of procedure follow:

RULES OF PROCEDURE OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS

(Pursuant to Rule XXVI, Sec. 2, Standing Rules of the Senate)

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. *Meeting dates.* The Committee shall hold its regular meetings on the first Thursday of each month, when the Congress is in session, or at such other times as the chairman shall determine. Additional meetings may be called by the chairman as he deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. *Calling special Committee meetings.* If at least three members of the Committee desire the chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the chairman. Immediately thereafter, the clerk of the Committee shall notify the chairman of such request. If, within three calendar days after the filing of such request, the chairman fails to call the requested special meeting, which is to be held within seven calendar days after the filing of such request, a majority of the Committee members may file in the offices of the Committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour. Immediately upon the filing of such notice, the Committee clerk shall notify all Committee members that such special meeting will be held and inform them of its date and hour. If the chairman is not present at any regular, additional or special meeting, the ranking majority member present shall preside. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. *Meeting notices and agenda.* Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee members at least three days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. In the event that unforeseen requirements or Committee business prevent a three-day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to members or appropriate staff assistants in their offices.

D. *Open business meetings.* Meetings for the transaction of Committee or Subcommittee business shall be conducted in open session, except that a meeting or series of meetings on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee members when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the chairman to enforce order on his own initiative and without any point of order being made by a member of the Committee: *Provided, further,* that when the chairman finds it necessary to maintain order, he shall have the power to clear the room, and the Committee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. *Prior notice of first degree amendments.* It shall not be in order for the Committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, at least 24 hours before the meeting of the Committee or Subcommittee at which the amendment is to be proposed. This subsection may be waived by a majority of the members present. This subsection shall apply only when at least 72 hours written notice of a session to mark-up a measure is provided to the Committee.

F. *Meeting transcript.* The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

RULE 2. QUORUMS

A. *Reporting measures and matters.* Eight members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. *Transaction of routine business.* Five members of the Committee shall constitute a quorum for the transaction of routine business, provided that one member of the minority is present.

For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. *Taking testimony.* One member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Secs. 7(a)(2), and 7(c)(2), Standing Rules of the Senate.)

D. *Subcommittee quorums.* Subject to the provisions of sections 7(a)(1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. *Proxies prohibited in establishment of quorum.* Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. *Quorum required.* Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. *Reporting measures and matters.* No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. *Proxy voting.* Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittees thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a member's position on the pending question. Proxy voting shall be allowed only if the absent Committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the Committee as to how the member establishes his vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. *Announcement of vote.* (1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a rollcall vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

Polling. (1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee matters including the Committee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the chairman, or a Committee member or staff officer designated by him, may undertake any poll of the members of the Committee. If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The chairman shall preside at all Committee meetings and hearings except that he shall designate a temporary chairman to act in his place if he is unable to be present at a scheduled meeting or hearing. If the chairman (or his designee) is absent ten minutes after the scheduled time set for a meeting or hearing, the senior Senator present of the chairman's party shall act in his stead until the chairman's arrival. If there is no member of the chairman's party present, the senior Senator of the Committee minority present, with the prior approval of the chairman, may open and conduct the meeting or hearing until such time as a member of the majority arrives.

RULE 5. HEARINGS AND HEARINGS PROCEDURES

A. *Announcement of hearings.* The Committee, or any Subcommittee thereof, shall make public announcement of the date, time and subject matter of any hearing to be conducted on any measure or matter at least one week in advance of such hearing, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing Rules of the Senate.)

B. *Open hearings.* Each hearing conducted by the Committee, or any Subcommittee thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the chairman to enforce order on his own initiative and without any point of order being made by a member of the Committee: *Provided, further,* that when the chairman finds it necessary to maintain order, he shall have the power to clear the room, and the Committee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

C. *Full Committee subpoenas.* The chairman, with the approval of the ranking minority member of the Committee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing or deposition, provided that the chairman may subpoena attendance or production without the approval of the ranking minority member where the chairman or a staff officer designated by him has not received notification from the ranking minority member or a staff officer designated by him of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being

notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this subsection, the subpoena may be authorized by vote of the members of the Committee. When the Committee or chairman authorizes subpoenas, subpoenas may be issued upon the signature of the chairman or any other member of the Committee designated by the chairman.

D. *Witness counsel.* Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or disposition to advise such witness while he or she is testifying, of his or her legal rights: *Provided, however,* that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Committee chairman may rule that representation by counsel from the government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness shall be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his counsel is ejected for conducting himself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness form complying with a subpoena or deposition notice.

E. *Witness transcripts.* An acurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; and copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the chairman or a staff officer designated by him shall rule on such requests.

F. *Impugned persons.* Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. *Radio, television, and photography.* The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. *Advance statements of witnesses.* A witness appearing before the Committee, or any Subcommittee thereof, shall provide 100 copies of a written statement and an executive summary or synopsis of his proposed testimony at least 48 hours prior to his appearance. This requirement may be waived by the chairman and the ranking minority member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. *Minority witnesses.* In any hearings conducted by the Committee, or any Subcommittee thereof, the minority members of the Committee shall be entitled, upon request to the chairman by a majority of the minority to call witnesses of their selection during at least one day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. *Full Committee depositions.* Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the chairman, with the approval of the ranking minority member of the Committee, provided that the chairman may initiate depositions without the approval of the ranking minority member where the chairman or a staff officer designated by him has not received notification from the ranking minority member or a staff officer designated by him of disapproval of the deposition within 72 hours, excluding Saturdays and Sundays, of being notified of the deposition notice. If a deposition notice is disapproved by the ranking minority member as provided in this subsection, the deposition notice may be authorized by a vote of the members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee staff may proceed with the remainder of the deposition.

(4) The Committee staff shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the witness shall be furnished with a copy for review. No later than five days thereafter, the witness shall return a signed copy, and the chairman or designated staff officer shall enter the changes, if any, requested by the witness in accordance with subsection (E). If the witness fails to return a signed copy, the staff shall note on the transcript the date a copy was provided and the failure to return it. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. Committee staff may stipulate with the witness to changes in the procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his obligation to testify truthfully.

RULE 6. COMMITTEE REPORTING PROCEDURES

A. *Timely filing.* When the Committee has ordered a measure or matter reported, following financial action the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI, Sec. 10(b), Standing Rules of the Senate.)

B. *Supplemental, minority, and additional views.* A member of the Committee who gives notice of his intention to file supplemental, minority or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views. (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. *Notice by Subcommittee chairmen.* The chairman of each Subcommittee shall notify the chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. *Draft reports of Subcommittees.* All draft reports prepared by Subcommittees of this Committee on any measure or matter referred to it by the chairman, shall be in the form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. *Impact statements in reports.* All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next five years thereafter (or for the authorized duration of the prosect legislation, if less than five years); (2) a comparison of such cost estimates with any made by a Federal agency; or (3) a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (b) a determination of the economic impact of such regulation on the

individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the foregoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. *Regularly establish Subcommittees.* The Committee shall have five regularly established Subcommittees. The Subcommittees are as follows: Permanent Subcommittee on Investigations; Government Information and Regulation; General Services, Federalism, and the District of Columbia; Oversight of Government Management; and Federal Services, Post Office, and Civil Service.

B. *Ad hoc Subcommittees.* Following consultation with the ranking minority member, the chairman shall, from time to time, establish such ad hoc Subcommittees as he deems necessary to expedite Committee business.

C. *Subcommittee membership.* Following consultation with the majority members, and the ranking minority member of the Committee, the chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

D. *Subcommittee meetings and hearings.* Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rule 7(E).

E. *Subcommittee subpoenas.* Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee: *Provided, however,* that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the chairman and ranking minority member of the Committee, or staff officers designated by them, by the Subcommittee chairman or a staff officer designated by him immediately upon such authorization, and no subpoena shall issue for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the chairman and ranking minority member waive the 48 hour waiting period or unless the Subcommittee chairman certifies in writing to the chairman and ranking minority member that, in his opinion, it is necessary to issue a subpoena immediately.

F. *Subcommittee budgets.* Each Subcommittee of this Committee, which requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, not later than January 10 of the first year of each new Congress, its request for funds for the two (2) 12-month periods beginning on March 1, and extending through and including the last day of February of the two following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. *Standards.* In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. *Information Concerning the Nominee.* Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

At the request of the chairman or the ranking minority member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor.

Information received pursuant to this subsection shall be made available for public inspection: *Provided, however,* that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. *Procedures for Committee inquiry.* The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated.

For the purpose of assisting the Committee in the conduct of this inquiry, a majority investigator or investigators shall be designated by the chairman and a minority investigator or investigators shall be designated by the ranking minority member. The chairman, ranking minority member, other members of the Committee and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the chairman, the ranking minority member, or other members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the General Accounting Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. *Report on the Nominee.* After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made to the chairman and the ranking minority member and, upon request, to any other member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and identify any unresolved or questionable matters that have been raised during the course of the inquiry.

E. *Hearings.* The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least 72 hours after the following events have occurred: the nominee has responded to prehearing questions submitted by the Committee; and the report required by subsection (D) has been made to the chairman and ranking minority member, and is available to other members of the Committee, upon request.

F. *Action on confirmation.* A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominees's background and the steps taken during the pre-hearing inquiry.

G. *Application.* The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the chairman and ranking minority member, those procedures may apply to persons nominated by the President to serve on a part-time advisory basis.●

NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION

● Mr. D'AMATO. Mr. President, the National Society Daughters of the American Revolution has adopted a resolution proclaiming the month of February 1991 to be American History Month. This proclamation recognizes the importance of American history in our lives. I ask that the text of this

proclamation be printed in the RECORD following my remarks.

The proclamation follows:

AMERICAN HISTORY MONTH PROCLAMATION

The National Society Daughters of the American Revolution sponsor February as American History Month each year; and

To stimulate a knowledge in both young and old and a sense of pride in our Nation's great achievements and dedication to liberty; and

To stress pride in the United States of America through community services in educational programs, essay contests and historic tours; and

Through the study of American History are we made aware of the importance of Freedom, Equality, Justice and Humanity in all our lives today; and

The importance of remembering American History should be duly noted.●

UNANIMOUS-CONSENT AGREEMENT—SENATE RESOLUTION 62

Mr. MITCHELL. Mr. President, I am about to propound a series of unanimous-consent requests which have the approval of the Republican leader.

I ask unanimous consent that the majority leader, following consultation with the Republican leader, may at any time proceed to the consideration of calendar item No. 25, Senate Resolution 62, a resolution to provide funding for Senate committees.

I further ask unanimous consent that no call for the regular order serve to displace Senate Resolution 62 except one made by the majority leader following consultation with the Republican leader.

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

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I now ask unanimous consent that, pursuant to the authority granted in the previous order, the Senate proceed to the consideration of calendar item No. 25, Senate Resolution 62, at 11 a.m. on tomorrow morning.

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

BILL RETURNED TO CALENDAR

Mr. MITCHELL. Mr. President, I now ask unanimous consent that S. 419 be returned to the calendar and that the other provisions of the previous unanimous consent order with respect to that bill remain in effect.

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

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of Senators, we have had the Resolution Trust Corporation funding bill, S. 419, before the Senate for 2 days. Although several Senators indicated an intention to offer amendments to that bill, and although prior notice of several days of our intention to consider that bill was given by me publicly, all but one of those Senators did not offer their amendments prior to this time.

It is a situation which all Senators routinely deplore, and in which most Senators routinely participate. I announced 2 weeks ago that we would be bringing this bill up. I confirmed it a week ago. We brought the bill up yesterday, and several Senators said they had important amendments to offer. But despite the best efforts of the managers, we could do no more than get one Senator to offer an amendment.

We are now advised that that Senator is going to withdraw the amendment once he receives satisfaction of his interests from the particular agency.

Therefore, it was my judgment, following consultation with the Republican leader, that it would be best to set that bill aside, since we could not proceed with it to final action, and since several Senators, after indicating an intention to offer amendments, were not prepared to do so.

And it was my further judgment that we should proceed to Senate Resolution 62, a resolution to provide funding for Senate committees. So that measure will be before the Senate at 11 a.m. tomorrow.

In the meantime, it is my intention, and indeed I now ask the staffs of both the majority and minority sides to recontact those Senators who had previously expressed an interest in offering amendments to the legislation to see if they do, in fact, intend to do so; and if their response is in the affirmative, to indicate to us when they would be prepared to do so, because I do not think there is much point in the Senate taking up legislation and just being in a quorum call for several hours, awaiting the participation of allegedly interested Senators.

So, Mr. President, we will proceed, and I hope we can complete action tomorrow, on the resolution to provide funding for Senate committees. And I will, during the day tomorrow, consult with the distinguished Republican leader and the managers of the Resolution Trust Corporation funding bill to make a determination on how best to proceed with respect to that legislation.

As of now, it is my understanding, and I inquire of the Chair, that S. 419 is back on the calendar, but that under the previous order, which remains in effect with respect to that bill, I have the authority to proceed to that matter at any time I determine to do so, following consultation with the Republican leader.

The PRESIDING OFFICER. The majority leader is correct. The underlying order gives the majority leader that authority.

Mr. MITCHELL. Mr. President, I thank the Chair.

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10:30 a.m. on Thursday, February 28; that following the time for the two leaders, there be a period for morning business not to extend beyond 11 a.m. tomorrow, with Senators permitted to speak therein for up to 5 minutes each.

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

Mr. MITCHELL. To repeat for the information of Senators, so that everyone will be aware of the schedule for tomorrow, under a previous order just obtained, at 11 a.m., the Senate will proceed to consideration of Calendar No. 25, Senate Resolution 62.

I hope that any Senators who have interest in that legislation will be prepared to be on the Senate floor to permit us to complete action on that measure tomorrow.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as under the previous order until 10:30 a.m. on Thursday, February 28.

There being no objection, the Senate, at 7:05 p.m., recessed until Thursday, February 28, 1991, at 10:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, February 27, 1991*

The House met at 2 p.m.

The Reverend Herbert Daniel Daughtry, the House of the Lord Pentecostal Church, Brooklyn, NY, offered the following prayer:

"O God, our help in ages past
Our hope for years to come
Our shelter from the stormy blast
And our eternal home."

We enter Thy presence with humility, and gratitude.

Humility because we are aware of our frailties, our limitations, our faults and our failures; and gratitude for the knowledge that in spite of ourselves You stand ready to interact with us.

As we press on with this madness, we euphemistically call war, keep ever before us the uncomfortable truth that no nation has a monopoly on truth and no nation has a monopoly on falsehood. Keep us mindful of the fact that one day all nations must appear in your court to give account of the decisions and deeds done in their day.

With the prophets of old we raise the question, how long, O Lord, how long, will the insanity of war be the option for settling disputes.

How long, O Lord, how Long? Before humankind will beat their swords into plowshares and their spears into pruning hooks and study war no more.

We are grateful for the news that we are nearing the end of the war.

We are grateful O Lord, for those who will come home from the fields of battle. But our gratitude is mingled with sorrow as we remember all of the families whose loved ones will never come home again.

As we have been ready to meet the demands of war, compel us, O Lord, to invest the same zeal, perseverance, genius, resources and technology to meet the needs of those who shall return what we have invested in the pursuit of war.

Constrain us to meet, with equal readiness the challenges of human need, disease, hunger, homelessness, ignorance, deteriorating communities, and bankrupt cities.

And in this month which has been set aside to reflect on the magnificent history of people of African ancestry, let us not forget the disproportionate representation of African Americans in this war, and the patriotism and gallantry that have characterized African Americans in every war in which this country has been engaged.

So may the leaders who sent them off to war do those things that will take into account a history of wrongs, and existing bigotry and denials. And in that context, at last, guarantee unto them and their kindred the opportunities and resources that will provide them a fair chance to achieve their place in the Sun.

Finally, O Lord, we pray for those who deliberate in this hallowed place and the leaders of this Nation, upon whose shoulders rests the awesome responsibility to make the weighty decisions which will affect the lives of people around the world.

Grant unto them clarity of vision, sharpness of mind, courage of heart, tenderness of spirit and fair and balanced judgment that what they say and do will always be consistent with your will.

This we pray in the name of the Alpha and the Omega; the beginning and the end; the first and the last; the God of all nations. 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 gentlewoman from Nevada [Mrs. VUCANOVICH] please come forward and lead the House in the Pledge of Allegiance.

Mrs. VUCANOVICH led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed the following resolution.

S. RES. 64

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable John Sherman Cooper, formerly a Senator from the Commonwealth of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased Senator.

The message also announced that the Senate has passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 64. Joint resolution to authorize the President to proclaim the last Friday of April 1991, as "National Arbor Day."

REV. HERBERT DAUGHTRY—A LIVING AFRICAN-AMERICAN HERO

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

Mr. TOWNS. Mr. Speaker, it is a pleasure to have the pastor of the House of the Lord Pentecostal Church of Brooklyn, NY, in the Chambers. As we approach the culmination of Black History Month. I rise to extol the virtues of this unique constituent of the 11th Congressional District of Brooklyn, NY, the Reverend Herbert Daniel Daughtry, a tireless servant of the Lord.

Reverend Daughtry has always been a voice for change and has been at the forefront for creating opportunities for young African Americans in the New York metropolitan area. He made the decision a long time ago to let his light shine so others could see his good work.

Reverend Daughtry dedication, integrity and unselfishness, are the cornerstones of his greatness. These qualities have enabled him to be a respected voice for sound moral values and fairness. Reverend Daughtry believes in not only preaching the gospel, but living the gospel.

Today I am proud and honored to herald the achievements of a man the world is fortunate to have in its midst. Reverend Daughtry is indeed a true African-American hero.

FUNDING FOR THE RESOLUTION TRUST CORPORATION

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

Mr. WYLIE. Mr. Speaker, yesterday the Republicans on the Committee on Banking, Finance and Urban Affairs of the House voted against the RTC funding bill that the Democrats wanted. The Republicans are willing to bite the bullet and vote for $30 billion to fund the Resolution Trust Corporation because it will save money in the long run. The Republicans did vote for a clean S&L funding bill as contained in my substitute, which is similar to a bill reported out by the Senate Banking Committee, and we were joined by three Democrats.

What we on the Republican side could not support was a bill to violate last year's budget agreement, to impose a possible unconstitutional tax on the States, to possibly impair least cost resolutions for the RTC, to require the RTC to hold certain properties off the market for as long as 6 months, to set numerical quotas for minority contracting, and to increase costs of the affordable housing provisions of the RTC. All of these provisions will increase the resolution costs of the S&L crisis. We cannot support that.

Mr. Speaker, may I suggest that the leadership force us to come back with a clean funding bill so we can get on with the process of cleaning up the S&L debacle.

THANKS TO THE TROOPS OF DESERT STORM FROM A GRATEFUL NATION

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

Mr. CHAPMAN. Mr. Speaker, today as it appears that victory may be very near in the Middle East, I think it is altogether fitting and proper that we take just a moment to express the gratitude and the thanks of a grateful nation to the young men and women who have fought so well for us and our allies in the Middle East.

Only America could have taken this role. As the only true surviving superpower today, we have been able to come this far and we should not come this far in this new world order and not finish the job. It is because of the dedication, the bravery, the work, and the fight of young Americans 8,000 miles from home that we stand on the brink today of a tremendous victory.

Mr. Speaker, I want to say to our troops in the Middle East, thank you for a job well done. Thanks from a grateful Congress and a grateful nation. Keep it up, finish the job, Godspeed to you, and hurry home.

FUNDING FOR THE RESOLUTION TRUST CORPORATION

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

Mr. BEREUTER. Mr. Speaker, this Member urges the majority leadership to push the Congress toward its expeditious adoption of a clean bill to fund the Resolution Trust Corporation, known as the RTC.

The administration has requested that Congress pass a short RTC funding bill to provide $30 billion to close down insovlent institutions. However, Banking Committee members added controversial provisions that resulted in a 9-hour Banking Committee markup involving roughly 40 amendments. The final legislation was so bogged down with extraneous provisions, that most Members, including this Member, could not support the measure.

While some of the provisions may have had merit, they had major policy implications for how the RTC operates and required further review by all the members of the committee. Questions such as how the RTC should identify and dispose of environmentally sensitive lands, how to ensure that minority groups have equal access to RTC's services, and whether modifications need to be made to the RTC's existing affordable housing program are all significant policy issues that deserve more discussion than at a last minute markup to provide immediate funding for RTC.

The failure of Congress to authorize funding for the RTC last fall resulted in millions of dollars of losses to the taxpayers. Recently, the General Accounting Office and the Treasury Department have informed the Congress that the situations of over 90 institutions have not been resolved because of the funding delays.

The budget already includes the RTC funding request. Mr. Speaker, the House must not further delay. It must pass straightforward, stripped-down legislation to provide the needed $30 billion for the RTC—with requirements for such reports and contact as necessary for the Congress to conduct more effective oversight of the RTC.

A SPECIAL NOTE OF APPRECIATION TO OUR TROOPS IN THE MIDDLE EAST

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

Mr. LANCASTER. Mr. Speaker, all of us share fully in the pride that we all have for our men and women in uniform who are serving so magnificently in the Persian Gulf. I have special pride since 18 percent of the men and women in the gulf come from North Carolina bases and North Carolina Guard and Reserve units. Most of those are from my district.

We are not just proud, however, of their presence but of their outstanding performance. The years of investment in personnel, weapons systems, and readiness training have paid off handsomely in the fine way they have operated in Desert Storm. It really is an incredible performance. Everything seems to be going very well, with minimal casualties.

The F-15E's and the KC-10's which fly from Seymour Johnson, one of our bases, the marines from Camp Lejeune, the 82d Airbone from Fort Bragg, and the Marine Air Wing from Cherry Point all have played an important role in this incredible defeat of Saddam Hussein and his forces.

Mr. Speaker, our prayers are with these men and women in uniform and also especially with their families who have served so courageously and bravely back home, keeping up the morale of their fellow dependents and family members.

THE NEXT STEP IN THE FUNDING OF THE RTC

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

Mr. McCANDLESS. Mr. Speaker, the Federal Government has made a commitment to the people of the United States.

That commitment is that the Federal Government will stand behind those who work and save their money.

However, as with all acts of the Government, the ultimate cost of that protection rests with the taxpayers.

With the passage of FIRREA, Congress took the first step in funding the Resolution Trust Corporation, which is repaying the funds of innocent depositors.

Now it is time for the next step.

Instead of providing a clean, straightforward authorization of additional funding for the RTC, a majority of the Democrats in the Banking Committee sought to have a picnic at the expense of depositors and the American taxpayer.

Specifically, I would point at the Kennedy-Slattery amendment.

Portions of last year's budget summit agreement were designed to insure that insolvent S&L's could be closed, and the depositors money be protected.

The Kennedy-Slattery amendment—passed with overwhelming Democratic support—completely abrogated that agreement.

The amendment would delay the resolution of insolvent S&L's, which would increase the ultimate cost to the taxpayers.

Furthermore, the amendment would greatly jeopardize the ability of the RTC to repay the deposits of innocent Americans.

Some viewed the amendment as an opportunity to call for yet another tax increase.

The Government has an obligation to the American people to close insolvent S&L's and to protect deposits.

I call upon the Democrats not to play politics with that obligation, and urge all my colleagues to support the administration's request for a clean funding bill for the RTC.

VICTORY OVER SADDAM HUSSEIN SHOULD BE DECISIVE

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

Mr. JOHNSON of South Dakota. Mr. Speaker, all Americans remain immensely proud of our men and women in uniform for what they have been able to accomplish with such decisiveness in the Persian Gulf region over these past weeks. I commend President Bush, Secretary Cheney, and Gen. Colin Powell on their handling of the effort to this point.

But having come this far with a military approach to the conflicts in the gulf, it is essential that a war which began on Saddam Hussein's terms ends on terms dictated by the allied forces. We cannot permit Saddam Hussein to unilaterally determine the conditions for termination of this war without taking great risk that he and his government will remain a significant danger to the world community in the years ahead.

A strategic and possibly temporary retreat on the part of the Iraqi military is not enough—I support President Bush's efforts to force a surrender and disarmament of the Iraqi forces, including the Republican Guard. The conclusion of this war should leave no ambiguity as to the victors and the losers. Saddam Hussein should not be permitted the possibility of claiming a political victory out of a military defeat.

With the conclusion of this military conflict, will come still more difficult days ahead—not in terms of combat, but in some ways, even more difficult task of helping to create an environment where political stability and eventually democracy and social and economic justice can prevail. We hope and pray that our military personnel will be home soon—but we acknowledge that the diplomatic efforts needed to protect the cause for which our troops have sacrificed so much, will likely be with us for generations to come.

BANKING COMMITTEE VOTES DOWN FIRST RTC FUNDING BILL

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

Mrs. ROUKEMA. Mr. Speaker, yesterday, after almost 9 hours of discussion and debate, an extraordinary thing happened in the Committee on Banking, Finance and Urban Affairs of the House. A bill loaded down with extraneous amendments was voted down and not approved by a bipartisan vote.

□ 1410

This bill had to do with $30 billion of urgently needed funds for the Resolution Trust Corporation which Members know we need in order to clean up the savings and loan mess and to save the taxpayers money. There was no need for this failure to vote urgently needed funds. Most of the provisions added to the funding bill were dilatory in nature and would have slowed the resolution process and added to its cost. It was clearly a political decision.

This delay on this request, Mr. Speaker, will only result in an increase in the total number of the cost to the taxpayers. I can only call upon the majority leadership to insist that the Banking Committee on a bipartisan basis report out a clean funding bill now. The solution to the savings and loan cleanup for the American taxpayer cannot wait.

GRATITUDE AND SUPPORT FOR OUR TROOPS IN THE PERSIAN GULF

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

Mr. STALLINGS. Mr. Speaker, I rise today to express my gratitude and admiration for the men and women of our Armed Forces and the job they have done in the Persian Gulf. What we have seen is a testament to the dedication, skill, and commitment of these men and women. They have responded loyally and effectively to the task we set before them, and we are grateful and proud.

The prayers that have gone up from southern and eastern Idaho in the past weeks have been too numerous to count. They have expressed our hopes that we be spared, to the extent possible, the loss of life. I believe those prayers are being answered, and we are grateful for that as well.

Sadly, some have fallen, and they include Capt. Douglas Bradt and Capt. Paul Eichenlaub. On behalf of their friends and colleagues at the Mountain Home Air Force Base in Idaho I want to express to this Nation our admiration and gratitude for the devotion to duty and country these men and their families have shown. I hope that their families will understand how deeply we share their grief, and how deeply we are indebted to them for their sacrifice.

Our gratitude and support extend to all our troops in the gulf. The fighting seems to be moving toward a swift conclusion, and we welcome that. But we must continue to make our expressions of support tangible. We must go beyond words.

There are ways to demonstrate that we will remember the sacrifices they are making. One of the best is to pay attention to the needs of veterans generally. Those who have served our Nation—both past and present—must never be taken for granted. Our response to them is perhaps the truest guage of our pride and support, and I encourage my colleagues here in Congress to remember that during the next weeks and months.

BANKING COMMITTEE SHOULD REPORT OUT CLEAN RESOLUTION TRUST CORPORATION FUNDING LEGISLATION

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

Mr. ARMEY. Mr. Speaker, yesterday we spent 10 hours in the Committee on Banking, Finance and Urban Affairs debating what should have been a clean $30 billion emergency funding bill for the RTC. The time was divided between complaining that the RTC is not doing its job and adding strings to the funding that would make it even less capable of doing its job in the future.

The strings were designed to make political points and to turn the RTC into an instrument for income redistribution rather than what it was intended to be, an instrument to secure the safety of the savings of American citizens.

In the final analysis, after 10 hours of debate we ended up with so many strings we tied our own hands, passed nothing out of the committee and left this important work sitting on the table and left the Nation in need of additional funding as quickly as possible.

I call on the House leadership to instruct the Committee on Banking, Finance and Urban Affairs to get clean funding out on the floor in the interest of the savers of America as quickly as possible.

TREATING OUR RETURNING MILITARY WITH DIGNITY AND HONOR

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

Mr. SARPALIUS. Mr. Speaker, in most of the wars known to mankind they were made up armies who were mandated to fight for a cause, whether they believed in that cause or not. The unique thing about this battle in the Persian Gulf is that it was made up of volunteers. Regardless of the color of their skin, their sex, creed, their nationality, they all had red blood that flowed through their body that they were willing to pour onto the sands of the desert for a cause and for a purpose. They believed in freedom for the people of Kuwait and for freedom around the world.

They are brave young men and women, and I challenge the American people that as these brave young men and women come home, even those who demonstrated against that cause in the streets throughout this country, that we treat them with honor and with dignity and with respect and as heroes for that cause that they so rightly believed in.

IT'S TIME THE WHOLE WORLD KNEW HUSSEIN

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

Mr. GOSS. Mr. Speaker, for too long, a large part of the Arab world has been cloaked in the darkness of the countless lies and half-truths told by Saddam Hussein. Now that the war in the gulf is hopefully in its final stage, Saddam must be put under the glaring spotlight of truth so that world opinion, and most especially Arab world opinion, can see the depth and vileness of his deceptions.

Yesterday, I stood here and said that we should send the bill to Saddam for the costs of the war. Reparations, however, should not be limited to the financial costs of this conflict. We cannot forget Saddam's brutal mistreatment of allied POW's or his systematic torture of innocent Kuwaiti citizens. These atrocities demand more than just reparations—they demand justice.

Mr. Speaker, the time has come to pull Saddam out of his bunker and make him face the consequences of his actions in full public view. We should call for an international tribunal to hold him accountable for barbaric acts against man and nature—to show how he has shamefully sold out his people and the Arab world he seeks to inflame.

We must take this opportunity to demonstrate to all the Arab people that this is not the man on which to pin their hopes for a peaceful and prosperous future.

SALUTING OUR TROOPS IN THE PERSIAN GULF

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

Mr. ROEMER. Mr. Speaker, today I rise to join my colleagues to salute the patriotism, the gallantry and the courage of our men and women in the Persian Gulf.

I read over the weekend letters from a soldier who said he may be the very first person to cross the border in a tank to Kuwait. He wrote his mother and father about his commitment, his concern, and his worries.

We are proud. We are also thankful. This is a time for Americans who have come together in a hope for victory to stay together in thanking our troops and stay together on the home front. We are proud to see our efforts at home succeed, succeed in my particular district in making the Hummer, which has been exemplary in the Persian Gulf, and succeed in our efforts and our commitment as a community to support the families here at home in our efforts to improve education and improve our commitment to these families and friends with loved ones in the Persian Gulf.

HEARTFELT THANKS TO GENERAL SCHWARZKOPF AND AMERICA'S HIGH-TECH WEAPONRY

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

Mr. WALKER. Mr. Speaker, General Schwarzkopf is presently briefing the world about the war effort in the Persian Gulf. He deserves our heartfelt thanks for the leadership he has provided over the last several months. He and the rest of our soldiers have performed magnificently.

But we should not forget the policies that made his leadership and our victory possible. There were tough votes to approve the high-tech weapons that people in this House sought to keep from being built. Yet that high-tech arsenal saved lives and ensured victories. Had we not gone high-tech, we most assuredly would have lost more lives in trying to get the battlefield battle won.

There were the tough votes giving the President and the military the authority to act when action was demanded. Some in this House would have preferred to wait. Had we waited, our troops would still be in the desert and would not be celebrating a victory and would not be coming home in a matter of a few weeks.

Victory in the Persian Gulf demonstrates that this country is capable of leading. Hopefully this Congress will become more supportive of the policies that must back up that leadership.

A COMPREHENSIVE RECYCLING PROGRAM FOR THE HOUSE

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

Mr. ANDERSON. Mr. Speaker, tomorrow, I will be introducing a resolution that would mandate the Architect of the Capitol to institute a recycling program in all House offices.

Last year, the Architect of the Capitol instituted a pilot recycling program in the Rayburn House Office Building. This program consisted of placing separate bins to collect paper, plastics, aluminum, and bottles in selected Rayburn offices and the Cannon and Longworth carryout stands. The program attempted to increase recycling by making it readily available and easily disposed.

Now, due to the success of this program, the Architect of the Capitol has received an additional appropriation for fiscal year 1991 to expand this program. My resolution would require that this pilot recycling program be extended to all House offices in order to increase not only the recycling efforts of the Congress but the effectiveness of these efforts as well.

Extending this program will demonstrate Congress' commitment to recycling as well as making recycling more accessible to all House offices. Funds have already been appropriated to extend this program. However, this resolution is necessary to put these funds to use. I will be introducing this resolution tomorrow, and I urge all of you to join me in making Congress a leader in the recycling movement.

SUPPORT FOR RESOLUTIONS ON PLIGHT OF CUBAN PEOPLE UNDER FIDEL CASTRO'S DICTATORSHIP

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

Ms. ROS-LEHTINEN. Mr. Speaker, today we will vote on a resolution on the plight of the Cuban people under Fidel Castro's dictatorship, which continues to be a matter of great concern to the human rights community throughout the world. A few days ago I received a Freedom House report written by Robert Cox, who visited Cuba as a representative of the International League of Human Rights. After Mr. Cox's visit to Cuba, he wrote a series of articles, which now have been made available in booklet form by Freedom House. He tells of his conversations with Cuban dissidents and expresses it well when he states:

> Twelve days in Havana is long enough to lose your heart to the beauty of the old city, and the strong spirit of those who have maintained their individuality. It is more than enough time to see the cruelty of the regime.

Mr. Speaker, I commend to my colleagues this excellent publication by Freedom House, now celebrating its 50th year advocating human rights and civil liberties throughout the world, and I hope that today we unanimously pass the Cuban human rights resolution.

OPEC TICKLED GREEN OVER VICTORY IN GULF

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

Mr. TRAFICANT. Mr. Speaker, allied troops have liberated Kuwait and OPEC nations are actually tickled green. That is right, green, green for money, because right now OPEC nations are meeting, and they are conjuring up ways to raise the prices of oil. How is that for a peace dividend, America?

While America is putting out the fires in the gulf, the Persian Gulf is picking our pockets. Think about that.

If that is not enough to haul our ashes, where is the money from Japan and Germany? Did they send it over in the Stealth bomber?

I think it is time, Mr. Speaker, that Congress ensure that Japan and Germany and everyone who has pledged money comes up with their fair share.

In addition, it is time to remind these OPEC nations who their friends are, and for them to roll out the barrel and stop the price increases of oil.

INTRODUCTION OF RESOLUTION CALLING FOR WAR CRIMES TRIALS FOR SADDAM AND HIS COMMANDERS

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

Mr. RAMSTAD. Mr. Speaker, unless Saddam Hussein goes the way of Hitler or Ceausescu, he must be brought to justice by the allied forces for his brutal war crimes.

This week I am introducing a resolution calling on the United Nations to carry out war crime trials for Saddam and his commanders for their wartime atrocities.

Well-established principles of international law hold that Saddam and his commanders should be prosecuted for crimes of invading Kuwait, brutally abusing allied prisoners of war, torturing and murdering Kuwait citizens, launching Scud attacks on innocent Israeli civilians, and using scorched earth tactics to destroy the resources and environment of Kuwait.

Saddam must be held both legally and financially accountable for the atrocities he has committed. Anything short of Saddam's prosecution for war crimes would only enable him to fight another day and commit future atrocities.

TRIBUTE TO GARRETT A. MORGAN

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

Mr. JONES of Georgia. Mr. Speaker, the military coalition in the Persian Gulf, and the citizens of that region, in Saudia Arabia and Israel, all of us in fact, owe a debt of gratitude to a man named Garrett A. Morgan.

Mr. Morgan is perhaps best known as the investor of the traffic light. He was born in Paris, TN, in 1875 and passed away in 1963.

We should be especially grateful to him now because he was the inventor of the gas mask. His creation has given safety and security to millions and saved countless lives.

Garrett Morgan's accomplishments were hard earned in his day, for he was a black American, the son of a slave, and as we celebrate Black History Month, it is particularly fitting that we give thanks for his contributions to peace and freedom.

□ 1430

HEROES AND ROLE MODELS

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

Mr. WELDON. Mr. Speaker, it is with great sadness that I rise today. Last weekend, a 12-alarm fire gutted a highrise building in center city Philadelphia.

Three firefighters from station 11 died fighting that fire. Capt. David Holcombe, Phil McAllister, and James Chappell were trapped on the 28th floor. They embodied the true spirit of this great Nation. They gave their lives protecting the lives and property of people they never met. The city and people of Philadelphia will never be able to repay our debt to them.

The building, One Meridian Plaza, will be rebuilt. Destroyed offices will be replaced. But nothing can make whole the loss of the three dedicated men who drew their last breaths trapped in a burning building. Accounts of the blaze ring of the horror of the oppressive heat, of the blindingly bright fire, and of the disorienting smoke that filled the building. We can only imagine the force which felled these brave men.

The most alarming aspect of this loss is the realization that it did not have to happen. Standard fire sprinklers would have contained and possibly extinguished the blaze before it spread. Unfortunately, One Meridian Plaza was not properly protected.

The tragedy in Philadelphia is stark testimony of the need for Congress to step up its efforts to promote fire and life safety. This year, I plan to offer amendments to spending bills which will prohibit Federal construction dollars from being used on facilities which do not employ balanced design in overall fire protection and life safety strategy. I urge all of my colleagues to reflect on this tragic and needless loss in Philadelphia and to commit ourselves to the full support of our brave firefighters—America's domestic defenders.

PRAISE FOR HOUSE COMMITTEE ON BANKING FINANCE AND URBAN AFFAIRS

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

Mr. KANJORSKI. Mr. Speaker, yesterday the House Committee on Banking, Finance and Urban Affairs distinguished itself in a 10-hour session which took up the request by the administration to provide additional funds for the $50 billion, originally given 18 months ago to this administration on the word of the President that never again would this disaster face the American people and need a bailout. Less than 18 months ago this administration requested first a blank check from the Congress of the United States, without limitation; and finally, in concession, nearly a blank check for an additional $30 billion to carry them for 9 more months, and a recognition that they would need an additional $50 billion in the next 12 months. Then, at that point, they did not know what it would cost.

Some members on the Committee on Banking, Finance and Urban Affairs felt that the activities, the RTC and this administration, in handling the S&L bailout, have been less than most responsible. As a result, many important amendments were offered, one of which had very broad bipartisan majority support on the House Banking, Finance and Urban Affairs Committee of a vote of 28 to 16 for burdensharing of those States responsible for the cost of the disaster, should share a portion of the responsibility for paying for the disaster.

Mr. Speaker, if a bill is to be passed, authorizing additional funding for the RTC, this bipartisan amendment must be part of that bill, if this Congress is to act responsibly. Otherwise, there is no reason for this Congress to be in session.

IMPATIENCE WITH MR. GORBACHEV

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

Mr. RITTER. Mr. Speaker, President Gorbachev warned yesterday that United States-Soviet relations were fragile and would suffer if the United States did not accept a cease-fire with Saddam Hussein. Gorbachev has indicated that he is growing impatient with President Bush.

Why are Gorbachev and hardliners in the Soviet Union so interested in saving the skin of the murderous Saddam.

It is clear that Gorbachev's attempt to save Saddam is not simply to promote peace, since clearly peace would best be served by preventing Saddam Hussein from ever being able to fight again.

Gorbachev's interest in saving Saddam Hussein's regime are economic, political and military—to further the domestic and foreign policy objectives of the Old Guard that Gorbachev is now allied with. They are Saddam's friends and suppliers.

Why, because of money and power. The Soviet Union traded massive quantities of Soviet military hardware for Iraqi oil, then sold that oil for billions in hard currency and products. It was a

trade triangle of death—especially for Kurds, the Kuwaiti people, the American servicemen killed by the Soviet Scud that hit their barracks in Riyadh and not least, the Iraqi people themselves. Saddam supplied Moscow with over 13 billion hard dollars for arms during the 1980's.

Also on hold for the Soviet military-industrial complex is a $5 billion railway project in Iraq and billions of dollars more in contracts for the construction of a gigantic hydro-power plant complex on the Euphrates river and development of oil fields in Iraq.

Soviet hardline officials like Col. Viktor Alksnis are openly calling for an end to the embargo and resumption of trade and arms sales with their client, Saddam's Iraq.

But the Soviet people do not support this, and they do not support the criminal Saddam any more than they supported Stalin. The people of the Baltics, Ukraine, Russia, and the other Soviet republics—the common man and woman in the U.S.S.R. support the United States in the gulf.

I was just over in the Soviet Union as a part of a Helsinki commission congressional delegation, and I can tell you that what we are hearing about Iraq from the Soviet Union is Gorbachev delivering, wrapped in sheep's clothing, the wolf's objectives—the objectives of hard-line Communists—the KGB, and the military.

Mr. Gorbachev, you cannot broker a cease-fire with Saddam Hussein until, and not before, he unconditionally accepts all the United Nations resolutions. Indeed, now that the war is on, until he lays down his weapons.

Mr. Gorbachev, the American people, some of your staunchest supporters, are growing impatient with you.

ON THE FAMILY AND MEDICAL LEAVE ACT

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

Mrs. UNSOELD. Mr. Speaker, we are a caring nation and we place a high priority on our families and our children. However, when the President vetoed the Family and Medical Leave Act last year, he sent a clear message that he is not willing to reinforce those values by signing meaningful legislation to protect families.

GAO statistics show that the legislation we proposed would not be a great burden on employers. In fact, it would cost only $5.30 per eligible employee. Lawrence Perlman, CEO of Control Data, in support of this legislation said, "Employer support of the family is as important as safety and a minimum wage."

Mr. Speaker, 12 weeks of unpaid leave is the least this great Nation can do to support employees who are balancing work with caring for a newborn or a seriously ill family member. Tomorrow we will again begin hearings on the Family and Medical Leave Act. This time, I hope the President joins Members in support of the American family.

EXCHANGE OF PRISONERS' STIPULATION

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

Mr. GEKAS. Mr. Speaker, the mother of all surrenders is about to occur in the Persian Gulf, and that will lead inexorably to talk of exchange of prisoners.

It is my contention, and I urge the President, to adopt the position that we cannot and should not in any way end the hostilities or end any conflict without a guarantee of exchange of prisoners to occur simultaneously with the signing of any article that will end this conflict.

We have had, as an American people, a frantic experience with the Korean conflict and the prisoners of war and missing in action in that arena, and later in Vietnam, to the sadness of the American public. We cannot let a situation like that recur no matter how few of our prisoners of war are in their hands, no matter how many of theirs are in ours. I ask the President, as he has already indicated he would do, to make the prisoners of war a high item on the agenda to accompany the surrenders and cease-fire.

PRAISE FOR MAYOR DALEY AND THE CITY OF CHICAGO

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

Mr. RUSSO. Mr. Speaker, thousands of Chicagoans and other Americans have left jobs and careers behind to respond to the emergency situation in the Persian Gulf. Given these extraordinary circumstances and the need for each of us to ban together, Mayor Daley and the city of Chicago have enacted a resolution to protect the employee benefits of those city employees serving in the Persian Gulf as part of Operation Desert Storm.

I wish to commend Mayor Daley and the city of Chicago for taking the lead in helping those reservists and their families whose lives have been dramatically altered by Operation Desert Storm. As the chief executive officer for the city of Chicago, Mayor Daley has created a policy to deal with the financial hardships faced by Chicago reservists and other military personnel during their leave. Mayor Daley's resolution authorizes the extension of paid leave and benefits for city employees who are members of the Reserves and who have been called to military action in connection with Operation Desert Storm. In addition to ensuring that those city employees called to active military service receive the difference between their military and civilian salary, Mayor Daley's resolution calls on all employers, both in the public and private sectors, to follow the city of Chicago's lead in protecting the salaries and benefits of those employees called to active military duty.

Mayor Daley has made a commitment to the city of Chicago and city employees and, hopefully, has set a labor-management example for other employers to follow. A man of vision, Mayor Daley has recognized the importance of creating a good-faith environment in which people can grow and prosper, and one that protects its employees in a time of need.

Today I am introducing a resolution which recognizes the city of Chicago for its altruistic policy on reservists pay and calls on the rest of the United States to follow Mayor Daley's effective management style and sense of responsibility as an employer. This resolution recognizes the selfless example of the city of Chicago and encourages other employers to act for the good of the country and provide support for those employees and their families called to active service.

□ 1440

DOMESTIC OIL PRODUCTION

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

Mr. OXLEY. Mr. Speaker, the United States is the world's largest consumer of oil. If that demand continues, and we expect that it will, we will continue to rely on vulnerable foreign imports, or we can adopt policies that increase domestic oil production. For several years we have relied on the former.

From 1985 to 1989, imports grew by over 60 percent, and during that same period of time domestic production fell by over 2 million barrels a day.

Mr. Speaker, we have an opportunity, it seems to me, to follow the courageous lead of the Congress back in the early 1970's when we freed up the north slope of Alaska which now produces 25 percent of the oil that we use.

Now, I ask the Members of the House to consider where we would be today vis-a-vis Saddam Hussein and our reliance on foreign oil if we had not made that courageous decision. We have an opportunity to follow up on that decision by freeing ANWR, a little farther east from that region, that can potentially supply as much as three times the oil that we have gotten from Prudhoe Bay.

Let us make the tough but reasonable decision that we can look for oil

and that we can find oil and that we can do it in an environmentally sound manner in ANWR. That should be a particularly important segment of our national energy policy, and I ask the House to consider that decision.

NO MORE VIETNAMS

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

Mr. MAZZOLI. Mr. Speaker, we are on the verge of winning two wars: One, which is ongoing in the Persian Gulf, looks like it is within days or even hours of being ended. We also are on the verge of winning another war and that is the war in Vietnam, even though it, of course, ended many years ago.

We went into this venture in the Persian Gulf saying "no more Vietnams." We meant that really in two ways, Mr. Speaker; first, tactically, and we have seen on the battlefield that this war has been run by the generals in the field. That is why, in part, it has been so remarkably successful with so little bloodshed on the part of the United States and coalition forces.

We also said, "No more Vietnams" because we wanted not to have a repeat of the terrible disrespect which was displayed toward the soldiers of the Vietnam era when they came back home.

As recently as several days ago, I was at the Naval Ordnance Station in Louisville. We had a ceremony on the steps of the administration building to call attention to our responsibility to the men and women of Desert Storm.

So I believe, Mr. Speaker, we not only will win our battle in the gulf, but I think we are going to, finally and once and for all, shed the Vietnam syndrome by winning that war as well.

THE TERRORISM OF SADDAM HUSSEIN

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

Mr. SANTORUM. Mr. Speaker, I stand before you with particular sorrow in the wake of the abominable act of terrorism committed by Saddam Hussein on Monday.

The whole world—even Saddam Hussein himself—knew clearly by Monday that his utter, complete military defeat was unavoidable. Nevertheless, Saddam has continued to hurl Scud missiles indiscriminately in the direction of populated areas.

On Monday one of those Scuds killed more Americans in an instant, than Saddam's whole military contingent could kill in 2 days of ground fighting. Though this act of pure terrorism horrifies all of us, my outrage is intensified by the fact that many of those killed and wounded in this Scud assault come from western Pennsylvania.

My heart goes out to the families who lost loved ones in this shameless attack. Beyond offering our condolences, I hope we will make sure that their lives were not given in vain.

Specifically, these 28 deaths remind us that, despite the substantial damage we have inflicted on Saddam's military potential, this madman is still able to launch Scud missiles and is still willing to use them in the most inhumane ways imaginable.

It should be clear to all the world that there can certainly be no stable peace in the Middle East as long as Saddam Hussein is in power. Only when he is removed from power can we truly tell the survivors of our servicemen that the just cause for which they died has been achieved.

THE RTC FUNDING BILL

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

Mr. RIGGS. Mr. Speaker, yesterday, the House Banking Committee failed to report out a critically needed RTC funding bill.

The RTC needs more money—and they need it now. Currently, 95 insolvent institutions are still open that should be closed. Already the delay has cost us between $250 and $300 million. Further delay could cost the taxpayers upwards of a billion dollars. Treasury Secretary Brady has said that RTC will shut down operations by tomorrow without more funding.

Apparently, my Democratic committee colleagues think the RTC bill is a legislative Christmas tree. But all the ornaments brought the tree crashing down. Yesterday, the Democrats decided to have a legislative party, and yet they wanted the Republicans, the Treasury Secretary, and the RTC to clean up their mess.

Well we all refuse.

I urge the Banking Committee to support a clean bill. Let's do the job we need to do. Let's live up to our responsibility and commitment to the depositors, and make good on the full faith and guarantee of the U.S. Government while we put an end, at last, to the S&L "black hole."

A VIETNAM VETERAN WRITES THE PRESIDENT

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

Mr. HYDE. Mr. Speaker, I was sent a copy of a letter that was sent to the President by a Mr. Al Houghton of Placentia, CA, and I was so moved by the letter that I would like to share it with my colleagues:

AL HOUGHTON MINISTRIES,
Placentia, CA, February 15, 1991.

Hon. GEORGE HERBERT WALKER BUSH,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT: I am writing to thank you primarily, and secondarily the Congress, for taking a stand that is bringing healing to the hearts of this and many other wounded Viet Nam Veterans.

The greatest wounds of Viet Nam were not inflicted in the rice patties of Southeast Asia, but were scars seared in our hearts from our own government who sent us off to war but refused to let us win. Every soldier knew the military could have won the Viet Nam war in six months if our elected leaders would have only turned us loose. Going to war and coming home with a victory is something to be proud of, but facing death and coming home with nothing is a shame.

For nearly two decades, I have felt the Viet Nam years of my life were a worthless waste until you stood before this nation and declared, "We will not fight this war, with one arm tied behind us." The three times I have seen you make that statement on television has healed my heart by redeeming my Viet Nam experience.

For the first time, value and worth have risen from the ashes of what twenty years ago seemed like a fiery furnace. The value of Viet Nam I saw demonstrated through your lips, and approved by the Congress was: a generation of political leaders *learned how not* to conduct a war. My experience now has great value because the President of the United States and a majority of Congress learned something through it and are conducting Foreign Policy accordingly.

Those of us who experienced Viet Nam have lived with the truth of Proverbs 18:14, "The spirit of a man will sustain him in sickness, but who can bear a broken spirit." All one hundred and sixty-one combat missions I flew as a Navy Reconnaissance pilot are now much more than entries in a log book. Thank you Mr. President for helping heal this wounded warrior.

You will soon have a great opportunity to publicly heal the wounds of hundreds of thousands of Viet Nam Veterans and their families by extending to them two major missing ingredients unavailable when their war ended.

A simple acknowledgment of the value of Viet Nam in shaping your determination to let the military do whatever necessary to win will bless families and heal hurts, because the soldiers twenty years ago did not have that backing and commitment.

Secondly, helping those who experienced Viet Nam see that they had a major role in winning this war, by shaping American leadership thinking about what to, and not to do, will give them the victory they never had.

May God bless you and God bless America.

Respectfully yours,

AL HOUGHTON.

□ 1450

MILITARY STRENGTH WORKS, AMERICAN STRENGTH SAVES AMERICAN LIVES

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

Mr. GINGRICH. Mr. Speaker, we all just watched General Schwarzkopf give

an amazing briefing about an extraordinarily successful campaign.

A few Americans have been killed, and for each of those families it is a tragedy. Yet to have achieved what we have already achieved at this cost is one of the most miraculous campaigns in the history of military campaigning.

But our colleagues here in the House have to reflect what that means. The Reagan buildup worked. Military strength works. American strength saves American lives.

Conversely, weakness kills; a weaker America means in the future we either cannot do things or will risk our young men and women being killed in greater numbers when we try to do things.

So in the next few months, when there are efforts to cut the defense budget, when there are efforts to kill new technologies, when there are efforts to lead to a weaker America, I hope this Congress will remember these briefings and this achievement and will recognize that military strength saves American lives and that a strong America is safer not only for us here at home but it is far safer for our young men and women in uniform.

OUR BRAVE MEN AND WOMEN IN THE ARMED FORCES

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

Mr. DORNAN of California. Mr. Speaker, I have just returned from an 11-day trip to NATO bases throughout Europe. As my trip progressed I got closer and closer to Operation Desert Storm. I finally ended up at a forward operating base in a part of the operation called Proven Force. There I visited with the Air Force component assisting the magnificent effort to free this tiny little country that has been raped, violated, and torn apart.

The stories coming across television now are heartrending. The gruesome reports of atrocities answer once and for all the argument made by some in this Congress, thoughtful though it may be, that sanctions might have worked against this serial killer, Saddam Hussein.

Mr. Speaker, I just wanted to note the professionalism of our men and women now engaged in battle. From the young privates I met at a Patriot battery, to all of the people in transportation and security, and all of the service personnel in various levels of intelligence, right up to the fighter pilots. They were all a credit to their country. I stood on a runway 5 days ago with a young captain who had just flown a night mission. He should have been in bed, but instead was up waving an American flag and watching tankers move out—using the buddy system—followed by four F-15's, four F-4's, four F-16's, on their own night mission. We went out to wave goodbye to them, and prayed they would return safely.

The professionalism of our Army, our Navy, and our Air Force is truly impressive, from the lowest private right up to our Commander in Chief, George Bush, who is pictured on the page of one of our newspapers as Superman. And every word of the letter that HENRY HYDE just read is true. That reconnaissance pilot he spoke of was probably flying RA-5 Vigilantes and his product, the photographs, would go to the basement of the White House, where an American President playing general would pick air targets. Defense Secretary McNamara would usually sign off on these targets as being footbridges.

We are doing it totally different now. That specter of Vietnam, which has been the uninvited guest at every single defense and intelligence briefing on this Capitol Hill for over 17 years, that specter is gone. The ghost is buried; we have put dirt on it. We have shown how this Nation can truly respond to 911—as some of my colleagues on the other side have sarcastically said we should not do. When the rescue call goes out over 911, those young men and women are proud to respond, and I think it is truly a new day for America. I hope everybody here and in the other chamber has gotten the message.

Thank you, President George Bush, for your incredible leadership.

LET US MAKE SURE WE DO NOT GIVE THE SOVIETS THE TECHNOLOGY THAT IS WINNING THE GULF WAR

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

Mr. SOLOMON. Mr. Speaker, I could not believe my eyes when I read that we might be in the process of selling of all things our Patriot technology to of all places Moscow.

That's why I am asking every one of you to sign a letter I am sending to President Bush, asking him to make sure we do not give the Soviets the technology that is winning the war in the Persian Gulf.

I would also ask that when the House considers the Export Facilitation Act, it absolutely must be under an open role.

Much has changed in the world since this bill passed the House last year.

The Soviets have shown their renewed capacity for diplomatic mischief in recent weeks.

They have also shown the true face of perestroika and glasnost with their oppression in the Baltic nations.

So if we regret the arms we sold to the Iraqis, we certainly will regret selling Partiot technology to a potentially much stronger foe.

Mr. Speaker, the reactionary military is on the rise in the Soviet Union. You had better believe they'd like to get their hands on our technology.

But if the gulf war has taught us anything, it is that we should safeguard, and not share, our critical technologies with people who still call themselves Communists.

WHEN HEROES ARE MADE

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

Mr. LEWIS of California. Mr. Speaker and my colleagues, I was just standing in the back of the Chamber talking with one of my colleagues about this magnificent development that has taken place in recent months relative to America's leadership in the world.

All of us have been concerned about the crisis in the Middle East. Indeed, as we watched this display, this magnificent display of our technology and what it can do from the air, many of us were proud once again for the votes we cast to build toward a strong America again.

All of us joined with America worried about a ground war. We in the House had the privilege to experience time and time again briefings from our experts, our new-found heroes.

I will never forget that one day where Members were almost haranguing Colin Powell relative to a ground war. General Powell said this:

> Ladies and gentlemen, it may be to finally accomplish our mission here, we will get to a ground war, but there is many a way to fight a ground war. There is the smart way to fight one, and perhaps there is a dumb way. We intend to fight the smart way.

Heroes have been found in this magnificent display. They begin with the likes of Colin Powell and General Schwarzkopf; indeed Dick Cheney; indeed the President of the United States, George Bush.

IRAQ WAR: "MOTHER OF ALL ROUTS"

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

Mr. STEARNS. Mr. Speaker, the Orlando Sentinel recently printed a perfect headline.

It said, "Mother of all Routs!"

Now that more than 50,000 of Saddam's army have given themselves up, and his armor is being destroyed, and his air force is nonexistent Saddam is awfully quiet. Where is the bluster from the man that challenged the allies to enter "the mother of all battles?" He is cowering behind the skirts of Iraqi women and children.

Operation Desert Storm turned Saddam's "mother of all battles" into one of the greatest routs in modern military history.

I can't begin to express my pride for our troops in Operation Desert Storm. What a magnificent job they did.

In early January, I had the privilege of traveling to the Middle East and met with our troops. I saw honor, enthusiasm, courage, intellect, and a strong willingness to get the job done.

Those qualities were also present last Friday when the A Company, 3d Battalion, 20th Special Forces Group Airborne left my hometown of Ocala, FL, for Saudi Arabia. They left just hours before the ground war was to begin.

It is this attitude, this willingness to get the job done, that has led to "the mother of all routs."

Congress can be proud of itself for contributing to that go forward attitude when, on January 12, 1991, it approved a resolution permitting the use of force after January 15. That was the most difficult vote we've had to make in this body in years, but we did it because, like our troops, we knew we had to get the job done.

Thank God we acted.

Now Saddam must pay personally for his ruthlessness. I support putting him on trial in international court and make him explain his actions to the world. I also support forcing Iraq to pay for the reconstruction of tiny Kuwait.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT AMENDMENTS OF 1991

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 555) to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to improve and clarify the protections provided by that act; to amend title 38, United States Code, to clarify veterans' reemployment rights and to improve veterans' rights to reinstatement of health insurance, and for other purposes, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment: Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Soldiers' and Sailors' Civil Relief Act Amendments of 1991".

SEC. 2. EVICTION AND DISTRESS DURING MILITARY SERVICE.

(a) INCREASED MAXIMUM RENTAL AMOUNT FOR APPLICABILITY OF STAY.—Section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 530) is amended by striking out "$150" in subsection (1) and inserting in lieu thereof "$1,200".

(b) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) by redesignating subsections (1), (2), (3), and (4) as subsections (a), (b), (c), and (d), respectively; and

(2) in subsection (c), as so redesignated, by striking out "subsection (1) hereof" and inserting in lieu thereof "subsection (a)".

(c) EFFECTIVE DATE.—The amendment made by subsection (a) applies to actions for eviction or distress that are commenced after July 31, 1990.

SEC. 3. EXTENSION OF POWER OF ATTORNEY PROTECTION.

Subsection (c) of section 701 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 591) is amended to read as follows:

"(c) This section applies to the following powers of attorney executed by a person in military service or under a call or order to report for military service (or who has been advised by an official of the Department of Defense that such person may receive such a call or order):

"(1) A power of attorney that is executed during the Vietnam era (as defined in section 101(29) of title 38, United States Code).

"(2) A power of attorney that expires by its terms after July 31, 1990.".

SEC. 4. PROFESSIONAL LIABILITY PROTECTION FOR CERTAIN PERSONS ORDERED TO ACTIVE DUTY IN THE ARMED FORCES.

Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 is amended by adding at the end the following new section:

"SEC. 702. (a) This section applies to a person who—

"(1) after July 31, 1990, is ordered to active duty (other than for training) pursuant to section 672 (a) or (g), 673, 673b, 674, 675, or 688 of title 10, United States Code, or who is ordered to active duty under section 672(d) of such title during a period when members are on active duty pursuant to any of the preceding sections; and

"(2) immediately before receiving the order to active duty—

"(A) was engaged in the furnishing of healthcare services or other services determined by the Secretary of Defense to be professional services; and

"(B) had in effect a professional liability insurance policy that does not continue to cover claims filed with respect to such person during the period of the person's active duty unless the premiums are paid for such coverage for such period.

"(b)(1) Coverage of a person referred to in subsection (a) by a professional liability insurance policy shall be suspended in accordance with this subsection upon receipt of the written request of such person by the insurance carrier.

"(2) A professional liability insurance carrier—

"(A) may not require that premiums be paid by or on behalf of a person for any professional liability insurance coverage suspended pursuant to paragraph (1); and

"(B) shall refund any amount paid for coverage for the period of such suspension or, upon the election of such person, apply such amount for the payment of any premium becoming due upon the reinstatement of such coverage.

"(3) A professional liability insurance carrier shall not be liable with respect to any claim that is based on professional conduct (including any failure to take any action in a professional capacity) of a person that occurs during a period of suspension of that person's professional liability insurance under this subsection. For the purposes of the preceding sentence, a claim based upon the failure of a professional to make adequate provision for patients to be cared for during the period of the professional's active duty service shall be considered to be based on an action or failure to take action before the beginning of the period of suspension of professional liability insurance under this subsection, except in a case in which professional services were provided after the date of the beginning of such period.

"(c)(1) Professional liability insurance coverage suspended in the case of any person pursuant to subsection (b) shall be reinstated by the insurance carrier on the date on which that person transmits to the insurance carrier a written request for reinstatement.

"(2) The request of a person for reinstatement shall be effective only if the person transmits the request to the insurance carrier within 30 days after the date on which the person is released from active duty. The insurance carrier shall notify the person of the due date for payment of the premium of such insurance. Such premium shall be paid by the person within 30 days after the receipt of that notice.

"(3) The period for which professional liability insurance coverage shall be reinstated for a person under this subsection may not be less than the balance of the period for which coverage would have continued under the insurance policy if the coverage had not been suspended.

"(d) An insurance carrier may not increase the amount of the premium charged for professional liability insurance coverage of any person for the minimum period of the reinstatement of such coverage required under subsection (c)(3) to an amount greater than the amount chargeable for such coverage for such period before the suspension, except to the extent of any general increase in the premium amounts charged by that carrier for the same professional liability coverage for persons similarly covered by such insurance during the period of the suspension.

"(e) This section does not—

"(1) require a suspension of professional liability insurance coverage for any person who is not a person referred to in subsection (a) and who is covered by the same professional liability insurance as a person referred to in such subsection; or

"(2) relieve any person of the obligation to pay premiums for the coverage not required to be suspended.

"(f)(1) A civil or administrative action for damages on the basis of the alleged professional negligence or other professional liability of a person whose professional liability insurance coverage has been suspended under subsection (b) shall be stayed until the end of the period of the suspension if—

"(A) the action was commenced during that period;

"(B) the action is based on an act or omission that occurred before the date on which the suspension became effective; and

"(C) the suspended professional liability insurance would, except for the suspension, on its face cover the alleged professional negligence or other professional liability negligence or other professional liability of the person.

"(2) Whenever a civil or administrative action for damages is stayed under paragraph (1) in the case of any person, the action shall be deemed to have been filed on the date on which the professional liability insurance coverage of such person is reinstated under subsection (c).

"(g) In the case of a civil or administrative action for which a stay could have been granted under subsection (f) by reason of the suspension of professional liability insurance coverage of the defendant under this section, the period of the suspension of the coverage shall be excluded from the computation of any statutory period of limitation on the commencement of such action.

"(h) If a person whose professional liability insurance coverage is suspended under subsection (b) dies during the period of the suspension—

"(1) the requirement for the grant or continuance of a stay in any civil or administrative action against such person under subsection (f)(1) shall terminate on the date of the death of such person; and

"(2) the carrier of the professional liability insurance so suspended shall be liable for any claim for damages for professional negligence or

other professional liability of the deceased person in the same manner and to the same extent as such carrier would be liable if the person had died while covered by such insurance but before the claim was filed.

"(i) In this section:

"(1) The term 'active duty' has the meaning given that term in section 101 of title 10, United States Code.

"(2) The term 'profession' includes occupation.

"(3) The term 'professional' includes occupational.".

SEC. 5. HEALTH INSURANCE REINSTATEMENT UPON REEMPLOYMENT.

(a) AMENDMENT TO TITLE 38.—Paragraph (1) of section 2021(b) of title 38, United States Code, is amended—

(1) by inserting "(A)" after "(b)(1)"; and

(2) by adding at the end the following:

"(B) In the case of employer-offered health insurance, an exclusion or waiting period may not be imposed in connection with coverage of a health or physical condition of a person entitled to participate in that insurance under subparagraph (A), or a health or physical condition of any other person who is covered by the insurance by reason of the coverage of such person, if—

"(i) the condition arose before or during that person's period of training or service in the Armed Forces;

"(ii) an exclusion or waiting period would not have been imposed for the condition during a period of coverage resulting from participation by such person in the insurance; and

"(iii) the condition of such person has not been determined by the Secretary to be service-connected.".

(b) AMENDMENT TO SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940.—Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 is amended by adding after section 702, as added by section 4, the following new section:

"SEC. 703. (a) A person who, by reason of military service described in section 702(a)(1), is entitled to the rights and benefits of this Act shall also be entitled upon release from such military service to reinstatement of any health insurance which (1) was in effect on the day before such service commenced, and (2) was terminated effective on a date during the period of such service.

"(b) An exclusion or a waiting period may not be imposed in connection with reinstatement of health insurance coverage of a health or physical condition of a person under subsection (a), or a health or physical condition of any other person who is covered by the insurance by reason of the coverage of such person, if—

"(1) the condition arose before or during that person's period of training or service in the Armed Forces;

"(2) an exclusion or waiting period would not have been imposed for the condition during a period of coverage resulting from participation by such person in the insurance; and

"(3) the condition of such person has not been determined by the Secretary of Veterans Affairs to be a disability incurred or aggravated in the line of duty (within the meaning of section 105 of title 38, United States Code).

"(c) Subsection (a) does not apply in the case of employer-offered insurance benefits in which a person referred to in such subsection is entitled to participate pursuant to the provisions of chapter 43 of title 38, United States Code.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of August 1, 1990.

SEC. 6. STAY OF JUDICIAL PROCEEDINGS.

(a) STAY OF ACTION OR PROCEEDING.—In any judicial action or proceeding (other than a criminal proceeding) in which a member of the Armed Forces described in subsection (b) is involved (either as plaintiff or defendant), the court shall, upon application by such member (or some other person on the member's behalf) at any stage before final judgment is entered, stay the action or proceeding until a date after June 30, 1991.

(b) MEMBERS COVERED.—A member of the Armed Forces is covered by subsection (a) if at the time of application for the stay of a judicial action or proceeding the member—

(1) is on active duty; and

(2) is serving outside the State in which the court having jurisdiction over the action or proceeding is located.

(c) DEFINITION.—For purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

SEC. 7. EXERCISE OF RIGHTS UNDER ACT NOT TO AFFECT CERTAIN FUTURE FINANCIAL TRANSACTIONS.

Article I of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 510 et seq.) is amended by adding at the end the following new section:

"SEC. 108. Application by a person in military service for, or receipt by a person in military service of, a stay, postponement, or suspension pursuant to the provisions of this Act in the payment of any tax, fine, penalty, insurance premium, or other civil obligation or liability of that person shall not itself (without regard to other considerations) provide the basis for any of the following:

"(1) A determination by any lender or other person that such person in military service is unable to pay such civil obligation or liability in accordance with its terms.

"(2) With respect to a credit transaction between a creditor and such person in military service—

"(A) a denial or revocation of credit by the creditor;

"(B) a change by the creditor in the terms of an existing credit arrangement; or

"(C) a refusal by the creditor to grant credit to such person in substantially the amount or on substantially the terms requested.

"(3) An adverse report relating to the creditworthiness of such person in military service by or to any person or entity engaged in the practice of assembling or evaluating consumer credit information.

"(4) A refusal by an insurer to insure such person.".

SEC. 8. CLARIFICATION OF TITLE 38 REEMPLOYMENT RIGHTS COVERAGE FOR RESERVISTS.

(a) IN GENERAL.—(1) Subsection (g) of section 2024 of title 38, United States Code, is amended—

(A) by striking out "active duty for not more than 90 days" and inserting in lieu thereof "active duty (other than for training)"; and

(B) by inserting ", including any period of extension of active duty under section 673b of title 10" before the period at the end.

(2) The amendments made by paragraph (1) shall apply to any member of a reserve component of the Armed Forces who is ordered to active duty (other than for training) under section 673b of title 10, United States Code, after July 31, 1990.

(b) TECHNICAL AMENDMENT.—(1) Subsection (a) of such section is amended by striking out "provided for by this section" and inserting in lieu thereof "provided for by this chapter".

(2) The amendment made by paragraph (1) shall take effect as of December 3, 1974.

SEC. 9. TECHNICAL AMENDMENTS TO SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940.

The Soldiers' and Sailors' Civil Relief Act of 1940 is amended as follows:

(1) Section 101 (50 U.S.C. App. 511) is amended—

(A) in paragraph (1), by inserting "the Air Force," after "the Marine Corps,"; and

(B) in paragraph (2), by striking out "shall include" and all that follows through "discharge" and inserting in lieu thereof "means, in the case of any person, the period beginning on the date on which the person enters active service and ending on the date of the person's release".

(2) Section 102 (50 U.S.C. App. 512) is amended by striking out ", including the Philippine Islands while under the sovereignty of the United States,".

(3) Section 103(4) (50 U.S.C. App. 513(4)) is amended by striking out "after the date of the enactment of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942".

(4) Section 105 (50 U.S.C. App. 515) is amended—

(A) by striking out "The Secretary of War and the Secretary of the Navy" and all that follows through "to insure" in the first sentence and inserting in lieu thereof "The Secretary of Defense and the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy, shall ensure"; and

(B) by striking out "the Secretary of War and the Secretary of the Navy" in the second sentence and inserting in lieu thereof "the Secretary of Defense and the Secretary of Transportation".

(5) Section 106 (50 U.S.C. App. 516) is amended—

(A) by striking out "Selective Training and Service Act of 1940, as amended," and inserting in lieu thereof "Military Selective Service Act (50 U.S.C. App. 451 et seq.)";

(B) by striking out "the Enlisted Reserve Corps" and inserting in lieu thereof "a reserve component of the Armed Forces"; and

(C) by striking out "he reports for such service" and inserting in lieu thereof "such member reports for military service or the date on which the order is revoked, whichever is earlier".

(6) Section 205 (50 U.S.C. App. 525) is amended by striking out "the date of enactment of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942" and inserting in lieu thereof "October 6, 1942".

(7) Section 206 (50 U.S.C. App. 526) is amended—

(A) by striking out "per centum per annum" each place it appears and inserting in lieu thereof "percent per year"; and

(B) by striking out "prior to his entry" and all that follows through "bear interest" and inserting in lieu thereof "before that person's entry into that service shall, during any part of the period of military service, bear interest".

(8) Section 300 (50 U.S.C. App. 530) is amended—

(A) in subsection (c), as redesignated by section 2(b), by striking out "shall be guilty" and all that follows through "$1,000," and inserting in lieu thereof "shall be fined as provided in title 18, United States Code, or imprisoned for not to exceed one year,"; and

(B) in subsection (d), as redesignated by section 2(b), by striking out "Secretary of War," and all that follows through "as the case may be," and inserting in lieu thereof "Secretary of Defense or Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy,".

(9) Sections 301(2), 302(4), 304(3), and 305(3) (50 U.S.C. App. 531(2), 532(4), 534(3), 535(3)) are amended by striking out "shall be guilty" and all that follows through "$1,000," and inserting in lieu thereof "shall be fined as provided in title 18, United States Code, or imprisoned for not to exceed one year,".

(10) Section 302(3) (50 U.S.C. App. 532(3)) is amended by striking out "after the date of en-

actment of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942 and".

(11) Section 400(a) (50 U.S.C. App. 540(a)) is amended by striking out "before the date of enactment of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942 or not less than one hundred and eighty days before" in clause (2) and inserting in lieu thereof "not less than 180 days before".

(12) Section 401 (50 U.S.C. App. 541) is amended—

(A) by striking out "Administrator of Veterans' Affairs" in the first sentence and inserting in lieu thereof "Secretary of Veterans Affairs";

(B) by striking out "Veterans' Administration" both places it appears and inserting in lieu thereof "Secretary"; and

(C) by striking out "Administrator" in the last sentence and inserting in lieu thereof "Secretary".

(13) Section 402 (50 U.S.C. App. 542) is amended—

(A) in the first sentence, by striking out "Veterans' Administration" and inserting in lieu thereof "Secretary of Veterans Affairs"; and

(B) in the second sentence, by striking out "Veterans' Administration" and inserting in lieu thereof "Secretary".

(14) Section 403 (50 U.S.C. App. 543) is amended—

(A) in the first sentence, by striking out "Administrator of Veterans' Affairs" and inserting in lieu thereof "Secretary of Veterans Affairs"; and

(B) in the second sentence, by striking out "Administrator of Veterans' Affairs" and inserting in lieu thereof "Secretary".

(15) Section 404 (50 U.S.C. App. 544) is amended by striking out "Veterans' Administration" both places it appears and inserting in lieu thereof "Secretary of Veterans Affairs".

(16) Section 405 (50 U.S.C. App. 545) is amended by striking out "Administrator of Veterans' Affairs" and inserting in lieu thereof "Secretary of Veterans Affairs".

(17) Section 407 (50 U.S.C. App. 547) is amended—

(A) in the first sentence, by striking out "The Administrator of Veterans' Affairs is hereby authorized and directed to" and inserting in lieu thereof "The Secretary of Veterans Affairs shall"; and

(B) in the second sentence, by striking out "Administrator of Veterans' Affairs" and inserting in lieu thereof "Secretary".

(18) Section 408 (50 U.S.C. App. 548) is repealed.

(19) Section 504(3) (50 U.S.C. App. 564(3)) is amended by striking out "within six months after the effective date of this Act or".

(20) Section 505(1) (50 U.S.C. App. 565(1)) is amended by inserting "(30 U.S.C. 28)" after "section 2324 of the Revised Statutes of the United States".

(21) Section 506(2) (50 U.S.C. App. 566(2)) is amended—

(A) by striking out "six months after the effective date of this Act or"; and

(B) by striking out "General Land Office" and inserting in lieu thereof "Bureau of Land Management".

(22) Section 507 (50 U.S.C. App. 567) is amended—

(A) by striking out "General Land Office" in the second sentence and inserting in lieu thereof "Bureau of Land Management";

(B) by striking out "a register of a United States land office" in the third sentence and inserting in lieu thereof "an officer designated by the Secretary of the Interior"; and

(C) by striking out ", inclusive" in the last sentence.

(23) Section 510(2) (50 U.S.C. App. 570(2)) is amended by striking out "prior to the effective date of this Act" and inserting in lieu thereof "before October 17, 1940".

(24) Section 514 (50 U.S.C. App. 574) is amended—

(A) by striking out "orders: Provided, That nothing" in paragraph (1) and inserting in lieu thereof "orders. Nothing"; and

(B) by striking out "the use thereof:" in paragraph (2) and all that follows through "has been paid" and inserting in lieu thereof "the use thereof, but only if a license, fee, or excise required by the State or territory, possession, or District of Columbia of which the person is a resident or in which the person is domiciled has been paid".

(25) Section 600 (50 U.S.C. App. 580) is amended by striking out "the date of the approval of this Act" and inserting in lieu thereof "October 17, 1940,".

(26) Section 601 (50 U.S.C. App. 581) is amended—

(A) in paragraph (1), by striking out "Chief of the Bureau of Navigation of the Navy Department" and inserting in lieu thereof "Chief of Naval Personnel"; and

(B) in paragraph (3)—

(i) by striking out "Department of War or the Navy" and inserting in lieu thereof "Department of Defense"; and

(ii) by striking out "jurisdiction: Provided, That no" and inserting in lieu thereof "jurisdiction. No".

(27) Section 604 (50 U.S.C. App. 584) is amended—

(A) by striking out "1945: Provided, That" and inserting in lieu thereof "1945, except that"; and

(B) by striking out "thereafter: Provided further, That whenever" and inserting in lieu thereof "thereafter. Whenever".

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

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

There was no objection.

□ 1500

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

Mr. STUMP. Mr. Speaker, reserving the right to object, I yield to the gentleman from Mississippi to explain his request.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, our colleagues will recall that H.R. 555 passed the House on January 29. The bill would amend the Soldiers' and Sailors' Civil Relief Act and the veterans reemployment rights law. The Senate clarified that section 6 of the bill, which allows service members to delay court proceedings involving them until July 1, 1991, does not apply to criminal proceedings. The Senate also made minor technical amendments to the bill last Thursday and today we are concurring in those amendments in order to get the bill to the President without further delay.

Mr. Speaker, we are proud of these bills we have passed the last several weeks to help our returning veterans and to show that our country and the Congress are so proud of what they have done in Operation Desert Storm.

We are also working with the leadership on both sides of the aisle to come up with an appropriate readjustment package for our returning service personnel, which will include educational benefits, small business help, home loan improvement, increases in life insurance and other matters.

Mr. STUMP. Mr. Speaker, I support the amendments offered by the chairman of my committee, the gentleman from Mississippi [Mr. MONTGOMERY], and I withdraw my reservation of objection.

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

Mr. WEISS. Mr. Speaker, reserving the right to object, I will, of course, not object. I simply want to take this opportunity to commend the gentleman from Mississippi [Mr. MONTGOMERY] and his committee for the tremendous work they have done not only on this legislation but over the years in advancing and advocating veterans' rights. I just think we really ought to express our full appreciation by voting unanimously and giving our unanimous support to this legislation.

The 102d Congress has already approved several veterans' measures that I support, including bills to compensate Vietnam veterans who have been exposed to agent orange and a cost-of-living increase for disabled veterans. It is especially important at this time when our young soldiers are on the battlefield, that veterans know the Congress will address their needs.

As chairman of the Human Resources and Intergovernmental Relations Subcommittee, which oversees the Department of Veterans Affairs, I intend to continue monitoring Federal veterans' programs to ensure that they are operating effectively and are responsive to America's veterans. I look forward to working with the Veterans' Affairs Committee as we do all we can to help veterans who have served their country well.

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

Mr. WEISS. I yield to the chairman of the committee.

Mr. MONTGOMERY. Mr. Speaker, I appreciate very much the comments of the gentleman from New York [Mr. WEISS]. Over the years the gentleman has been totally supportive of veterans' programs, and I thank him for his support.

Mr. WEISS. Mr. Speaker, I thank the gentleman from Mississippi.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

PROVIDING FOR VETERANS ADMINISTRATION GRANTS TO ASSIST MEDICAL SCHOOLS IN ESTABLISHING NEW RESEARCH CENTERS

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 111) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs and the Secretary of Defense to carry out a joint program to make grants for the establishment of research centers at qualifying medical schools, as amended.

The Clerk read as follows:

H.R. 111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRANTS TO ESTABLISH RESEARCH CENTERS AT MEDICAL SCHOOLS.

(a) IN GENERAL.—Chapter 73 of title 38, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VII—RESEARCH GRANTS

"§ 4171. Purpose of subchapter

"The purpose of this subchapter is to authorize the Secretary of Veterans Affairs and the Secretary of Defense to carry out a joint program to assist medical schools in the establishment of new research centers to carry out medical research in particular fields or specialties.

"§ 4172. Grant program

"(a) The Secretary of Veterans Affairs and the Secretary of Defense may jointly make grants under this subchapter to qualifying medical schools to assist such medical schools in the establishment of new medical research centers. Any such grant may only be made if the two Secretaries and the medical school enter into an agreement under section 4173 of this title.

"(b) A qualifying medical school for purposes of this subchapter is a medical school of a university that is located in a State and that—

"(1) does not have an established research center in the particular field or specialty with respect to which an application under section 4175 is submitted;

"(2) is located in proximity to, and is affiliated with, a medical facility of the Department of Veterans Affairs which itself has an affiliation with a medical facility of the Department of Defense; and

"(3) has demonstrable potential for successful development of such a new research center with the assistance of a grant under this subchapter.

"(c) Funds provided to a medical school by a grant under this subchapter may be used for—

"(1) the acquisition, construction, alteration, and renovation of facilities for the research center;

"(2) the acquisition of equipment of the research center; and

"(3) the operation of the research center during its first three years of operation.

"(d) In awarding grants under this subchapter, the two Secretaries shall ensure that the centers for which the grants are made are located in geographically dispersed areas of the United States.

"§ 4173. Activities of research centers for which grants made

"(a) Whenever a grant is made under this subchapter, the Secretary of Veterans Affairs and the Secretary of Defense shall establish an advisory committee to advise the medical school concerned with respect to the activities of the research center for which the grant is made. The advisory committee shall include representatives of the Department of Veterans Affairs, the Department of Defense, and the medical school and shall remain in existence until terminated by the two Secretaries.

"(b) A medical school to which a grant is made under this subchapter shall administer the research center for which the grant is made as a separate administrative entity with its own director (or other appropriate chief official).

"(c)(1) The Secretaries may not enter into an agreement to make a grant under this subchapter unless the Secretaries find, and the agreement includes satisfactory assurances, that the school to which the grant is made will maintain such arrangements with the Department of Veterans Affairs medical facility with which it is affiliated (including such arrangements as may be made under subchapter IV of chapter 81 of this title) as will be mutually beneficial in carrying out the mission of the respective medical facilities and the school. Such arrangements shall include provisions ensuring that research personnel of the Department of Veterans Affairs medical facility, and of the Department of Defense medical facility with which it is associated, may carry out research activities at the research center on an ongoing basis.

"(2) The agreement shall require that, to the extent not inconsistent with paragraph (1), facilities of the research center shall be made available for research activities on a competitive basis.

"(d) The Secretaries shall ensure that an agreement under this section includes appropriate provisions to ensure that the Federal funding for the research center, and any Federal research activities carried out at the research center, are acknowledged in the activities and publications of the center.

"(e) An agreement under this section shall contain such additional terms and conditions (in addition to those imposed pursuant to section 5070(e) of this title and this section) as the Secretaries consider appropriate to protect the interests of the United States.

"§ 4174. Funding

"(a) The amount of a grant under this subchapter, when added to any other Federal funds to be used for the project for which the grant is made, may not exceed one-half of the cost of the project.

"(b)(1) One half of the amount of a grant under this subchapter shall be provided by the Secretary of Veterans Affairs and one-half shall be provided by the Secretary of Defense.

"(2) Funds for a grant under this subchapter to be provided by the Secretary of Veterans Affairs may only be provided from funds appropriated for grants under this subchapter. Funds for a grant under this subchapter to be provided by the Secretary of Defense shall be provided from funds appropriated for research, development, test, and evaluation.

"(c) The two Secretaries may not enter into an agreement for a grant under this subchapter unless the Secretaries find, and the agreement includes satisfactory assurances, that—

"(1) the amount of support for the proposed medical research center from non-Federal sources will be at least as great as the amount of such support from Federal sources;

"(2) the amount of such support from non-Federal sources, when combined with the amount of the proposed grant, is sufficient for the project to proceed upon award of the grant; and

"(3) upon approval of the grant, no further action by non-Federal entities is required to make the necessary funds available for the project.

"(d)(1) Subject to paragraph (2), the Secretaries may increase the amount of any grant awarded to any applicant for a project under this section by an amount by which the Secretaries determine that the estimated cost of the construction, acquisition, or renovations has increased from the estimated cost on which the Secretaries based the determination to award the grant, if the Secretaries determine that the grant was awarded before the applicant entered into a contract for the construction or renovations provided for in such project.

"(2) A grant may not be increased under paragraph (1) by more than 10 percent of the amount of the grant initially awarded for such project, and the amount of such grant (as increased) may not exceed 50 percent of the revised cost of the project.

"§ 4175. Grants: applications and priority

"(a) A medical school desiring to receive a grant under this subchapter shall submit to the Secretary of Veterans Affairs an application that sets forth the following:

"(1) The amount of the grant requested with respect to the project.

"(2) A description of the proposed research center, including a description of the proposed site for the center, a description of the proposed field of research in which the center will specialize, and a statement showing the capability of the medical school to successfully develop such research center.

"(3) Reasonable assurance that, upon completion of the project, the new center will be used to conduct research referred to in section 4101(c)(1) of this title.

"(4) Reasonable assurance that the title to such site will be vested solely in the applicant.

"(5) Reasonable assurance that adequate financial support will be available (A) for the construction of the project (or for facility acquisition or renovation) upon award of the grant, and (B) for maintenance and operation of the facility when complete.

"(6) In the case of a project for the renovation of an existing facility, reasonable assurance that the estimated total cost of any expansion, remodeling, and alteration of the facility will not be greater than the estimated cost of construction of an equivalent new facility.

"(7) A statement of the relationship of activities to be carried out at the research center to programs and activities of the Department of Veterans Affairs, including programs for the care and treatment of veterans and programs for the recruitment and retention of health-care professionals for employment by the Department, and programs and activities of the Department of Defense.

"(b) In considering applications for a grant under subsection (a) of this section, the Secretaries shall give priority to applications for grants for proposed research centers which will emphasize research in one or more of the following areas (over applications for grants for proposed centers which will not emphasize research in such areas):

"Diabetes and metabolic diseases.

"Prosthetics and rehabilitation medicine.

"Mental health, behavioral medicine, and neurological disease.

"Acquired Immune Deficiency Syndrome (AIDS) and immunodeficiency diseases.

"Alzheimer and dementia.

"Degenerative cardiopulmonary disease.

"Cancer.

"Technology assessment.

"Toxicology.

"(c) The Secretaries shall use a merit review process in considering applications and in awarding grants under this subchapter.

"(d) The amount of a grant under this subchapter shall be paid to the applicant. Such amount shall be paid, in advance or by way of reimbursement, and in such installments consistent with the progress of the project, as the Secretary may determine and certify for payment to the Secretary of the Treasury. Funds paid under this section for an approved project shall be used solely for carrying out such project as approved.

"(e) An amendment of an application (whether or not approved) shall be subject to approval in the same manner as the original application.

"§ 4176. Authorization of appropriations

"(a) There is authorized to be appropriated to the Secretary of Veterans Affairs the sum of $50,000,000 for each of fiscal years 1992 through 1995 for purposes of grants under this subchapter. Amounts appropriated pursuant to such authorization may not be used for any other purpose.

"(b) Amounts appropriated pursuant to subsection (a) of this section shall remain available for obligation until the end of the sixth fiscal year following the fiscal year for which they are appropriated, if so provided in appropriation Acts.

"§ 4177. Recovery of amounts if grant conditions not met

"(a) If the Secretaries determine that a medical school to which a grant is made under this subchapter—

"(1) fails substantially to carry out the terms of the agreement entered into under this subchapter as a condition of the grant; or

"(2) no longer operates the medical research center for which the grant was made in accordance with the purposes of the grant, the Secretaries shall be entitled to recover from the recipient of the grant the amount of the grant.

"(b) The Secretaries shall prescribe regulations for purposes of subsection (a) of this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

"SUBCHAPTER VII—RESEARCH GRANTS

"4171. Purpose of subchapter.

"4172. Grant program.

"4173. Activities of research centers for which grants made.

"4174. Funding.

"4175. Grants: applications and priority.

"4176. Authorization of appropriations.

"4177. Recovery of amounts if grant conditions not met.".

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

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

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, research is the key to the quality of care, whether such care is provided by the Veterans' Administration or by the private sector. Without a viable research program, the quality of care will suffer.

H.R. 111 is unique in that it invites the private and public sectors to join with the Veterans' Administration and with the Department of Defense in unique research opportunities.

The House endorsed this legislation when it passed a similar bill, H.R. 4390, on June 12, 1990. Unfortunately, Mr. Speaker, the Senate failed to act on that bill, and now H.R. 111 is another effort on the part of the House to enhance the research opportunities through the Veterans' Administration and the Department of Defense.

The chief sponsor of this legislation is one of our new colleagues, the gentleman from Texas [Mr. EDWARDS]. We are very pleased to have him on the committee. He certainly has pitched right in working on veterans' affairs. I will yield time to the gentleman from Texas to explain this legislation, but before doing that, again let me say that I want to thank the Speaker, the Honorable TOM FOLEY, and the minority leader, Mr. MICHEL, for allowing us to bring this bill up so early in order to get it passed by the other body. I also want to thank my good friend, the ranking minority member of the committee, the gentleman from Arizona [Mr. STUMP] for his total cooperation, as always.

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

Mr. EDWARDS of Texas. Mr. Speaker, let me express my personal gratitude for the leadership and the guidance by the Speaker in bringing this important legislation to the floor. Without that support and that leadership, this would not have been possible.

Mr. Speaker, H.R. 111, as amended, would authorize a Department of Veterans Affairs (VA) grant program to assist medical schools in creating new research centers.

Mr. Speaker, 2 weeks ago I toured three veterans medical centers in my district—in Temple, Marlin, and Waco, TX.

Those visits were a stark reminder that the sacrifices of our veterans do not stop with the signing of a cease-fire agreement. Many of our veterans pay a physical and mental price for the rest of their lives for their service to our country in time of war. For these and all veterans we have a special obligation to provide quality health care.

My visits to hospitalized veterans also reminded me that our Nation's resources are stretched thin—that we must effectively and efficiently utilize taxpayers' dollars. Mr. Speaker, the very purpose of H.R. 111, as amended, is to improve health care for our veterans in a cost efficient manner.

This legislation builds on the invaluable cooperative alliances involving health manpower education between the VA and academia. It also builds on the exemplary cooperative ventures between the VA and the Department of Defense [DOD]. The successes of these cooperative arrangements are impressive and have gained the support of academics, public servants, beneficiaries, and the public.

Among the examples of successful cooperation on which this legislation was founded is Public Law 92-541. That law authorized the VA to implement a pilot program providing assistance for the establishment of new State medical schools. That law also authorized a program of grants to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions affiliated with veterans medical facilities or programs. This grant program helped improve and expand the training of professional and technical allied health and paramedical personnel.

Public Law 97-174 authorized VA and DOD medical facilities to enter into agreements to provide one another services, supplies, equipment, and other resources—including personnel—to carry out respective medical missions. The current number of shared services under these agreements has reached 2,960. In fiscal year 1989, the value of the services provided under such agreements reached $23.4 million. In addition to these service agreements, there are six joint venture hospital construction projects currently in various phases of development. The VA and the Air Force are now collocated in a new medical facility in Albuquerque, NM. At least three other joint construction ventures are planned with the Air Force in Las Vegas, NV, Tucson, AZ, and Anchorage, AK. Joint ventures with the Army have been initiated for outpatient clinics at El Paso, TX, and at Lawton, OK. In addition, the VA will share responsibility for caring for any casualties of Operation Desert Storm.

Perhaps the most far-reaching arena of cooperation is that between the VA and academia. Since 1946, VA medical

facilities have been affiliated with schools of medicine, dentistry, nursing, and other health professions at colleges and universities around the Nation. Currently, over 1,000 such affiliations exist. Testimony at the committee hearings in 1989 echoes previous testimony about the mutual benefits to both the VA and the schools and, most important, to veteran patients and the public, who are very real beneficiaries of the fruits of VA's role in the education of health manpower.

However, with the exception of the recent VA–DOD cooperative research program begun in 1985, little has been done to build on the successes of the relationships between VA–DOD, the VA and medical schools, and VA and community providers in the area of research. Section 4101 of title 38 of the United States Code certainly invites such efforts, however. It calls on the Department of Veterans Affairs to conduct a program of research in order to carry out more effectively the delivery of hospital and medical services and to contribute to the Nation's knowledge about disease and disability. The code further requires that the research program be carried out in connection with the provision of medical care and treatment to veterans.

There is abundant evidence that VA research programs provide new knowledge which in turn improves the quality of patient care both in veterans' medical facilities and at the cutting edges of medical practice outside the VA as well. VA research has proven invaluable to assuring high quality care and that is why the committee and the Congress have long supported the veterans' research programs.

The complexity and costs of cutting edge medical research present a unique opportunity for settings where medical facilities and research-oriented medical schools are participants. Medical schools which are partners with the Department of Veterans Affairs and the Department of Defense are well positioned to perform research, and an ideal situation presents itself where the VA medical center is closely linked to a military medical facility through a strong sharing agreement. In addition, these institutions are configured to apply research in seeking better ways to treat the health problems which afflict the Nation's veterans and to provide new knowledge which can be applied to the population as a whole.

H.R. 111, as amended, would authorize the Secretary of Veterans Affairs and the Secretary of Defense to make grants for the establishment of new medical research centers that would conduct research in areas of interest of the DVA as well as the Nation's health care delivery community.

The purpose of the bill before us is to take advantage of the proven benefits of cooperation in the areas of education and training of health professionals and health care delivery among the DVA, medical schools, and the DOD by means of a grant program which would assist certain medical schools in establishing new research centers.

A medical school may apply for such a grant provided that it first, is located in proximity to, and is affiliated with a medical facility of the DVA which itself has an affiliation with a medical facility of the Department of Defense; second, does not have an established research center in the particular field or specialty with respect to which an application is submitted; and third, has demonstrable potential for successful development of such a new research center.

Thus, it is our aim to have VA, DOD, and medical schools extend existing cooperative relationships into research activities.

The process for awarding grants would be a competitive one. The bill reflects an expectation that the Secretaries will use a process similar to the merit review concept used by the VA to consider research applications and grants. Merit review would entail an objective assessment of the proposed projects and would result in an award of grants for those projects which best meet the criteria set forth in the bill.

A successful applicant for a grant under this program might well have ongoing, successful research programs in areas other than medical, prosthetic, or health services research. Those successes might be among the considerations used to demonstrate potential for successful development of a new research center for purposes of applying for this grant program. While the bill does not define the term "research center," grants under this program would be available only to assist in developing new capacity to conduct research to include an expansion of research space. Such space must be sufficient to assure that VA and DOD researchers may carry out research activities at the research center on an ongoing basis.

In approving grants, priority is to be given to those applications from schools that do not have an established research center in the particular field or specialty with respect to which an application under section 4145 of H.R. 111, as amended, is submitted.

The Secretaries are to give priority to qualified applications for centers which will emphasize research in one or more areas specified in the bill. These identified priority areas include diabetes and metabolic diseases, prosthetics and rehabilitative medicine, Alzheimer's mental health, and cancer. Mr. Speaker, in this time of constrained resources, I believe there is merit in considering the target of new research dollars. Setting such priorities need not restrict the creativity and initiatives of individual researchers.

Funds obtained by successful applicants under the proposed grant program would be available for several possible uses. Funds could be used for acquisition, construction, alteration, or renovations of facilities for use as a new medical research center. Funds would also be available for use in the operation of the research center for the first 3 years and for the purchase of needed equipment. This is consistent with the use of funds that were made available for the establishment of the new State medical schools.

Funding for these projects would come from three sources: The Department of Veterans Affairs, the Department of Defense, and non-Federal sources. In the case of DVA funds, moneys for these projects would come from new appropriations. The intent of this bill is that in no case would funds from the Department's existing research budget be allocated to fund projects under this bill. It should be clear that the intent is to ensure that current research programs are not sacrificed to fund these new medical research centers, and also that overall research appropriations are not to be diminished to make new moneys available for this grant program. Funding for DOD grants would come from funds appropriated for research, development, test, and evaluation.

In the case of a project that will receive funding, non-Federal sources must furnish at least 50 percent of needed funding. H.R. 111, as amended, would authorize the DVA and the DOD to each fund 25 percent of the total cost. The applicant must provide satisfactory assurances that at the time the grant is awarded, no further non-Federal action will be necessary to provide the non-Federal portion of the necessary funding. This particular provision is to ensure that those projects that receive Federal funding will be able to proceed with the project upon award of the grant. Like other provisions of the bill, this financing requirement looks to the State home construction program as a model.

Finally, Mr. Speaker, this bill authorizes the appropriation of $50 million for each of fiscal years 1992 through 1995. These funds may be used only for the purposes of establishing new medical research centers as set forth in H.R. 111, as amended.

We have discussed this bill with the Armed Services Committee. The chairman of that committee, the Honorable LES ASPIN, has advised me that he has no objection to bringing the bill up under a suspension of the rules. At this point in the RECORD, I would like to include Chairman ASPIN's letter of February 14, 1991, regarding H.R. 111.

COMMITTEE ON ARMED SERVICES,
Washington, DC, February 14, 1991.

Hon. G.V. MONTGOMERY,
Chairman, Committee on Veterans Affairs, U.S. House of Representatives, Washington, DC.

DEAR SONNY: It is my understanding that you and Chet Edwards would like to have considered on the floor next week H.R. 111, a bill to amend Title 38, United States Code, to authorize the Secretary of Veterans Affairs and the Secretary of Defense to carry out a joint program to make grants for the establishment of research centers at qualifying medical schools.

Although the Armed Services Committee, to which the bill was referreed jointly, has not had an opportunity to hold hearings on this bill or report it, because the text is identical to the bill Congress passed last year, I have no objection to your bringing the bill up under a suspension of the rules. I would appreciate, however, your including a copy of this letter in any report you intend to file, or, if no report will be filed, in the Congressional Record during consideration of the bill.

As always, I am pleased we were able to work out a solution that protects the interests of both of our committees.

Sincerely,

LES ASPIN,
Chairman.

I want to thank the chairman of the Committee on Veterans' Affairs, SONNY MONTGOMERY, for all his guidance and assistance in bringing this bill to the floor so early in the session. I would also like to thank the distinguished gentleman from Arkansas, the ranking minority member on our Subcommittee on Hospitals and Health Care, JOHN PAUL HAMMERSCHMIDT, and the ranking minority member of the full committee, the distinguished gentleman from Arizona, BOB STUMP, for their help in getting this bill to the floor.

I am also grateful to the chairman of the Committee on Armed Services, Mr. ASPIN, and the ranking minority member of the committee, the gentleman from Alabama [Mr. DICKINSON], for their cooperation in this matter.

Mr. Speaker, as I stated previously, this measure will encourage the investment of non-Federal funds for research for the benefit of veterans. It seems to me that this is a good idea.

Mr. Speaker, many Members of this House remember well my political mentor, Congressman Olin E. "Tiger" Teague. As a decorated veteran, Mr. Teague wore for three decades a 17-pound shoe on a leg shortened in the forests of Germany in World War II. To me, he is a constant reminder of the life-long sacrifices made by our veterans. One of Mr. Teague's last major acts as chairman of the Committee on Veterans' Affairs authorized the establishment of eight new State medical schools to be affiliated with VA medical centers. I could think of no greater honor for me as a new Member of this House than to have my first bill move one small step further in enhancing the lasting legacy of Tiger Teague's commitment to our Nation's veterans.

I urge my colleagues to support H.R. 111, as amended.

□ 1510

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

Mr. Speaker, I rise in support of H.R. 111, as amended, to provide for VA grants to assist medical schools in establishing new research centers.

This bill is similar to H.R. 4390, which this body passed on June 12, 1990, during the last session. It was not acted upon by the other body, so we are advancing it again.

My distinguished colleague, Chairman SONNY MONTGOMERY, has explained the bill, and it needs no further explanation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. HAMMERSCHMIDT], the ranking member on the Subcommittee on Hospitals and Health Care.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 111, as amended, a bill to provide for Department of Veterans Affairs [DVA] grants to assist medical schools in establishing new research centers. This bill is almost identical to H.R. 4390 which was passed by the House on June 12, 1990, but did not receive Senate consideration.

I congratulate Mr. EDWARDS for his initiative in this Congress and I thank Chairman MONTGOMERY and ranking member STUMP for bringing this bill to the floor.

Research is a critical component of high quality health care, and yet the DVA research program has been drastically slashed over past years. The DVA's medical and prosthetic research program received a zero funding increase in the administration's proposed budget for fiscal year 1992.

In fact, the budget straightlines the program and envisions a decrease in research for fiscal year 1992 of $18 million, despite a DVA Commission's recommended $63 million increase for the program.

H.R. 111 maximizes DVA research opportunities by establishing a cost-sharing program between the DVA, the Department of Defense and medical schools; $50 million would be authorized each fiscal year through 1995 for grants to medical schools to set up research centers with a special emphasis on areas of interest to the DVA.

Over the past 10 years, the research budget for the National Institutes of Health [NIH] has increased 127 percent, while funding for DVA research has increased only 54 percent. It is unwise to concentrate research in one institution, especially since the DVA is the most appropriate body to engage in research projects germane to the veterans' population.

We have been fortunate that casualties in the Persian Gulf war have been remarkably light. Nonetheless we have had a number of killed and wounded. Thus, at a time when our Nation's Armed Forces are engaged in battle, it is most timely that we should commit ourselves to placing a greater emphasis on DVA research so as to better provide our Nation's veterans with the quality health care they so rightly deserve. I urge my colleagues to support H.R. 111 as amended.

Mr. MONTGOMERY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from South Carolina [Mrs. PATTERSON], originally a cosponsor of this bill.

Mrs. PATTERSON. Mr. Speaker, I rise today in support of H.R. 111, legislation to provide VA grants to eligible medical schools to establish new research centers. As a member of the Veterans' Affairs Committee, I am pleased to be an original cosponsor of this measure. H.R. 111 is similar to legislation that was passed by the House in the 101st Congress.

H.R. 111 authorizes grants to medical centers for the establishment of medical research centers specializing in areas of interest to the Department of Veterans Affairs and the Department of Defense. These areas of research include: Diabetes and metabolic diseases, prosthetics and rehabilitative medicine, mental health, acquired immune deficiency syndrome [AIDS], Alzheimer's and dementia, and cancer. These grants will improve medical care and treatment of veterans, as well as enhance the ability of the Department of Veterans Affairs to retain and recruit qualified medical professionals.

Mr. Speaker, if passed, this legislation will offer the opportunity for two outstanding facilities located in my State, the University of South Carolina and Richland County Memorial Hospital, to compete for Federal research funds. Now more than ever, ensuring the integrity of the veterans' health care system must remain an important concern to this body. For this reason, I strongly support H.R. 111, and urge my colleagues to vote in favor of it.

□ 1520

Mr. STUMP. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in strong support of H.R. 111, a bill which would authorize the Veterans' Administration to establish a grant program to help qualified State medical schools set up new research centers to improve the medical care of veterans.

The authorization of such a grant program would provide top medical schools with the resources to be on the cutting edge in research related to rehabilitation medicine, Alzheimer's disease, cancer, diabetes, and other areas of special interest to the Department of Veterans Affairs.

In my own district, the veterans medical center located in Reno, NV, currently serves as the primary teaching hospital for the University of Nevada School of Medicine. As such, the hospital has attracted highly skilled physicians, nurses, and support staff resulting in a high quality of patient care. In addition, the Reno VA medical center has one of the fastest growing research programs in the entire Veterans' Administration.

Mr. Speaker, the legislation before us would be extremely beneficial to medical schools, such as the university of Nevada, which have the expertise and capability for clinical research, but are often restricted due to the lack of facilities, equipment, and operating funds needed to conduct vital research.

Last, Mr. Speaker, we cannot forget our veterans who deserve the best care possible. We owe it to our veterans to establish research programs which address the current health problems of those who have served our country so bravely.

For these reasons, Mr. Speaker, I urge my colleagues to support H.R. 111 and congratulate the gentleman from Texas [Mr. EDWARDS] for bringing this bill to the floor in such an expeditious manner.

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. WATERS], another member of our committee.

Ms. WATERS. Mr. Speaker, I would like to commend my colleague and new Member, the gentleman from Texas, Mr. CHET EDWARDS, for bringing this bill to the floor. I would like to also commend Chairman SONNY MONTGOMERY for his leadership in assisting a new Member and allowing him to have the opportunity to bring such an important measure before us.

I am delighted that both the gentleman from Texas, Mr. CHET EDWARDS, and Chairman MONTGOMERY amended this bill to accommodate private universities that may have been excluded if the bill had been taken up as originally drafted. I asked their assistance in this and they bent over backward to ensure that the opportunity was spread between both private and public institutions, and I am delighted.

I rise in strong support of the bill. It is time that we recognize that our veterans' affairs institutions cannot continue to operate without the assistance that could be given with a bill such as this one, and I am delighted to be a part of it.

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

Mr. MONTGOMERY. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky [Mr. MAZZOLI], our good friend who has been very supportive of our legislation over the years.

Mr. MAZZOLI. Mr. Speaker, I want to thank my friend from Mississippi, Chairman MONTGOMERY, for yielding the time, and to commend him and my friend from Arizona, Mr. BOB STUMP, on the continuing great work they have done since the start of this Congress.

I said earlier today, for example, that in going into the situation in the gulf that there would be "no more Vietnams." That was our motto, "No more Vietnams."

As I said, part of it is tactical, not to have the war run by the armchair generals, as was the case during Vietnam, and not to have the punches pulled, as they were politically pulled during the Vietnam war.

But there is another aspect to "no more Vietnams," and that is to welcome back our veterans with the open arms, the generosity, and the respect that they deserve. Our men and women of Desert Storm would be greeted back home differently from the men of the Vietnam era and the women of the Vietnam era.

The work that has been done by the Veterans' Affairs Committee has been exemplary in that effort. I think there must be 9 or 10 different measures which already have been reported out in the early stages of the 102d Congress from the Veteran's Affairs Committee, and of course one of them being the bill before us today. But each of these measures in its own way will help pave the way for our veterans to return to their situations here at home better from an educational standpoint, small business standpoint, and medical standpoint, which of course is dealt with in today's bill.

So I really want to thank my two friends and the new Member, the gentleman from Texas, Mr. CHET EDWARDS, who introduced this bill, for his leadership in this effort as well.

Let me say that as one who is very proud to represent the Third Congressional District of Kentucky, which happens to have a leading medical school, the University of Louisville Medical School, and a leading VA medical center out on Zorn Avenue and which is nearby Fort Knox or which is Ireland Army Hospital, I am interested in the kind of bill before us today from a more local perspective.

It could be that the Third District has the proper mix of medical and veteran and military facilities and that it might qualify for possible inclusion in the program. But suffice it to say again: The gentleman from Mississippi and the gentleman from Arizona have done yeoman work in bringing before this House, in the early part of this session, major bills which will guarantee that the men and women who return back from the Persian Gulf after doing their jobs so remarkably well, with such dignity, with such courage and effectiveness, will be received back in the United States from every perspective and from every standpoint with the respect and the honor that they deserve.

Mr. MONTGOMERY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to thank the gentleman from Kentucky for his kind remarks and say that when the House considered most of these nine bills we passed in the past month, the gentleman from Kentucky presided in the chair. He certainly has been helpful to the gentleman from Arizona [Mr. STUMP] and myself. I would also like to commend the gentleman from New York [Mr. MCNULTY] who is presiding today for his help. The gentleman from Arkansas [Mr. HAMMERSCHMIDT], is the ranking member of the Subcommittee on Hospitals and Health Care, and I want to thank him for his help on this legislation we are now considering. I also thank the chairman of the Committee on Armed Services, the gentleman from Wisconsin [Mr. ASPIN] and the ranking member of that committee, the gentleman from Alabama, Mr. BILL DICKINSON, for their cooperation in letting us bring this legislation forward.

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

The SPEAKER pro tempore. (Mr. MCNULTY). The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 111, as amended.

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

A motion to reconsider was laid on the table.

COMMEMORATING 200TH ANNIVERSARY OF UNITED STATES–PORTUGUESE DIPLOMATIC RELATIONS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate joint resolution, Senate Joint Resolution 55.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. HAMILTON] that the House suspend the rules and pass the Senate joint resolution, Senate Joint Resolution 55, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 25]

YEAS—411

Abercrombie	Andrews (NJ)	Armey
Ackerman	Andrews (TX)	Aspin
Alexander	Annunzio	Atkins
Allard	Anthony	AuCoin
Anderson	Applegate	Bacchus
Andrews (ME)	Archer	Baker

Ballenger
Barnard
Barrett
Barton
Bateman
Bellenson
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Machtley
Madigan
Manton
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—0

NOT VOTING—22

Bartlett
Berman
Brewster
Campbell (CA)
Donnelly
Eckart
Flake
Ford (TN)
Gilman
Leach
Levine (CA)
Lowery (CA)
Martin
Miller (OH)
Ray
Rhodes
Rostenkowski
Sharp
Smith (FL)
Tauzin
Udall
Wilson

□ 1556

Mr. ZIMMER and Mr. GOODLING changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO HAVE UNTIL 6 P.M., FRIDAY, MARCH 1, 1991, TO FILE REPORT ON H.R. 707, THE COMMODITY FUTURES IMPROVEMENTS ACT OF 1991

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until 6 p.m., Friday, March 1, 1991, to file a report on H.R. 707, the Commodity Futures Improvements Act of 1991.

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

There was no objection.

CONDEMNING CUBA'S HUMAN RIGHTS VIOLATIONS AND COMMENDING UNITED NATIONS HUMAN RIGHTS COMMISSION

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 88) condemning Cuba's human rights violations, and commending the U.N. Human Rights Commission for its attention to the human rights situation in Cuba, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Mr. BROOMFIELD. Reserving the right to object, Mr. Speaker, I would like to inquire of our chairman, the gentleman from Florida [Mr. FASCELL], as to how the time would be allocated, as well as whether or not a recorded vote would be happening tonight.

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

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

Mr. FASCELL. Mr. Speaker, I will say under the rules when the bill is considered, we will have 1 hour of time under which I will yield 30 minutes to the gentleman from Michigan for his side and retain 30 minutes for debate on this side.

As far as a vote is concerned, my understanding is that the vote will be put over until tomorrow, and it is my understanding that it will be the first order of business tomorrow. That may be subject to change depending on the leadership, but as of right now, it is my understanding there will be no further votes tonight and that this vote on this resolution will occur as the first order of business tomorrow.

□ 1600

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

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 88

Whereas according to the Department of State Country Reports on Human Rights Practices for 1990, the Government of Cuba "sharply restricts virtually all basic human rights, including freedoms of expression, association, assembly, and movement, as well as the right to privacy, the right of citizens to change their own government, and workers rights";

Whereas the Government of Cuba imprisons persons solely for the nonviolent expression of their political views, including the world's longest held political prisoner, Mario Chanes de Armas, who has been imprisoned for 30 years, and Ernesto Diaz, who has served 21 years in prison;

Whereas in March 1988, the United Nations Human Rights Commission undertook a review of Cuban human rights practices, and a working group of the Commission visited Cuba in September 1988;

Whereas in March 1990, the United Nations Human Rights Commission approved a resolution citing its continued concerns regarding the human rights situation in Cuba;

Whereas since the September 1988 visit of the United Nations Human Rights Commission working group, the Government of Cuba has arrested, harrassed, and intimidated scores of human rights monitors and independent activists, many of whom cooperated with the United Nations Human Rights Commission investigation;

Whereas at least 31 human rights monitors and independent activists are currently serving prison sentences, another two are under house arrest, and many others are awaiting trial; and

Whereas the International Committee of the Red Cross was denied access to Cuban prisons and inmates in 1990: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of Cuba for its gross violations of internationally recognized human rights of the Cuban people, including its systematic harassment and intimidation of Cuban human rights monitors and independent activists;

(2) calls upon the Government of Cuba—

(A) to release from prison and house arrest all human rights monitors, independent activists, and other political prisoners,

(B) to respect internationally recognized human rights, and

(C) to allow the International Committee of the Red Cross access to Cuban prisons;

(3) commends the United Nations Human Rights Commission for its attention to the human rights situation in Cuba;

(4) urges all member states of the United Nations Human Rights Commission to support the continued investigation of Cuban human rights violations by the appointment of special rapporteur or working group on Cuba; and

(5) commends the United States delegation to the United Nations Human Rights Commission for its diligence in pursuing this important issue.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] is recognized for 1 hour.

Mr. FASCELL. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the distinguished gentleman from Michigan [Mr. BROOMFIELD], the ranking Republican on the Committee on Foreign Affairs, pending which I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. YATRON], chairman of the Subcommittee on Human Rights and International Organizations.

Mr. YATRON. Mr. Speaker, I will keep my remarks very brief. I want to commend Chairman FASCELL, Chairman TORRICELLI, and Congressmen BROOMFIELD, LAGOMARSINO, and BEREUTER for keeping the pressure on Cuba for that country's dismal human rights record.

It is entirely appropriate that the first resolution concerning human rights in Latin America focus on Cuba. After all, Cuba is the only Spanish-speaking dictatorship remaining in the Western Hemisphere. Moreover, the U.N. Human Rights Commission is currently meeting in Geneva and this resolution will support the United States delegation's efforts to keep attention focused on Cuba's deplorable human rights record.

I think all of us here would like to see the end of Castro's dictatorship but it is equally important that we see his regime replaced with a democratic government. I urge my colleagues to support this resolution.

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

Mr. Speaker, I want to also thank the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. YATRON], the gentleman from Nebraska [Mr. BEREUTER], as well as the gentleman from New Jersey [Mr. TORRICELLI], and the gentleman from California [Mr. LAGOMARSINO] of the Subcommittee on Western Hemisphere Affairs, for reporting this resolution out.

Mr. Speaker, as an original cosponsor of House Resolution 88, I want to express my strong support for this resolution, and commend the distinguished chairman of the Committee on Foreign Affairs, DANTE FASCELL, for his leadership on this issue.

House Resolution 88 was reported unanimously by the Foreign Affairs Committee this morning. The resolution sends a clear message to the Castro regime that the United States condemns his repression and strongly supports all U.N. efforts to investigate human rights violations in Cuba.

Under Communist rule, Cuba is not a worker's paradise but a prisoner's nightmare. Individual freedom, political expression, and creativity are suppressed. In a time of democratic change, Cuba stands out as the least free country in the hemisphere.

House Resolution 88 correctly points out these violations. And it highlights the tragic fact that a Cuban prison holds the longest serving political prisoner in the world—Mario Chanes de Armas, who has been imprisoned for 30 years.

I am pleased that the United Nations has focused its attention on the deplorable human rights situation in Cuba. Unfortunately, Castro has deliberately frustrated the U.N. attempts to learn the truth—including repression directed at those Cubans brave enough to talk to U.N. investigators.

Castro's reprehensible actions taken against human rights monitors show his utter disregard for the international community. In response to a U.N. Human Rights Commission resolution condemning Cuban violations, Castro said, "Do not even dream that we will follow one word of that resolution."

We cannot allow Castro's outrages to go unanswered. Passing this resolution will again put Castro on notice that the world holds his government responsible for its human rights violations.

Mr. Speaker, I hope that 1991 will be the year when the democratic revolutin comes to Cuba. We hope Castro's dictatorship will not last forever. The Cuban people deserve the freedom so many have recently won. But until Castro's tyranny is replaced, until there is a rule of law rather than the rule of the Communist Party, the Cuba Government deserves our strongest condemnation. This resolution puts the spotlight on the wages of Cuban communism.

I urge my colleagues to support House Resolution 88.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. TORRICELLI], the chairman of the Subcommittee on Western Hemisphere Affairs.

Mr. TORRICELLI. Mr. Speaker, I thank our distinguished chairman for yielding.

At the outset I want to congratulate the gentleman from Florida [Mr. FASCELL], for his leadership in the committee in bringing this resolution forward; the gentleman from Pennsylvania [Mr. YATRON], subcommittee chairman; the gentleman from Michigan [Mr. BROOMFIELD]; and the gentleman from California [Mr. LAGOMARSINO]; indeed the entire Committee on Foreign Affairs, which has taken a principled and unanimous stand in favor of this resolution.

Mr. Speaker, the resolution urges all member states of the U.S. Human Rights Commission to support the continued investigation of Cuban human rights violations by the appointment of a special repertoire or working group on Cuba. It is a position the U.N. Commission has taken before. It is a commission that we urge to take that position again.

It does not single out Cuba. Cuba indeed has singled itself out. At a time when human rights are being respected throughout the hemisphere, Cuba remains as the exception. At a time when democracy is becoming the common coin of government throughout Latin America, Cuba remains the exception.

Indeed Cuba remains as a violator of the most basic human rights known to man, an island prison, refusing to change in the midst of a world that is changing day by day.

Mr. Speaker, this resolution reminds us that while the world is focused on human rights violations halfway around the globe, in Iraq, Americans need look only 90 miles from our shores where the most basic of all human rights are being violated.

Mr. Speaker, the United Nations has taken this strong stand in Iraq. Today we can begin the process of taking a strong stand for Cuba. Mr. Speaker, her people are no less important, and those rights that are being violated are nonetheless, either.

Mr. Speaker, support this resolution, help the United Nations to take this strong stand once again.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. LAGO-

MARSINO], the ranking member of the Subcommittee on Western Hemisphere Affairs.

Mr. LAGOMARSINO. Mr. Speaker, I want to commend both Chairman FASCELL and Mr. BROOMFIELD, as well as Mr. YATRON, Mr. BEREUTER, Mr. TORRICELLI, Mr. GOSS, Ms. ROS-LEHTINEN, Mr. SMITH, and the other original cosponsors for their leadership in bringing this resolution on Cuba's human rights violations before the House. I am proud to have joined them as an original cosponsor of this measure.

There are few issues affecting this hemisphere that cause greater concern than the continuing orchestrated campaign of outrageous violations of human rights and civil liberties perpetrated by the Castro regime in Cuba.

For more than 30 years, Castro has summarily repressed, brutalized, and eliminated virtually any element of dissent or any attempt to preserve basic human rights and civil liberties for the Cuban people.

The list of those harassed, tortured, or killed by Castro's regime over the past three decades is an incredible indictment against the maniacal power of one individual.

Of the innumerable gross violations of human rights committed in the name of the Castro regime, there stands out the incredible actions of the Castro government to punish and brutalize those who cooperated with the U.N. Human Rights Commission review of Cuba in 1988. Many of those are still suffering. Mario Chanes de Armas, the longest suffering political prisoner, still languishes in a Castro prison.

The resolution before us today calls attention to the Castro regime's unrelenting campaign of terror and repression. We must continue to keep the focus of the world on the criminal that Castro is for his crushing of human rights and civil liberties of the Cuban people.

This resolution is a timely and pertinent reminder to Castro and to the world that gross violations of human rights by the Castro regime cannot and will not go on without the vigorous condemnation of all of us who value life, liberty, and justice. It appropriately encourages the United Nations to keep the pressure on Castro's regime.

I urge my colleagues to give their unanimous approval to this resolution.

□ 1610

Mr. BROOMFIELD. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, this Member is pleased to rise in strong support of House Resolution 88, and join with the distinguished chairman and ranking minority member of the Committee on Foreign Affairs, Mr. FASCELL and Mr. BROOMFIELD and the chairman of the Subcommittee on Human Rights and International Organizations, Mr. YATRON, as an original cosponsor of this important legislation as well as the gentleman from New Jersey [Mr. TORRICELLI], the gentleman from Michigan [Mr. BROOMFIELD], the gentleman from New Jersey [Mr. SMITH], the gentlewoman from Florida [Ms. ROS-LEHTINEN], and others who have been active in proposing and being original cosponsors on this resolution. This resolution is particularly important because, while human rights conditions have improved throughout the hemisphere, conditions are still appalling in Fidel Castro's Cuba.

The situation is particularly egregious because of Castro's response to the U.N. Human Rigths Commission visit to Cuba. Since the UNHRC visit, human rights activists have been harassed, intimidated, imprisoned, and threatened. As the House Resolution 88 correctly notes, no fewer than 31 human rights monitors are serving prison sentences. Their crime is simply—they asked to be treated like human beings. And when the UNHRC, disgusted with Cuba's activity, passed a resolution condemning its abuses, Fidel Castro responded with utter contempt. Castro told the UNHRC,

> Do not even dream that we will follow one word of that resolution.

Mr. Speaker, yesterday the Subcommittee on Human Rights and International Organizations held hearings on the recently released State Department Human Rights Country Reports. The report on Cuba was not surprising; it showed human rights abuses to be among the worst in the world. It found specifically that Cuba sharply restricts virtualy all basic human rights, including freedoms of expression, association, assembly, and movement, as well as the right to privacy, the right of citizens to change their own government, and workers rights. I would also note that Cuba recently ended the International Red Cross' access to prisons, and that visits to political prisoners are no longer permitted.

Mr. Speaker, House Resolution 88 makes the important statement that this body will not forget nor accept Fidel Castro's contempt for human rights, and that the United States of America will not rest until all of our Cuban neighbors at least enjoy the most basic of human rights.

Mr. BROOMFIELD. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New Jersey [Mr. SMITH], a member of the Committee on Foreign Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, Members may recall that last year the House of Representatives passed a resolution that I, along with many others, introduced condemning Castro's deplorable record on human rights. That resolution, like the excellent resolution of the gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs, focused particular attention on the Castro regime's abuse of Cubans who bravely came forward to testify before the U.N. Human Rights Working Group in September 1988. Members may recall that following the September 1988 working group visit to Cuba many of the human rights activists and monitors were arrested. Some were harassed, and there were several forms of intimidation employed against them.

Last March, subsequent to passage of yet another U.N. Commission resolution on Cuba, at least 12 human rights activists were arrested. Eight were held for 6 months without access to legal counsel and later were sentenced to terms as long as 1 year of limited liberty. Another activist was held in detention for 11 months, tried and was sentenced to 3 years of limited liberty for what they called rebellion.

Underscoring his scorn for human rights and the U.N. Commission itself, Fidel Castro said, and I quote, "Don't even dream that we're going to comply with even one single rule of that resolution."

Mr. Speaker, as in previous years, Country Reports on Human Rights Practices for 1990 paints a very depressing, a very dismal, picture of human rights in Cuba. Significantly that view is in no way unique. Virtally every legitimate human rights watchdog group gives Castro failing grades in the realm of human rights. According to the latest report on Cuba published by Americas Watch on February 25, "the Government of Cuba has increasingly flaunted its suppression of internal dissent." The report goes on to point out that Castro's government has initiated a running series of arrests, and has handed down increasingly lengthy prison terms and, according to the report, "has decimated substantial portions of the small human rights community that had begun to emerge in Cuba."

Mr. Speaker, although its record on exposing human rights abuse has been checkered, and largely ineffective in the past, the U.N. Human Rights Commission is to be commended at least for focusing on Cuba. Followup by the United Nation, I am sad to say, has been inadequate, but at least there is now a focus. Nevertheless, I think it should be noted that the focus on Cuba is largely attributable to the tenacity and skill of former Ambassador Armando Valladares. Ambassador Valladares knows firsthand the brutality and the savagery of the Fidel Castro regime having spent some 22 years in Cuban gulags. Anyone who knows Ambassador Valladares, who reads his book, as I have, "Against All Hope," cannot help but be awed by his courage and indomitable will to overcome.

Mr. Speaker, I said there was some disappointment with the United Na-

tion, and I would like to elaborate briefly on that. It is in the area of followup. For months we have been trying to get the United Nations, particularly Secretary General de Cuellar, to follow up with a report on the human rights situation in Cuba. Six days ago, on February 21, that report was made. It is inadequate, and it is disappointing. I was disappointed that the Secretary General failed to address a number of issues which has been mandated in the earlier Commission's resolution, and merely reported the sequence of discussions with Cuban authorities. The report simply accepted Cuba's explanations about the cases of human rights activists. Little independent reporting or analysis was given, and in fact, the Secretary General refused to discuss the hundreds of private cases which have been presented to him for investigation. Hopefully, in this current session of the Human Rights Commission in Geneva there will be an attempt made to be more thorough and hopefully to use or to have the kind of followup that will help make the situation on human rights better in Cuba. I strongly support the efforts to appoint a special rapporteur for human rights in Cuba.

Mr. Speaker, again I want to commend the gentleman from Florida [Mr. FASCELL], the gentleman from Michigan [Mr. BROOMFIELD] and the rest of the leadership for sponsoring this legislation. It is a good one and deserves unanimous passage by this House.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Florida [Mr. GOSS] for yielding, and I would just like to, first of all, congratulate the chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], for introducing this resolution. I think it is very timely and extremely important.

Mr. Speaker, last year I had the opportunity to fly to Geneva to meet with leaders from around the world to talk about the problems of the atrocities that have been perpetrated upon the people of Cuba by Fidel Castro, and for the first time that body voted overwhelmingly in favor of condemning Fidel Castro for the human rights violations and had a human rights report published and circulated throughout the world. But that has not stopped the atrocities in that country.

Mr. Speaker, if my colleagues talk to our good friend, Armando Valladores, who wrote the book, "Against All Hope," they know the kinds of torture and atrocities that have been taking place on a daily basis in the gulags in that country, and this type of inhuman behavior cannot be tolerated by anyone in this world, particularly so-called leaders like Fidel Castro.

We have seen atrocities perpetrated on the people of Kuwait by Saddam Hussein, and that has been highly publicized and visible. The problem with Cuba is the atrocities that have been taking place down there are not readily accessible to the people of this world, and so for that reason we need to keep the pressure on so the world knows exactly what is happening in Cuba.

Mr. Speaker, I am very hopeful that the people of Cuba one day will be liberated from the chains of bondage that they have been experiencing, not unlike the chains of bondage that the people of Kuwait have been experiencing.

□ 1620

I hope before too long we will be able to say that Cuba is free, that the people there are free, and that there are no longer these acts of savagery which have been perpetrated on those people like those they have been experiencing.

So, Mr. Speaker, I would end up by saying, here's to the freedom of Cuba, and here's to the end of Fidel Castro.

Once again, let me thank the gentleman from Florida [Mr. FASCELL] for his very timely resolution.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Speaker, now more than ever we need to pass this important resolution on the human rights abuses in my native homeland, the island of Cuba. For over 30 years, Fidel Castro has brutally oppressed the people of Cuba and has blatantly violated human rights to achieve his objective. His objective, as always, is the complete and total subjugation of the Cuban people to his personal will.

The U.N. Human Rights Commission should be commended for its efforts to address the horrible human rights record in Cuba and should be urged to continue their worthwhile work and House Resolution 88 does exactly that.

In the spring of 1990, most of Cuba's well-known human rights activist were rounded up in the wake of the passage of last year's U.N. Human Rights Commission resolution, which condemned human rights violation in Cuba. The resolution also called on the Cuban Government not to retaliate against those who had testified before the U.N. commission in 1988. Fidel Castro responded to the U.N. resolution by stating, "do not even dream that we will follow one word of the resolution."

Fidel Castro's blatantly disregarded the U.N. resolution. This illustrates his determination to control Cuba with an iron fist. All of his statements which deny the existence of political prisoners are lies and deception to placate the liberal media and those who dare to even question his regime.

For example, in 1987, the government of Fidel Castro officially announced the liberty of all historic political prisoners still in jail. How ironic! Were it only so. But now, 4 years later, the number of political prisoners has not decreased, but increased.

We are aware that today there are still political prisoners known as plantados languishing in Cuban jails. The plantados are long-term political prisoners who have refused to cooperate with their captors. For this, the plantados are separated from the other prisoners, and are treated in a far more harsh manner and are routinely harassed by their jailers.

Of the plantados, Ernesto Diaz Rodriguez has been in jail for 23 years and Mario Chanes de Armas has been jailed for an incredible 30 years. All this simply because they disagreed with one man, one brutal dictator, Fidel Castro.

I join with Mr. Alfredo Mustelier, an ex-plantado of 20 years, who just returned from Geneva where he is supporting a U.N. declaration that Mario Chanes is the longest held political prisoner in the world.

I ask all my colleagues to support House Resolution 88 which condemns these obscene human rights violations in Cuba. How long must these prisoners suffer in jail? How long can we risk ignoring their plight?

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank the Chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL] for yielding this time to me.

Mr. Speaker, I rise in strong support of the resolution. In the change that has gone on in the past 2 years around the world, Fidel Castro almost seems like an anachronism, and one really wonders how much longer he can hold on. I think it will not be very much longer.

I think the Cuban people are fed up, that they are tired, and they yearn for the kinds of freedoms that people in Eastern Europe and all over the world, the Kuwaitis and others, have yearned for.

It is amazing to hear the Cuban Ambassador to the United Nations lecturing to us about morality or what the United Nations ought to do about what is right when in his own country Cuba has the worst track record of probably any country in the world during the past years of Fidel Castro's reign of terror.

Let us look at what Cubans have or, shall I say, do not have in Cuba. There are no human rights, there is no freedom of expression, there is no right of association, there is no right of assembly, and there is no right to privacy. Prisoners are kept in prison year after year, not only political prisoners but activists, human rights monitors, and others who only want to ensure that

the Cuban people have the same types of freedoms that are breaking out all over the world.

We talk about Saddam Hussein not allowing the Red Cross to visit our prisoners of war. The International Red Cross has been barred by Fidel Castro from visiting Cuban prisoners, and only twice in the brutal 30-year history of that regime have they allowed the International Red Cross to come in and visit those prisoners. Now, once again they are barring them. What does Fidel Castro have to hide? If there is nothing to hide in his so-called workers' paradise, why does he not allow the International Red Cross to come in and monitor it?

Mr. Speaker, I rise in strong support of the resolution. I am delighted that Congress and the House of Representatives are speaking out forcefully and strongly, and I hope and pray, along with millions of the Cuban people, that Fidel Castro's days are numbered. It is only a matter of time.

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

Mr. Speaker, I stand here today to commend the efforts of Chairman FASCELL, ranking member BROOMFIELD, and my colleagues on the Foreign Affairs Committee for their leadership on bringing forward House Resolution 88. This timely measure condemns Cuba's human rights violations and commends the U.N. Human Rights Commission for its attention to the human rights situation in Cuba.

With world events turning our attention to the Middle East we must not forget human rights abuses occurring elsewhere in the world. Right in our own backyard one of the most egregious violator of human rights, Fidel Castro, is imprisoning Cuba's citizens for the nonviolent expression of their political views, and holding them for decades without reprieve. We now have reports that catalog outrage—and we likely are only seeing the fin of the shark.

The most obvious common denominator between Saddam Hussein and Fidel Castro is the gross violation of human rights inflicted upon innocent people in their respective regions of the world. Mr. Speaker, as we turn our attention to the human rights abuses in Kuwait we must also remember the human rights abuses occurring on our island neighbor. Every year on July 26, Castro climbs up on his soap box to celebrate his rise to power and champion the Communist State while condemning the United States as the evil imperialist. We need to remember not just on this day, but every day, that this ruthless dictator rhetoric cannot hide the horrible facts. He does not care about the Cuban people; he does not care about the basic freedoms that all people inherently deserve.

House Resolution 88 sends a clear message to Fidel Castro that his human rights violations are now known to the world and should not and will not be tolerated. I know that Members of Congress will join me in supporting this resolution.

Mr. Speaker, having no further requests for time, I yield back the balance of my time on this side.

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, let me thank my colleagues, particularly the ranking member, the gentleman from Michigan [Mr. BROOMFIELD], as well as the two chairman of the subcommittees who previously addressed the House, Mr. YATRON and Mr. TORRICELLI, and the two ranking members of those subcommittees, Mr. BEREUTER and Mr. LAGOMARSINO, who all worked very diligently to put this resolution together, to get it through the subcommittees, and to bring it to the floor of the House in a timely fashion prior to the vote that will be taking place in Geneva next week.

□ 1630

My main purpose in rising is to remind Members that resolutions expressing the sense, the voice of the Congress, the voice of the American people, are important resolutions. I know that in the past some have suggested that if it is not a legislative matter, that perhaps there is less importance attached to resolutions which simply express the sense of the American people as reflected by the elected Members of the Congress of the United States.

Mr. Speaker, I want to say on the record and for those Americans who are listening and watching, and for Members, that nothing could be further from the truth. The voice of the American people is heard and well-respected around the world. We may not have unanimous agreement in the world about our policies, but I can tell Members that we have almost universal respect for the values that we espouse.

While we ourselves may have difficulty in living totally, 100 percent, up to all the values we espouse, I think almost everyone understands that we strive mightily to make an improvement in the world, not only for ourselves, but for other people. It is a value that other people understand and is devoid of any ideology because it expresses the most fundamental and most basic human feelings and aspirations. We are talking about freedom of the individual, in his mind, in his heart, in his soul, in his religion, in his politics, and all of the other attributes that go with what we term a free society.

It is human dignity that is the key to this. I do not care where one goes, I would be willing to wager that there are people all over the world, no matter what their political system is, that understand these values and want to strive to achieve those values. It may take a long time, but, nevertheless, the expression of the American people in support of human rights is valued beyond our recognition here.

So we should never take what we do by way of resolution lightly. We ought to understand that it is a beacon of hope, it is a light for many people in many places.

Now, who would have thought that, without firing a shot, the Berlin Wall would come down? Who would have ever thought that after all of the years of power politics in a system called communism, that ultimately it would fall by its own weight, and that its people would strive in every which way to express their individuality and their determinations with respect to religion, politics, and their own well-being? Who would have thought that the whole Eastern part of Europe would become sovereign, independent, democratic nations?

That is true across the world, not just there. This is true all across the world. The one throwback, the one holdout that we have in the Communist system, is the Castro government. When you examine that, it is more than just ideology. It is more than that. We have seen that in other places, where the desire to retain power and control is dominant over every other consideration.

This has nothing to do with the well-being of the people. That is what the situation is in Cuba. Otherwise, why would there be such a stranglehold on the people? No dissent is tolerated. No intervention of any kind by the normal international organizations, which have nothing but the benefit of mankind as their credo, are even permitted to come in and see for themselves.

So we have the unusual situation where people inside of Cuba who want to express themselves in one way or another with regard to human rights or other matters are throttled, jailed, harassed, and stomped. All of the other things that happen of in other Communist societies—the reforms inside the Soviet Union and Eastern European—are not happening there. We are not all the way there.

The only point that I make is with determination, with conviction, with constancy, the message has gotten through to peoples all over. While we do not claim all the credit in the world for bringing that change about, I can say that the American people deserve a large part of the credit, because the values that we hold dear are values that people treasure and understand.

People in other countries do not come and grab you by the arm and say, "American, American." They cannot speak English, but they can say "American, human rights. Human rights." They know what that means.

So it is true all over. One day the courageous Cubans, not only those who are in this country still fighting for freedom for their own people in Cuba, but those Cubans inside Cuba who time and again have put their lives on the line, trying to bring about a change in Cuba, to get a recognition of the dignity of the individual, in the value of human life, the value of freedom will ultimately succeed. They are the ones we are supporting with this resolution. They need to hear what we are saying. They need to hear us say that we have not forgotten.

In every human rights case the Commission on Security and Cooperation in Europe had with the Soviets, involving those people who are being harassed, were not able to travel or emigrate and were in jail or the Soviet gulags, every time one of those people came before our Commission we asked the same question: "Are we doing any good? We cannot legislate. We have no enforcement machinery. We can pass resolutions. We make speeches, we write articles, we tell the world about you." And, without exception, every one of them said, "Keep doing what you are doing. It is our only hope. We are willing to put our lives on the line. We need to know that those of you who are out there and who enjoy all these great freedoms are still with us, that you have not forgotten us, that there will be a day sometime when we will be free and have the opportunity to join you."

That is what this resolution does. It says we have not forgotten you. We are supporting the effort at the United Nations, at the Human Rights Commission. We are saying that this vote will demand that the events in Cuba be subjected to the spotlight of international security and humanity.

Mr. Speaker, I urge Members to adopt this resolution.

Mr. Speaker, I rise in support of House Resolution 88, condemning Cuba's human rights violations, and commending the U.N. Human Rights Commission for its attention to the human rights situation in Cuba.

This resolution was reported favorably by the Committee on Foreign Affairs on February 27. I would like to thank the chairmen of the Subcommittees on Human Rights and International Organizations and on Western Hemisphere Affairs, Mr. YATRON and Mr. TORRICELLI, and their ranking minority members, Mr. BEREUTER and Mr. LAGOMARSINO, for their support and leadership on this issue. I would also like to thank the ranking minority member of the full committee, Mr. BROOMFIELD, for his cooperation and support.

Next week, members of the U.N. Human Rights Commission now meeting in Geneva will vote on a resolution to reinstate a special rapporteur or working group to investigate violations of human rights in Cuba. This measure supports that initiative and calls upon all member states of the Human Rights Commission to vote for the resolution, which I understand currently has 16 cosponsors. It further commends the United Nations for attention that body has paid to this important issue to date and also commends the U.S. delegation to the U.N. Human Rights Commission for its efforts to bring the issue before the Commission.

House Resolution 88 also condemns ongoing human rights violations in Cuba, including the systematic harassment, intimidation, and detention of those who cooperated with the 1988 working group of the United Nations Human Rights Commission. Despite Cuban assurances that those who met with the United Nations team in 1988 would not suffer recriminations, hundreds of Cuban citizens were arrested in the aftermath of the September 1988 visit of the United Nations team and the subsequent United Nations votes on Cuba. Today, at least 31 human rights monitors and independent activists, many of whom helped the U.N. group gather information, are currently serving prison sentences, another two are under house arrest and many others are awaiting trial.

This measure calls upon the Cuban Government to release them and all those held in Cuban jails for the nonviolent expression of their political views. Independent human rights organizations such as the Lawyers Committee for Human Rights put the number of political prisoners held in Cuban jails in July 1990 at about 300, although the precise number is difficult to ascertain because there is no international access to prisoners and because the Cuban Government often charges political opponents with common crimes to mask the true nature of their imprisonment. Among that group is Mario Chanes de Armas, believed to be the world's longest held political prisoner, who has been imprisoned for 30 years and Ernesto Diaz, who has served 21 years in jail. House Resolution 88 further calls upon the Cuban Government to allow the International Committee of the Red Cross access to Cuban prisons and inmates.

Mr. Speaker, I urge our colleagues to support this important measure which I know will bolster the United States delegation's efforts and which I expect will result in the appointment of a special rapporteur or working group on Cuba. For despite the Cuban Government's attempts to deter attention from its abysmal human rights record, it cannot escape the glare of the international spotlight.

Castro's response to last year's U.N. resolution urging the Cubans to improve their human rights record was an arrogant "Do not even dream that we will follow one word of that resolution." His flagrant refusal to respond to calls for improvements in the deplorable human rights situation in Cuba coupled with the crackdown on human rights monitors and independent activists that followed last year's United Nations vote on Cuba have resulted in the recognition among the majority of the United Nations Human Rights Commission member states that Cuba must be a focal point of their future deliberations.

Mr. Speaker, the courageous Cuban men and women who, at great personal risk, have defied the Cuban Government and spoken out against the systematic denial of civil and political rights that characterizes Cuban life, deserve our deepest admiration. Together with members of the international human rights community such as Amnesty International, Americas Watch, the Lawyers Committee, and Freedom House, they have brought the horrors of Cuban prisons and the repression of Cuban life to the attention of the world. That they should suffer recriminations for merely attempting to exercise their basic human rights—and to protect the rights of others—is deplorable. Passage of this resolution, and a U.N. investigation into their plight, is the least we, who enjoy the luxury of freedom, can do.

Mr. Speaker, I urge my colleagues to support this important and timely resolution.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, further proceedings on this resolution will be postponed until tomorrow.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on House Resolution 88.

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

There was no objection.

FEDERAL EMPLOYEES RECOGNITION WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 51) to designate the week beginning March 4, 1991, as Federal Employees Recognition Week, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so simply to acknowledge the good work of the gentlewoman from Ohio [Ms. OAKAR], who is the chief sponsor of this joint resolution.

Mr. CLAY. Mr. Speaker, today I am privileged to join in tribute to a very distinguished group of Americans for whom I have great respect. I refer to the more than 3 million persons employed by the Federal Government.

These Federal civilian employees, who have lost their right to participate voluntarily, as private citizens, in the political processes of the

Nation, continue to perform valuable services that contribute to the efficient operation of our Government. We are proud of and grateful to our Federal employees.

I am pleased to join with my colleagues as a supporter of House Joint Resolution 97, "Federal Employees Recognition Day."

Ms. OAKAR. Mr. Speaker, I would like to thank all of my colleagues who are today supporting passage of this legislation, that I just recently reintroduced, which would declare the week beginning March 4, 1991, Federal Employees Recognition Week. It's important that we set aside a week to recognize the work of over 3 million Federal employees across our country. This recognition is certainly appropriate and well deserved. As always, I appreciate the support of the distinguished chairman of the Subcommittee on Census and Population, my friend from my home State of Ohio, Mr. SAWYER and his ranking minority member, Mr. RIDGE, for their support of this important resolution. I would also like to thank Senator SARBANES who pushed this bill through the other body last week.

Mr. Speaker, during the last several years, Federal employees have faced repeated attempts to cut their pay, while staffing cutbacks have increased their workload. While I and my colleagues have fought to ensure decent treatment for Federal workers, we have not always been successful. Three years ago Federal employees had their pay frozen and Federal retirees received no cost-of-living adjustments in their pension checks. On average, the salaries of Federal employees have fallen behind the private sector by 27 percent. Despite all this, Federal workers have continued to perform duties vital to our Nation's well-being.

I believe it would be extremely valuable for the public and Congress to be reminded of how much we ask of our public servants. Declaring March 4–10 as Federal Employees Recognition Week will focus our attention, however briefly, on the efforts and achievements of the U.S. Government work force. I thank all of my colleagues who cosponsored this bill and I urge its immediate passage.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 51

Whereas Federal employees serve the people of the United States by enabling the Federal Government to carry out its duties in an efficient manner;

Whereas more than three million individuals are employed by the Federal Government;

Whereas many valuable services performed by Federal employees are often inadequately recognized by Federal officials and by the people of the United States; and

Whereas Federal employees should be recognized for the contributions that they make to the efficient operation of the Federal Government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning March 4, 1991, is designated "Federal Employees Recognition Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1640

VERMONT BICENTENNIAL DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 58) to designate March 4, 1991, as Vermont Bicentennial Day, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I yield to the gentleman from Vermont [Mr. SANDERS], who is the chief sponsor of this joint resolution to designate March 4, 1991, as Vermont Bicentennial Day.

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding, and thank the Committee on Post Office and Civil Service for their strong support and their effective and rapid effort to get this bill through.

March 4, 1991, is in fact Vermont Bicentennial Day. It marks the 200th anniversary of our State.

Our State is proud of its independence, the role we have played in American history, and our allegiance to the United States, and we thank this body for its support for this day.

Mr. RIDGE. The Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 58

Whereas 1991 marks the bicentennial of the end of the proud fourteen-year history of the Republic of Vermont;

Whereas the Republic of Vermont gave unstintingly to the cause of independence of the original thirteen colonies;

Whereas the Republic of Vermont became the State of Vermont on March 4, 1791, the first Republic to become a State and the fourteenth State to join the Union;

Whereas the State of Vermont has continued to contribute to the Union over the past two hundred years, first in agriculture, then in manufacturing, and always in education and political thought;

Whereas Vermont has been a leader in the preservation and use of its natural resources for the benefit of its own citizens, citizens of other States, and for generations of all citizens to come; and

Whereas on March 4, 1991, Vermont will begin its third century of statehood: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 4, 1991, is designated as "Vermont Bicentennial Day", and the President is authorized and requested to issue a proclamation acknowledging the contributions of the people of the State of Vermont during the past two hundred years.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL SCHOOL BREAKFAST WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 98) designating March 4 through 10, 1991, as National School Breakfast Week, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so simply to acknowledge the good work of my friend and colleague, the gentleman from New York [Mr. BOEHLERT], who is the chief sponsor of this joint resolution.

Mr. BOEHLERT. Mr. Speaker, a daily breakfast is vital to the health and well-being of growing children. Studies have shown that children who eat breakfast score higher on tests and have better attendance records. The School Breakfast Program provides a healthful morning meal to 3.8 million children a day in school.

Now, more than ever, our children need the School Breakfast Program. This one step toward better nourished children will not solve all the problems of childhood, but it will help to give children the energy and health to take advantage of the opportunities and avoid the pitfalls they encounter.

The School Breakfast Program was established under the Child Nutrition Act of 1966, as a 2-year pilot project. In 1975, amendments to the law made it a permanent program. In 1989, it operated in approximately 40,000 schools and served a daily average of 3.6 million children.

Today, the program provides assistance to States to initiate, maintain, or expand charity programs in eligible schools and residential child care institutions. Any public or nonprofit elementary, middle school or high school, or licensed residential child care facility is eligible for the program. Those serving in the program must agree to serve breakfasts that meet Federal nutrition standards, and to provide free

and reduced price breakfasts to children who cannot pay the full price.

Each year a week is set aside as "National School Breakfast Week" to increase public awareness of this important nutritional program. This year I am proud to be the author of a resolution to designate March 3-9, 1991 as "National School Breakfast Week."

Many schools still do not offer the program, and not all children participate in schools where it is offered. More communities must become aware of the benefits of the School Breakfast Program so that breakfast is served to every child who needs it. Let's assure that this vital program receives the recognition it deserves and designate March 3-9, 1991 as "National School Breakfast Week."

Mr. RIDGE. Mr. Speaker, having identified the gentleman from New York as the chief sponsor and acknowledged his good effort, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 98

Whereas participating in a school breakfast program is an important way children can improve their nutrition, and good nutrition is integrally related to learning;

Whereas, in 1988, an estimated 4,000,000 children participated in their school breakfast programs in 38,000 schools across the country;

Whereas studies have shown that participating in school breakfast programs improve students' academic performance and decreases their rates of tardiness and absenteeism;

Whereas the chief responsibility of the school food service is to assure that children will not suffer academically because they are hungry: Now therefore, be

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 4 through 10, 1991, is designated as "National School Breakfast Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

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

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days in which to revise and extend their remarks on the several joint resolutions just passed.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 26, 1991.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit one sealed envelope received from the White House at 5:20 p.m. on Tuesday, February 26, 1991, and said to contain a message from the President whereby he transmits a legislative proposal entitled the "Enterprise for the Americas Initiative Act of 1991" and a section by section analysis.

With great respect, I am,
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

ENTERPRISE FOR THE AMERICAS INITIATIVE ACT OF 1991—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102-49)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking, Finance and Urban Affairs, the Committee on Foreign Affairs, the Committee on Agriculture, and the Committee on Energy and Commerce, and ordered to be printed:

(For message, see proceedings of the Senate of Tuesday, February 26, 1991, at page S2305.)

INTRODUCTION OF THE GLOBAL EDUCATION OPPORTUNITIES ACT OF 1991

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

Mr. PANETTA. Mr. Speaker, I rise today to announce the introduction of my legislation to address the quiet crisis of global competence. As the 20th century draws to a close, we are faced with global complexities and challenges never before encountered in the history of mankind. What do we know about these complexities and challenges? Are we prepared to address them or even to understand them? We know that nations will continue to become more interdependent; that our fragile world will face crisis in resources, the environment, and overcrowding; and that technological advances will contribute to even greater global shrinkage. Finally, we know that we must be able to comprehend these changes and develop the skills to cope with them.

Support for foreign language training and international education is particularly critical at this time due to the political and economic climate on our planet. At no time in history have events in one country or on one continent had more pervasive and lasting impact on the rest of the world. Isolation and parochialism are no longer options, for countries or individuals, as events increasingly have broad and lasting impact far beyond their immediate sphere of influence. These changing world conditions are focusing the attention of America on the inescapable reality of linguistic and cultural diversity—diversity working harmoniously with other nations day to day and moment by moment, and doing so in their language rather than demanding that they do it in ours.

Recent events have riveted our attention to these realities:

The opening of Eastern Europe as a result of swift and dramatic changes in governments;

The consolidation of Western Europe through the efforts of the European Economic Community;

The global response to Iraq's aggression in the Middle East and the threat this poses to the precarious balance in the region;

The democratization, balkanization, and devastating economic problems of the Soviet Union;

The reunification of the two Germanies;

The debt crisis in Latin American and its effect on global financial institutions;

The influence and pervasiveness of international drug cartels;

The potential problems posed by our national and international reliance on oil; and

The replacement of the United States as a leader in world trade and our status as a debtor nation.

Events abroad seem more relevant because they are immediate and constantly in flux, brought to our attention through instantaneous communication. Peoples and languages which were once remote are no longer, for in many of our communities the strange sounds of unrecognizable languages and the sometimes misunderstood ways of another culture are those of our neighbors.

It is becoming increasingly apparent that we need knowledge and proficiency in other languages and cultures to cope on an everyday basis:

Small and large businesses are competing in an international marketplace;

Science and technology have been thrown into turmoil by rapid growth and discovery—and the need to keep in touch with developments worldwide which may have impact on a specific project or area of study;

Service industries, both here and abroad, demand knowledge and understanding of and by the client in order to perform competently;

The best medical treatment cannot be administered without knowledge of the patients' ills, information which often comes through verbal communication; and

Government, at all levels, depends on communication with citizens, for interaction is as crucial in law enforcement as in public education.

In recent years, beginning with my service on President Carter's Commission on Foreign Language and International Studies, I have had specific interest in helping to redress the lack of American competence in language and culture proficiency. During the last few Congresses, together with colleagues such as PAUL SIMON, CHRISTOPHER DODD, BILL BRADLEY, and GEORGE SANGMEISTER, I have introduced the National Security Through Foreign Language Assistance Act, the National Bureau of Language Services Act, the Foreign Language Assistance Act, the International Education for a Competitive America Act, and National Geography Awareness Week. Today, in this Congress, I am introducing the Global Education Opportunities Act, including portions of the Foreign Language Competence for the Future Act, the Global Elementary Education Act, and the access to international education opportunities abroad amendments.

The Foreign Language Assistance Act became law 3 years ago. Parts of the other bills were incorporated into the Education for Economic Security Act, the Higher Education Act, and the Omnibus Trade and Competitiveness Act. As cochairman, with Senator DODD, of the House/Senate International Education Study Group, I have attempted—through "Dear Colleague" letters, congressional briefings, and an annual Foreign Language Week program—to keep my congressional colleagues informed of the vital needs and dynamic changes in foreign languages and international education within our nation.

Perhaps of greatest significance, last year Congress finally recognized the need to provide funding for these nationally important foreign language programs. The funding is small, but it is very important seed money. For example, the Foreign Language Assistance Act supports model and innovative programs in elementary and secondary schools. This particular type of funding is crucial because it helps focus attention on outstanding programs and draws attention to an area of urgent need—if America hopes to improve its competitive edge in the global marketplace.

I was pleased that Congress approved increases in funding for the programs which provide ongoing support for a broad category of foreign fellowships, research, study abroad, language and area studies centers, and centers abroad for intensive study of critical languages and cultures. Without Federal support, these programs would have ceased to exist decades ago, and they are programs which provide the foundation for foreign language and international studies education in U.S. higher education.

In addition to model elementary and secondary programs, new and increased Federal funding also will support the purchase of foreign language materials by libraries, research on the acquisition of critical language skills, and international business centers concentrating on foreign languages and area studies.

These legislative initiatives have come about because Americans have shown greater interest in language and culture study. Enrollments are increasing at dramatic rates in educational programs at all levels. States are creating international programs ranging from required foreign language study in elementary schools and incentive funds for foreign languages programs to support for study abroad programs for teachers, and institutes to assist small businesses in acquiring international expertise. Major improvements are being made—but we are unable to keep pace with the rate of change in the world. Programs must be designed which will enable many in education, the professions, business, and all areas of public and professional life to take quantum leaps forward in developing the skills and understanding which are required if America is to keep up.

The situation now is no longer scandalous as it was described by the President's Commission on Foreign Languages and International Studies in 1979. Our current national situation with regard to international skills and understanding is merely appalling.

Thirty-five States report current or projected foreign language teacher shortages;

Fewer than 20 percent of our elementary schools offer any form of language instruction;

Fewer than 10 percent of our high school graduates have taken 4 years of a foreign language;

Fewer than 1 percent of our students study Japanese, Chinese, Arabic, or Russian, the languages of three-fourths of the world's population;

It remains possible to acquire a postgraduate degree in the United States without ever encountering a foreign language, geography, or world history;

We continue to squander a valuable resource—the 28 million Americans for whom English is not the first language;

One of the military service academies is actually contemplating cutting back its foreign language offerings;

The U.S. diplomatic service does not require knowledge of a foreign language for entry into the foreign service.

The problem is urgent. We cannot continue at the snail's pace of the last 10 years when there is a host of international problems whose solutions demand improved communication and understanding.

We are embroiled in a conflict in the Middle East where we neither understand the culture nor speak the language of our allies or our enemies. Prior to the outbreak of hostilities, a majority of Americans could not find Iraq, not to mention Kuwait, on a map.

By the end of next year, the European Community will become the world's dominant economic unit and its most lucrative market. Yet we have largely ignored this economic and political integration, making no inroads to this market.

U.S. policy toward global environment degradation and resource depletion has been on hold for the past 10 years. We have tried to ignore acid rain, global warming and the need for energy alternatives in hopes that they will go away.

In a world of plenty, hunger and famine continue to wrack Africa and threaten the rest of the Third World. While we provide some limited humanitarian assistance, our lack of knowledge and understanding contributes to our inability to find long-term solutions.

Third World debt seriously threatens overextended U.S. financial institutions. Combined with the current recession and the savings and loan fiasco, the very fabric of our economy is in danger.

The problem is immediate and real. It contributes to our daily international crises and threatens our economy, security, and quality of life. It is for this reason that I am also urging the establishment of a long-term program which will enable us to close the gap by the year 2020—the Globally Aware America Program [GAAP].

By the year 2020, in order for the United States to be properly educated, globally literate, internationally competitive, and nationally secure:

Every school system should offer sequential foreign language courses from grades K through 12;

Every student should have studied the language, culture, and literature of another country or region, achieving working levels of competency;

Institutions of higher education and professional schools should indorporate international knowledge and language usage into their degree programs;

Language study should be make available in areas of special concern such as law enforcement, social services and health care;

Research on language acquisition should be advanced and resources for

language learning identified and properly used;

Additional attention and support should be provided to assist programs in the difficult languages such as Arabic, Chinese, Japanese, Korean, and Russian;

Language teachers and international educators should be provided periodic opportunities to study abroad in order to enhance their skills and knowledge;

Opportunities for American students to study abroad beginning in high school should be increased tenfold;

All teachers should be proficient in another language and knowledgeable about other cultures, geography, literature, and history;

The multiculture nature of our country should be encouraged and capitalized upon through the use of such initiatives as two-way developmental language programs;

Small, medium, and even large businesses must be provided assistance in developing the international expertise necessary to become competitive;

The Federal Government must provide the necessary seed moneys to encourage the development of basic international and language skills necessary in order to achieve high levels of expertise;

The Federal Government must identify the need for and develop superior expertise in translation, cryptolinguistics, language, and international skills in areas of national concern.

To achieve these goals by the year 2020, we must begin now. To help us enhance current education programs, create alternative education programs, assist small and medium businesses, encourage qualified teachers, and provide the necessary high level government expertise, I am proposing the Global Education Opportunities Act. Title I of this bill would provide in-service programs for foreign language teachers, training for elementary foreign language teachers, distance learning programs, the creation of State and municipal institutes to assist business and professions in gaining international competence, grants for developing materials in elementary foreign language, culture, geography, and international studies, and support for consortia in critical languages and area studies. Title II encourages undergraduate study abroad, and adds a study abroad dimension to other international programs.

Such initiatives would provide a good start toward closing the gap between the rest of the world and the United States in international expertise and second language competency by the beginning of the 21st century. However, they must be part of a larger set of initiatives adopted over the next decade if the United States is to be truly globally competitive and competent by the year 2020.

Other problems and needs will undoubtedly present themselves as we pursue the Global Education Opportunity Act and the longer term GAAP. Because of the incremental nature of decisionmaking in public policy, problems are addressed only when they become immediate, and then the solutions are usually short term. In dealing with the issue of America's competence and competitiveness, as well as our national security, we cannot afford short-term, stopgap answers.

Today we face a time in human existence that is truly a historical crossroads. We inhabit a globe characterized by terrorism, revolution, overpopulation, environmental degradation, widespread hunger, and regional warfare. We can seize the moment and begin now to develop the knowledge and understanding necessary to cope with these current global complexities and shape a better future. More than any other contemporary crisis, the greatest danger we face is the quiet crisis of global incompetence and lack of international understanding. We cannot delay, we cannot postpone, we cannot tarry. Our vision for the world of the year 2020 and how we respond to it must begin now. Mr. Speaker, I urge my colleagues to join me in supporting this important measure.

The text of the legislation is as follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Global Education Opportunities Act of 1991".

(b) TABLE OF CONTENTS.—

Sec. 1. Short titles; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Definitions.

TITLE I—FOREIGN LANGUAGE INSTRUCTION

Sec. 101. Demonstration grants for critical language and area studies.
Sec. 102. Demonstration grants for distance learning.
Sec. 103. Training of elementary and secondary school teachers.
Sec. 104. Development of foreign language and culture instructional material.
Sec. 105. Foreign language foundations.

TITLE II—HIGHER EDUCATION AMENDMENTS

Sec. 201. Clarification regarding the availability of student assistance for those engaged in study abroad.
Sec. 202. Disbursement issues.
Sec. 203. Determination of amount of aid.
Sec. 204. Incentive grants for enrollment in special programs abroad.
Sec. 205. Work study.
Sec. 206. Discretionary authority for campus financial aid adminstrators.
Sec. 207. Loan deferral during study abroad.
Sec. 208. Modification of title VI.

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) students in the United States have demonstrated deficiencies in knowledge of foreign languages;

(2) the Federal Government has a vested interest in ensuring that all students learn about the diverse cultural heritage of the Nation and the world community so that the Nation's ability to compete in the global marketplace is preserved;

(3) the future economic welfare and national security of the United States will substantially depend upon our ability to educate our citizens to communicate in other languages and know other cultures and business practices;

(4) only 17 percent of public elementary schools offer any form of language instruction;

(5) more than 35 States are experiencing or projecting shortages of foreign language teachers;

(6) fewer than 1 percent of American undergraduate students study abroad;

(7) far too few American students study abroad outside of traditional Western European nations, even though such other nations and regions are increasingly important to the United States;

(8) far too few American students in the sciences, engineering, business, and other disciplines crucial to our economic well-being study a foreign language or study abroad; and

(9) many American students, particularly those from minority backgrounds, do not enjoy equal access to the important learning opportunities study abroad provides because of the lack of financial assistance, including that provided from Federal financial assistance programs.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term "critical language" means each of the languages contained in the list of critical foreign languages designated by the Secretary pursuant to section 212(d) of the Education for Economic Security Act (50 Fed. Reg. 149, 31413), and Greek and Latin;

(2) the term "institution of higher education" has the meaning provided by section 1201 of the Higher Education Act of 1965;

(3) the term "Secretary" means the Secretary of Education; and

(4) the term "State educational agency" has the meaning provided by section 1201 of the Higher Education Act of 1965.

TITLE I—FOREIGN LANGUAGE INSTRUCTION

SEC. 101. DEMONSTRATION GRANTS FOR CRITICAL LANGUAGE AND AREA STUDIES.

(a) PROGRAM AUTHORITY.—The Secretary is authorized to make demonstration grants to eligible consortia to enable such eligible consortia to—

(1) operate critical languages and area studies programs;

(2) develop and acquire educational equipment and materials; and

(3) develop teacher training programs, texts, curriculum, and other activities designed to improve and expand the instruction of foreign languages at elementary and secondary schools across the Nation.

(b) GRANT LIMITATION.—The Secretary shall not award a grant to an eligible consortium under this section in any fiscal year which exceeds $2,000,000, but shall award grants of sufficient size, scope and quality for a program of comprehensive instruction of foreign langauges.

(c) SPECIAL RULES.—

(1) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible consortia with demonstrated, proven effectiveness in the field of critical language and area studies and which have been in existence for 1 year prior to applying for a grant under this section.

(2) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall take into consideration providing an equitable geographic distribution of such grants among the regions of the United States.

(3) PROGRAM REQUIREMENT.—Each eligible consortium receiving a grant under this section shall include in the activities assisted pursuant to such grant, a study abroad or cultural exchange program.

(d) ELIGIBLE CONSORTIUM.—

(1) IN GENERAL.—For the purposes of this section, the term "eligible consortium" means a cooperative effort between entities in one or more States that must include at least 4 schools, of which—

(A) one shall be an institution of higher education;

(B) one shall be a secondary school with experience in teaching critical languages;

(C) one shall be a secondary school with experience in teaching critical languages and in which at least 25 percent of the students are eligible to be counted under chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

(D) one shall be a secondary school in which at least 25 percent of the students are eligible to be counted under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) NONPROFIT ORGANIZATIONS.—Each eligible consortium described in paragraph (1) may include a nonprofit organization to provide services not otherwise available from the entities described in paragraph (1).

(e) ADMINISTRATION.—Each eligible consortium receiving a grant under this section may use not more than 10 percent of such grant for administrative expenses.

(f) APPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), each eligible consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner and accompanied by such information as the Secretary may reasonably require.

(2) SPECIAL RULE.—The State educational agency or State higher education agency responsible for the supervision of any one school participating in an eligible consortium may submit the application described in paragraph (1) on behalf of such eligible consortium.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $15,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993, 1994, and 1995 to carry out the provisions of this section.

SEC. 102. DEMONSTRATION GRANTS FOR DISTANCE LEARNING.

(a) PROGRAM AUTHORITY.—The Secretary of Education is authorized to make demonstration grants to State education agencies, institutions of higher education, and nonprofit education and professional associations to provide technology for distance learning in cooperation with foreign language teachers and specialists to serve small and rural school districts, small colleges, community colleges, and adult business education classes through video tapes, cassettes, satellite linkages, cable programs, teleclasses, and computer-assisted-instruction.

(b) GRANT LIMITATION.—No grants under this section shall exceed $200,000 in any fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 1992 and for each of the 4 succeeding fiscal years.

SEC. 103. TRAINING OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) GRANTS AUTHORIZED.—The Secretary is authorized to provide grants to institutions of higher education or nonprofit organizations of demonstrated effectiveness to develop innovative and model programs that integrate foreign language and culture, democracy and civic education, geography, and international studies into practicing and preservice elementary school teacher education and, after the needs of elementary school teachers have been met, into practicing and preservice secondary school teacher education.

(b) PROPOSALS.—To receive a grant under this section, an institution of higher education, on behalf of its school or department of education, and in cooperation with a liberal arts department, shall—

(1) submit a proposal to the Secretary at such time and containing such information as the Secretary shall require; and

(2) submit a copy of the proposal for review to the appropriate State educational agency or agencies that administer elementary, secondary, and postsecondary education programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 for each of the fiscal years 1992, 1993, and 1994 to carry out the provisions of this section.

SEC. 104. DEVELOPMENT OF FOREIGN LANGUAGE AND CULTURE INSTRUCTIONAL MATERIALS.

(a) GRANTS AUTHORIZED.—The Secretary of Education is authorized to provide grants on a competitive basis to qualified State and local educational agencies, institutions of higher education, private nonprofit foreign language organizations, nonprofit education associations, or a consortium thereof, to enable such entity or entities to act as a resource center for—

(1) coordinating the development of and disseminating foreign language and culture instructional material, including children's literature in foreign languages, videotapes, and computer software, and teacher's instructional kits relating to international study; and

(2) encouraging the expanded use of technology in teaching foreign languages and culture at the elementary school level and, when the needs of elementary schools have been met, at the secondary school level, with a particular emphasis on expanding the use of technology in teaching foreign languages and culture at elementary and secondary schools that have proportionally fewer resources available for teaching foreign languages and cultures, including urban and rural areas.

(b) COORDINATION.—In developing materials and technologies under this section, the Secretary shall, where appropriate, make use of materials and technologies developed under the Star Schools Assistance Program Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $4,000,000 for each of the fiscal years 1992, 1993, and 1994 to carry out the provisions of this section.

SEC. 105. FOREIGN LANGUAGE FOUNDATIONS.

(a) PROGRAM AUTHORITY.—

(1) IN GENERAL.—The Secretary is authorized to pay the Federal share of awarding grants to—

(A) States and major metropolitan areas to establish foreign language foundations; and

(B) units within world trade councils to provide language training, translation services, and information about other cultures and markets for small- and medium-sized businesses seeking to enter export markets.

(2) FEDERAL SHARE.—The Federal share of grants awarded under paragraph (1) shall be 50 percent.

(b) GRANT LIMITS.—No grant under this section shall exceed $200,000 for any one State or city.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of the fiscal years 1992, 1993, and 1994 to carry out the provisions of this section.

TITLE II—HIGHER EDUCATION AMENDMENTS

SEC. 201. CLARIFICATION REGARDING THE AVAILABILITY OF STUDENT ASSISTANCE FOR THOSE ENGAGED IN STUDY ABROAD.

(a) PELL GRANTS.—Section 411(c)(2) of the Higher Education Act of 1965 Act (in this title referred to as the "Act") (20 U.S.C. 1070a(c)(2)) is amended by adding at the end thereof the following new sentence: "Nothing in this section shall exclude from eligibility programs of study abroad that are approved for credit by the institution.".

(b) SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.—Section 413B(a)(1)(A) of the Act (20 U.S.C. 1070b-1(a)(1)(A)) is amended by inserting "or in a program of study abroad that is approved for credit by the institution" after "at the institution".

(c) GRANTS TO STATES FOR STATE STUDENT INCENTIVES.—Section 415A(a) of the Act (20 U.S.C. 1070c(a)) is amended by—

(1) striking "providing grants" and inserting "providing grants (1)"; and

(2) striking "and grants" and inserting "or participating in programs of study abroad that are approved for credit by the institution of higher education; or (2)".

(d) GUARANTEED STUDENT LOAN PROGRAM.—Section 428(b)(1)(A) of the Act (20 U.S.C. 1078(b)(1)(A)) is amended by inserting ", or in a program of study abroad approved for credit by the eligible institution" and "at an eligible institution".

(e) PERKINS LOANS.—Section 461(a) of the Act (20 U.S.C. 1087aa(a)) is amended by inserting "or while engaged in programs of study abroad approved for credit by such institutions" after "in such institutions".

(f) COST OF ATTENDANCE.—Section 472(6) of the Act (20 U.S.C. 108711(6)) is amended by striking "in an academic program which normally includes a formal program of study abroad" and inserting "in a program of study abroad approved for credit by the student's home institution".

(g) STUDENT ELIGIBILITY.—Section 484 of the Act (20 U.S.C. 1091) is amended—

(1) in subsection (a)(1), by inserting "(including a program of study abroad approved for credit by the eligible institution)" after "or other program"; and

(2) by adding at the end thereof the following new subsection:

"(k) STUDY ABROAD.—Nothing in this Act shall be construed to limit or otherwise prohibit access to approved study abroad programs. Students who are otherwise eligible who are engaged in a program of study abroad approved for academic credit by the student's home institution are eligible for assistance under this title. It is not necessary for such a study abroad program to be required as part of the student's degree program to qualify for such assistance.".

(h) INFORMATION DISSEMINATION ACTIVITIES.—Section 485(a)(1) of the Act (20 U.S.C. 1092(a)(1)) is amended—

(1) by striking "and" at the end of subparagraph (K);

(2) by striking the period at the end of subparagraph (L) (as added by section 1 of Public Law 101-542) and inserting a semicolon;

(3) by redesignating subparagraph (L) (as added by section 201 of Public Law 101-610) as subparagraph (M);

(4) by striking the period at the end of subparagraph (M) (as redesignated in paragraph (3)) and inserting a semicolon and "and"; and

(5) by adding at the end thereof the following new subparagraph:

"(N) that enrollment in a program of study abroad approved for credit by the home institution may be considered enrollment in the home institution for purposes of applying for Federal student financial assistance.".

(i) PROGRAM PARTICIPATION AGREEMENTS.—Section 487(a) of the Act (20 U.S.C. 1094) is amended by adding at the end thereof the following new paragraph:

"(13) The institution will not deny any form of Federal financial aid to any student who meets the eligibility requirements of this Act on the grounds that the student is participating in a program of study abroad approved for credit by the institution.".

SEC. 202. DISBURSEMENT ISSUES.

(a) LOAN CHECK ENDORSEMENT.—

(1) INSURED LOANS.—Section 427(a)(3) of the Act (20 U.S.C. 1077(a)(3)) is amended by inserting before the semicolon the following: ", and except further that checks to students who are studying outside the United States in a program of study aboard that is approved for credit by the institution may be endorsed pursuant to an authorized power-of-attorney".

(2) GUARANTEED LOANS.—Section 428(b)(1)(N) of the Act (20 U.S.C. 1078(b)(1)(N)) is amended by inserting before the semicolon the following: "or may be endorsed pursuant to an authorized power-of-attorney".

(b) MULTIPLE DISBURSEMENT.—

(1) INSURED LOANS.—Section 427(b)(2) of the Act (20 U.S.C. 1077(b)(2)) is amended by inserting before the period at the end thereof the following: "or in a program of study abroad approved for credit by an eligible institution".

(2) GUARANTEED LOANS.—Section 428(b)(1)(O) of the Act (20 U.S.C. 1078(b)(1)(O) is amended by inserting before the semicolon at the end thereof the following: "or to cover the cost of attendance in a program of study abroad approved for credit by an eligible institution".

SEC. 203. DETERMINATIONS OF AMOUNT OF AID.

(a) PELL GRANTS.—Section 411(b) of the Act (20 U.S.C. 1070a(b)) is amended by adding at the end thereof the following new paragraph:

"(8) The Secretary shall allow the amount of the basic grant to be exceeded for those students participating in a program of study abroad approved for credit by the institution when the reasonable costs of such program are greater than the cost of attendance at the student's home institution. If the preceding sentence applies, the financial aid administrator at the home institution shall use the budget of the study abroad program, rather than the home institution's budget, to determine the eligibility index of the student.".

(b) SUPPLEMENTAL EDUCATION OPPORTUNITY GRANTS.—Section 413B(a) of the Act (20 U.S.C. 1070b-1(a)) is further amended—

(1) in paragraph (1) by striking "From" and inserting "Except as provided in paragraph (3), from"; and

(2) by inserting after paragraph (2) the following new paragraph:

"(3) For students participating in study abroad programs, the institution shall consider all reasonable costs associated with such study abroad when determining student eligibility. The amount of grant to be awarded in such cases may exceed the maximum limit of $4,000 by as much as 10 percent if reasonable study abroad costs exceed on-campus costs by more than 20 percent.".

(c) STATE STUDENT INCENTIVE GRANTS.—Section 415C(b)(2)(A) of the Act (20 U.S.C. 1070c-2(b)(2)(A)) is amended by inserting before the semicolon at the end thereof the following: ", unless reasonable costs of a study abroad program require an exception to this amount, in which case such grants will be in amounts not in excess of $3,500".

(d) FEDERALLY INSURED LOANS.—Section 425(a)(1)(B) of the Act (20 U.S.C. 1075(a)(1)(B)) is amended by inserting before the period at the end of the first sentence the following: "or in programs of study abroad that are approved for credit by the institution".

(e) PERKINS LOANS.—Section 464(a) of the Act (20 U.S.C. 1087dd(a)) is amended—

(1) by striking "The aggregate" and inserting "Except as provided in paragraph (4), the aggregate"; and

(2) by inserting after paragraph (3) the following new paragraph:

"(4) In the case of a program of study abroad that is approved for credit by the home institution and that has reasonable costs in excess of the home institution's budget, the aggregate of loans for all years for the student may exceed the totals listed in subparagraphs (A) through (C) by 20 percent.".

SEC. 204. INCENTIVE GRANTS FOR ENROLLMENT IN SPECIAL PROGRAMS ABROAD.

Part A of title IV of the Act is amended by adding at the end thereof the following:

"Subpart 9—Incentive Grants for Enrollment in Special Programs Abroad

"SEC. 420C. INCENTIVE GRANTS FOR ENROLLMENT IN SPECIAL PROGRAMS ABROAD.

(a) IN GENERAL.—The Secretary is authorized to make grants to institutions of higher education or other organizations who are recipients of funds under section 604(c) of this Act for the purpose of paying partial incentive stipends to individuals enrolled in study abroad programs described under that section. Such grants are to be awarded on the basis of need, but preference is to be given to students who are underrepresented in study abroad, including students from minority groups and professional and preprofessional studies. Stipends are intended to meet extraordinary travel and other costs associated with enrollment in such programs and shall be for a maximum period of one year.

"(b) SPECIAL RULE.—The Secretary is authorized to award, on the basis of a national competition, incentive stipends to students to enroll in study abroad programs determined by the Secretary to offer opportunities to learn languages and develop international skills not available in countries in which large numbers of United States students study. Such grants are to be awarded on the basis of need, but preference is to be given to students who are underrepresented in study abroad including students from minority groups and professional and preprofessional studies. Stipends are intended to meet extraordinary travel and other costs associated with enrollment in such programs and shall be for a maximum period of one year.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for each of the fiscal years 1992, 1993, and 1994.".

SEC. 205. WORK STUDY.

Section 443 of the Act (20 U.S.C. 2753) is amended by adding at the end thereof the following new subsection:

"(d) STUDY ABROAD.—The agreements under this section shall allow an institution of higher education to devise suitable work opportunities for students studying abroad, including work for foreign colleges, universities, and nonprofit or service organizations and shall permit the establishment of internship programs involving work for foreign or multinational organizations that are relevant to the student's course of study, including compensation for eligible students from funds under this part.".

SEC. 206. DISCRETIONARY AUTHORITY FOR CAMPUS FINANCIAL AID ADMINISTRATORS.

Section 479A of the Act (20 U.S.C. 1087tt) is amended—

(1) in subsection (a)—

(A) by striking "Nothing" and inserting "(1) Nothing"; and

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

"(2) Nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator to—

"(A) use the reasonable costs associated with an approved study abroad program to make necessary adjustments to the cost of attendance for a student enrolled in such study; or

"(B) make special arrangements regarding student notification, verification, disbursement, and refunds, for students participating in approved programs of study abroad."; and

(2) in subsection (b)—

(A) by striking "and" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting "; and"; and

(C) by adding at the end thereof the following new paragraph:

"(4) the campus financial aid administrator makes adjustments to the expected student contribution in the case of a course of study abroad in a country in which the student is not allowed to work.".

SEC. 207. LOAN DEFERRAL DURING STUDY ABROAD.

(a) STAFFORD LOANS.—Section 428(b)(5) of the Act (20 U.S.C. 1078(b)(5)) is amended by adding at the end thereof the following new sentence: "Requests for deferment of repayment of loans under this part by students engaged in graduate or postgraduate fellowship-supported study (such as pursuant to a Fulbright grant) outside the United States may be approved until completion of the period of the fellowship.".

(b) PERKINS LOANS.—Section 464(c) of the Act (20 U.S.C. 1087dd(c)) is amended by adding at the end thereof the following new paragraph:

"(5) Requests for deferment of repayment of loans under this part by students engaged in graduate or postgraduate fellowship-supported study (such as pursuant to a Fulbright grant) outside the United States may be approved until completion of the period of the fellowship.".

SEC. 208. MODIFICATIONS OF TITLE VI.

(a) UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAMS.—Section 604 of the Act (20 U.S.C. 1124) is amended)—

(1) in subsection (a)—

(A) by striking "and" at the end of paragraph (6);

(B) by striking the period at the end of paragraph (7) and inserting a semicolon; and

(C) by adding at the end thereof the following new paragraphs:

"(8) the development of undergraduate study abroad programs which provide courses that are closely related to on-campus foreign language and international studies curricula; and

"(9) the integration of new study abroad opportunities for undergraduate students into the curricula of specific degree programs."; and

(2) by adding at the end thereof the following new subsections:

"(d) GRANTS TO ESTABLISH AND MAINTAIN STUDY ABROAD PROGRAMS.—

"(1) IN GENERAL.—The Secretary is authorized to make grants to institutions of higher education, consortia of such institutions, or nonprofit associations, agencies, and organizations for the purpose of providing support to establish and maintain—

"(A) study abroad programs in locations in which such study opportunities are not othewise available; or

"(B) study abroad opportunities that serve students for which such opportunities are not otherwise available.

"(2) USE OF GRANTS.—Grants awarded pursuant to paragraph (1) may be used to provide for facilities, salaries, and extraordinary costs of student participation in study abroad programs, including costs of travel to and from such programs.

"(e) GRANTS TO ENHANCE THE EFFECTIVENESS OF STUDY ABROAD PROGRAMS.—The Secretary is authorized to make grants to institutions of higher education, consortia of such institutions, or to nonprofit associations, agencies, and organizations to enrich or enhance the effectiveness of study abroad programs, including the development of model predeparture and post-return orientation activities, program selection material and advising services, and academic advising.".

(b) CENTERS FOR INTERNATIONAL BUSINESS EDUCATION.—Section 612(c) (1) of the Act (20 U.S.C. 1130-1(c) (1)) is amended—

(1) by striking "and" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting "; and"; and

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

"(G) opportunities for business students to study abroad in locations which are important to the existing and future economic well-being of the United States.".

(c) INTENSIVE SUMMER FOREIGN LANGUAGE INSTITUTES.—Section 605(a) of the Act (20 U.S.C. 1124a(a)) is amended—

(1) by inserting before the period at the end of paragraph (1) the following: "either in the United States or in appropriate countries abroad";

(2) in paragraph (2)—

(A) by striking "or" at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting "; or"; and

(C) by adding at the end thereof the following new subparagraph:

"(D) institutes designed to integrate intensive foreign language training with culture experiences abroad for undergraduate students in a wide range of disciplines."; and

(3) in paragraph (3) (C), by inserting before the period at the end thereof the following: ", including costs of travel to and from institutes in foreign countries.".

PROVIDING U.S. AIR CARRIERS WITH GREATER ACCESS TO FOREIGN CAPITAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. CLINGER] is recognized for 5 minutes.

Mr. CLINGER. Mr. Speaker, our airline industry is in deep, deep trouble. During the past few weeks, several ideas have been floated to have the Federal Government help our ailing airline industry. These include selling fuel at below cost, offering Government loans, and providing tax breaks or Federal grants. Just recently, several executives suggested that their threatened airlines should be allowed to hold onto the 10-percent tax on airline tickets for the duration of the current crisis.

There can be no doubt that the financial crisis faced by the airlines is very real. Fuel costs have increased by $8 billion on an annual basis. Domestic air travel has dropped about 15 percent and international air travel has fallen by as much as 50 percent.

As a result, last year, really in the last 6 months, the airlines lost about $2 billion. This was the worst loss in airline history. It was more than double the previous record loss of $733 million in 1982 and a dramatic reversal from the $1.8 billion profit the industry earned in 1989.

The situation does not seem to have improved during the first 2 months of 1991. In fact, some project that the industry will lose another $2 billion in the first quarter of this year alone. If that happens, it will mean that the airline industry will have lost nearly 50 percent of its total net worth since the Persian Gulf crisis began last summer.

That's disastrous for our commercial airlines and the impact on individual airlines has been devastating.

Eastern Airlines is out of business.

Pan Am is operating in chapter 11 bankruptcy and selling routes to stay alive.

Continental has also declared bankruptcy.

TWA has defaulted on its debts and is selling routes as well.

Midway has sold its Philadelphia hub and defaulted on its debts.

USAIR has laid off 20 percent of its work force.

Even the airlines that are supposedly big and strong are cutting back operations and retrenching.

But recognizing the serious problems of the airlines does not mean that we must accept their proposed solutions. Loans and tax breaks seem particularly inappropriate when the Federal deficit is so huge and there are still other sources of capital available in the private sector that could help the industry. I am referring specifically to the availability of foreign capital.

U.S. airlines do have access to a limited amount of foreign capital now. However, under current law, a foreign investor can own no more than 25 percent of the voting stock of a U.S. airline. This has allowed foreign airlines to make small, but important, investments in Delta, Continental, America West, Hawaiian, and Northwest Airlines. These investments have been helpful to these airlines and have not hurt the traveling public or American national interests.

Therefore, I believe it is time to expand our airlines' access to foreign capital. Accordingly, I recently introduced H.R. 782. It is designed to help the airlines by giving them greater access to foreign capital.

This approach to solving the airlines' problems, while controversial, is gaining support. Recently, Secretary of Transportation Sam Skinner suggested that Congress should consider permitting an increased level of foreign investment in U.S. airlines. And the Washington Post, in a February 25 editorial, stated that the foreign investment approach "is far more reasonable and more likely to help matters" than ideas being pushed by the airlines.

It is important to note that my bill would not permit foreign investment in U.S. airlines without significant and necessary restrictions. First of all, it would cap foreign investment at 49 percent of the airline's voting stock. More importantly, it would ensure that there is reciprocity in any investment arrangement.

This means that the foreign country from which the investor comes must permit the same level of U.S. investment in its airlines as its citizen is seeking in our airline. It also means that the foreign investor must come from a country that allows open access by U.S. airlines to its international aviation markets.

My bill imposes additional restrictions as well. It would require that any foreign investment must be consistent with our national security. It would mandate that the key offices of the company be in the hands of U.S. citizens. And it would permit the Secretary of Transportation to block a particular foreign investment if he found that the investment would not be in the public interest.

These restrictions ensure that airlines would have access to foreign capital only when that will be beneficial to the industry and the traveling public. They would prevent restrictive trading nations such as Japan or enemies like Iraq from getting their hands on United States air carriers.

Some may ask why anyone would want to invest in the U.S. airline industry. Given the current state of that industry, that is certainly a valid question at this time. But I would ask why an archaic Federal law should continue to block those who wish to do so.

The war and the recession will end, fuel prices will come down, fear of ter-

rorism will subside, and passenger traffic will increase. When this occurs, the industry will be poised for growth. The FAA projects almost a doubling of domestic air travel in 10 years. The U.S. airline industry could be attractive to an investor with a long-term outlook. Moreover, a U.S. airline can offer code-sharing and other relationships that may be attractive to a foreign airline investor.

Mr. Speaker, H.R. 782 can help to preserve and strengthen the U.S. airline industry during these difficult times. It will ensure a level of competition necessary to the continued success of a deregulated, free enterprise American transportation system. I would urge this Congress to seriously consider the merits of this approach and deem it worthy of support.

□ 1650

AMENDING PASSIVE ACTIVITY LOSS LAWS RELATING TO A FEDERALLY DECLARED DISASTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I rise today to reintroduce legislation from the 101st Congress that will bring much needed relief for individuals who have incurred passive losses due to the several natural disasters that have struck the country over the past couple of years.

As we all know, these disasters have caused extensive damage to businesses. Unfortunately, many accounting provisions contained in the Internal Revenue Code are inadvertently working against our efforts to rebuild the disaster devastated areas.

Under current law, many individuals who have invested substantial amounts of their savings in area businesses are not allowed to deduct those losses from other passive income if the loss was associated with a natural disaster. There is no justification for this loophole in the Tax Code.

My bill would amend section 469 of the Internal Revenue Code to allow those losses associated with a natural disaster to be applicable under the same laws as other passive losses for deduction purposes. There is precedent for such an amendment to section 469. As you know, Congress exempted the oil and gas industry from having to meet the current criteria for passive loss deductions. This was done in an effort to promote investment in a very important but struggling industry. Therefore, if the Congress is willing to amend the code to help an entire industry, we should certainly help those individuals who have lost their savings due to an act of nature.

I have also been alerted to two additional problems in the Tax Code due to the recent disasters. Under section 473 of the Internal Revenue Code, businesses must determine their tax liability on inventory based on the previous year's inventory. Unfortunately, due to the disaster, many businesses are unable to replace their entire inventory and therefore will have to base those calculations on the first year they opened up for business. My bill would allow a waiver of this law for those businesses affected by a natural disaster. I do not think it is reasonable that a business must replace their entire inventory while at the same time they are having to literally pick up the pieces of their business.

Lastly, my bill would help meet the expenses of demolition costs that many businesses cannot afford. As you know, the Tax Code does not allow for the deduction of demolition costs associated with a natural disaster. As a result, many businesses who are barely able to afford the rebuilding costs are threatened to use up valuable resources to pay for its demolition. This was not the intention of the Federal Government. The bill would simply allow for the full deduction of costs associated with the demolition of a business due to a natural disaster.

It is my hope that the Congress will continue to review accounting provisions of the Tax Code to ensure that those individuals and businesses that have been devastated by natural disasters will have a fighting chance to rebuild their lives and businesses.

The text of the bill follows:

H.R. 1152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEDUCTION OF DEMOLITION COSTS ATTRIBUTABLE TO DISASTER.

Section 280B of the Internal Revenue Code of 1986 (relating to demolition of structures) is amended—

(1) by inserting "IN GENERAL.—" after "(a)", and

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

"(b) SPECIAL RULE FOR DEMOLITION COSTS ATTRIBUTABLE TO DISASTER.—

"(1) IN GENERAL.—Subsection (a) shall not apply to any demolition required as a result of damage attributable to a federally declared disaster occurring after September 1, 1989.

"(2) FEDERALLY DECLARED DISASTER.—For purposes of paragraph (1), the term 'federally declared disaster' means any disaster referred to in section 165(i)."

SEC. 2. TREATMENT OF DISASTER LOSSES UNDER PASSIVE ACTIVITY LOSS RULES.

Subsection (j) of section 469 of the Internal Revenue Code of 1986 (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

"(13) DISASTER LOSSES.—

"(A) IN GENERAL.—The passive activity loss of a taxpayer shall be computed without regard to any loss attributable to a federally declared disaster occurring after September 1, 1989.

"(B) FEDERALLY DECLARED DISASTER.—For purposes of subparagraph (A), the term 'federally declared disaster' means any disaster referred to in section 165(i).

"(C) INCOME IN SUBSEQUENT YEARS.—If any taxpayer has any loss for any taxable year from an interest in property which is, pursuant to subparagraph (A), not treated as a passive activity loss, then any net income from the property (or any other property the basis of which is determined in whole or part by reference to the basis of such property) for any succeeding taxable year shall, to the extent of such loss, be treated as income of the taxpayer which is not from a passive activity."

SEC. 3. ADJUSTMENTS TO GROSS INCOME FOR DELAYED REPLACEMENT OF INVENTORY ATTRIBUTABLE TO DISASTER.

(a) IN GENERAL.—Clause (i) of section 473(c)(2)(B) of the Internal Revenue Code of 1986 (relating to qualified liquidations of LIFO inventories) is amended by striking "or" at the end of subclause (I), by inserting "or" at the end of subclause (II), and by inserting after subclause (II) the following new subclause:

"(III) any federally declared disaster occurring after September 1, 1989,".

(b) DEFINITION.—Subsection (d) of section 473 of such Code (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

"(6) FEDERALLY DECLARED DISASTER.—The term 'federally declared disaster' means any disaster referred to in section 165(i)."

(c) CONFORMING AMENDMENT.—Subparagraph (A) of section 473(c)(2) of such Code (relating to definition of qualified inventory interruption) is amended by striking "or interruption" and inserting ", interruption, or disaster".

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply to taxable years beginning after December 31, 1988.

DUTY DEFINED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Speaker, there are many definitions of duty.

However, I do not believe I have ever seen duty defined in a better way than by Spec. Charles W. Embach now serving with the 101st Airborne in Saudi Arabia.

In a letter to his wife, Susan, written on Christmas Day, Specialist Embach admits that there were many things he would rather be doing than preparing for war.

But, his country called.

He answered.

Susan, who lives in Jonesboro, AR, in my district, was kind enough to share this letter with me.

Her husband wrote that he knew—and the soldiers he served with knew—that they had a job to do based on their oath to protect and defend America.

Yes, he speaks of missing his family and all of the special events which take place during the Christmas season, but he says that his family—their safety and freedom—made his service in Operation Desert Storm more meaningful to him.

He also said that his service in the gulf had deepened his love of country.

"When this is over," Specialist Embach writes, "we will swell with pride knowing we did our part."

We in this Nation owe Specialist Embach—all of the men and women serving in the Persian Gulf—a great debt, but Charles Embach wouldn't agree. He would say that he was just doing his job, just doing his duty.

Mr. Speaker, we also owe Susan Embach and all of the thousands of family members of those who serve in the gulf a debt of gratitude.

It has been an anxious time—and, for some, a sad one, as they learn of the loss of family members.

Mr. Speaker, I would like Specialist Embach's letter included in the RECORD to remind us all just what duty, love of country, and love of family means to one U.S. serviceman.

SUSAN: The stars are shining, the dust storms have subsided and now the soldiers here in the desert take time to reflect.

They each turn inward and think about family, friends and Christmas traditions they have all left at home. Each soldier thinks about what he would be doing on Christmas day and Christmas night—a drive to admire all the Christmas lights or maybe a church service with each of the congregation holding a lit candle.

Each soldier wishes he were at home celebrating with his family, but each soldier also realizes that if he were—and this conflict was still active—he would be longing to perform his job, to fulfill the oath he took to protect and defend.

Each soldier knows in his heart that none could do his job as well as he can. Each soldier knows that he is needed. The soldiers love their families intensely, so much so that during the holidays they not only miss their families, but they are also glad they can help defend them. So the soldiers are very proud that they can be a part of America's military heritage.

The soldiers of Operation Desert Shield will be honored to be counted alongside American armies in history dating all the way back to General Washington's ill equipped, sometimes even barefoot army. Although very few here will have to endure the pain and sacrifices of General Washington's army, when this is over we will all swell with pride knowing we did our part.

So what do you think? Those are my feelings as best I can transfer them from my brain to paper. My Christmas present today was being able to talk to you, Kirby, Mom, Bill, Sandy, Dad and Linda. Basically, you guys are why I'm here. I love you and, although I didn't realize it completely, I love our country.

Love,

CHUCK.

COMMEMORATION OF BLACK HISTORY MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STOKES] is recognized for 60 minutes.

Mr. STOKES. Mr. Speaker, I have reserved this special order to commemorate Black History Month. My colleagues and I take pride in this opportunity to highlight and pay tribute to the notable accomplishments of African-Americans who have contributed so much to make America the great Nation she is.

At this time, I want to share with my colleagues a historical perspective of the celebration of Black History Month which we commemorate today, as well as biographical information on an individual hailed as the Father of Black History, the legendary Dr. Carter G. Woodson.

Carter Godwin Woodson was born of ex-slaves on December 19, 1875, in New Canton, VA, the oldest of nine children. His parents, who started life in poverty, could not provide him with the ordinary comforts of life, nor could they afford to send him to the 5-month district school taught by his uncles, John and James Riddle. Thus, Woodson was largely self-taught until the age of 17.

In 1892, drawn by employment opportunities for African-Americans in West Virginia, Carter G. Woodson moved to Huntington, WV, where he worked as a coal miner. Following several years in the mines, Woodson entered the segregated Douglas High School in Huntington, earning his diploma in just 2 years. He continued his education, enrolling in Berea College in Kentucky. He left after 2 years to accept a teaching post in Winona, WV, and later served as principal at his alma mater, Douglas High School. Woodson returned to Berea College and received his bachelor of literature degree in 1903. He also spent summers studying at the University of Chicago, where he received his bachelor of arts degree.

Mr. Speaker, Carter G. Woodson traveled and studied a year in Asia and Europe, spending a semester at the Sorbonne, the University of Paris. In France, he not only completed graduate work in history, but he learned to speak French as fluently as he had already learned to speak Spanish while abroad. Returning to the United States, Woodson resumed his studies at the University of Chicago, where he received his master of arts degree in 1908. He went on to Harvard to continue his graduate work in history. Woodson completed his dissertation in American history while teaching in Washington, DC, and received his Ph.D. from Harvard in 1912.

From 1909 until 1918, Dr. Carter G. Woodson taught French, Spanish, English, and History at what is now Dunbar High School in Washington, DC. After a year as principal of the Armstrong Manual Training School, he was appointed professor of history and dean of the school of liberal arts at the prestigious Howard University. Woodson left Howard in 1920 to accept the position of Dean of West Virginia Collegiate Institute (later State College).

By this time Dr. Carter G. Woodson had become absorbed in the mission to which he was to devote the rest of his life: the study and dissemination of African-American history. Dr. Woodson believed strongly that black children needed to develop pride of race and a sense of their own potential through a knowledge of African-American contributions to history. Thus, on September 9, 1915, he organized the Association for the Study of Negroes History. The purpose of the association was: To collect sociological and historical data; to publish books on Negro life and history; and to promote the study of Negro through clubs and schools. The Association published two important journals; the Journal of Negro History and the Negro History Bulletin. The Journal became the main and for many years the only learned journal where historians, scholars, and selected writers of African ancestry could publish their findings.

Dr. Woodson wrote many of the articles for the journals himself, as well as a number of other books. Aware that African-American scholars faced obstacles when presenting scientific productions for publication, Dr. Carter G. Woodson formed the Associated Publishers in 1920 which became the outlet of the many books written by Woodson, black scholars, and some white authors whose works might have remained unpublished.

By far, the most popular work published by Associated Publishers was "The Negro in our History" which appeared in 1922. It represented the first comprehensive history of the African-American experience written by a trained black scholar. The work was an immediate success, becoming a standard text for college use and the public in general. Other works brought out by Dr. Woodson through the Associated Publishers included: "The Story of the Negro Retold" for high school students; "Negro Makers of History" for elementary school students; "Negro Orators and the Orations" which recorded speeches of outstanding speakers such as the Black Congressmen of Reconstruction; "The Mind of the Negro as Reflected in Letters During the Crisis, 1800–1860"; which reflected the struggle of blacks; "Free Heads of Negro Families in the United States in 1830"; which represented a first definitive statistical account of the subject as was "Free Negro Owners of Slaves in the United States; The African Background Outlined"; or "The Negro Professional Man and the Community"; and "The Negro Earner."

It should be noted that Dr. Woodson published two books prior to the establishment of the Associated Publishers. There were: "The Education of the Negro Prior to 1861"; and "A Century of Negro Migration" in which Woodson used statistics to demonstrate the black population movement during World War I.

Mr. Speaker, as renowned as he is for his publications and writings, it is believed that Dr. Carter G. Woodson's greatest contribution to our Nation was the birth of Negro History Week. Woodson presided over an annual meeting of the Association for the Study for Negro Life and History in 1919 where Mr. Ezra Roberts of Tuskegee described his systematic efforts to teach Negro history at his school. At the same meeting, Dr. James Dillard and Dr. Stanley Durkee urged the studying of the history of Africa as a necessary background for the study of the black experience in America. The session

closed with Mr. John W. Davis addressing the subject, "How To Promote the Study of Negro Life and History."

It was in 1926 that Dr. Carter G. Woodson initiated the observance of Negro History Week. He chose the dates embracing the birthdays of Abraham Lincoln and Frederick Douglass in February for the opportunity to bring the achievements of African-Americans to the attention of the public. The success and popularity of Negro History Week was due to Dr. Woodson's careful planning. He issued instructions for the celebration, some of which are followed even today. He urged the involvement of community leaders, businessmen, teachers, ministers and others in organizing appropriate celebrations. He further urged that one day of the week-long observance be set aside as "Book and Picture Fund Day" when groups join to raise funds to buy books bearing on the Negro and pictures of distinguished African-Americans; and that local boards of education be urged to adopt textbooks that fairly represent Negro history. Woodson also utilized Negro History Week to organize branches of the Association for the Study of Negro Life and History.

Mr. Speaker, Dr. Carter G. Woodson made a special effort to explain the purpose of Negro History Week. He said:

> What then do we aim to do in the celebration of Negro History Week? Do we mean to suggest that the public should forget important facts of history long since established beyond question. We say, hold on to the real facts of history as they are, but complete such knowledge by studying also the history of races of nations which have been purposely ignored.

Dr. Woodson then cited examples, saying:

> We should not study less the achievements of Mesopotamia, Greece, and Rome; but we should give equally as much attention to the internal African kingdoms, the Songhay Empire, and Ethiopia, which, through Egypt, decidedly influenced the civilization of the Mediterranean world. We would not learn less of George Washington, "First in War, First in Peace and First in the Hearts of his Countrymen", but we would learn of the three thousand Negro soldiers of the American Revolution who helped to make this "Father of our Country" possible. We should not cease to pay tribute to Abraham Lincoln as the "Savior of the Country", but, we should ascribe praise also to the 178,000 Negroes who had to be mustered into the service of the Union before it could be preserved, and who, by their heroism, demonstrated that they were entitled to freedom and citizenship.

In 1972, the Association for the Study of Negro Life and History changed the name of Negro History Week to African-American History Week. The celebration was expanded during the 1976 bicentennial celebrations, and President Gerald Ford urged the Nation to join in the first month-long observance of Black History Month. The U.S. Congress also recognized the importance of the observance. In February 1976, our former colleague from Illinois, the late Ralph Metcalfe introduced legislation, House Resolution 1050, which declared that the House of Representatives recognize the month of February as Black History Month.

Mr. Speaker, Dr. Carter G. Woodson died on April 3, 1950, at the age of 75. However, his legacy and his many contributions to our Nation will always be remembered. I want to bring to a close our 1991 Black History Month observance by quoting the former president of the Association for the Study of Negro Life and History, the great educator and founder of Bethune-Cookman College, Mary McLeod Bethune. In remarks reflecting on the legacy of Dr. Carter G. Woodson, she said,

> I shall always believe in Carter G. Woodson. He helped me to maintain my faith in myself. He gave me renewed confidence in the capacity of my race for development, and in the capacity of my country for justice for her own people and for all peoples. With the power of cumulative fact he moved back the barriers and broadened our vision of the world, and the world's vision of us.

Mr. Speaker, African-Americans have a magnificent and rich history; a history which is inextricably woven into the economic, social, and political fabric of this Nation. I am pleased and I thank my colleagues for joining me today in this special celebration of Black History Month.

□ 1700

Mr. Speaker, I yield to the distinguished chairman of the Congressional Black Caucus, my distinguished friend and colleague, the gentleman from Brooklyn, NY [Mr. TOWNS].

Mr. TOWNS. Mr. Speaker, I would like to first thank the gentleman from Ohio [Mr. STOKES] for taking the time out and giving the information in reference to some of our heroes, and the people who have contributed so much through the years. As I stand and I think about some of the contributions that have been made, and I think about Dr. Carter G. Woodson, who started out, I understand, one day to talk about the accomplishments of blacks, and then somebody said to him, "Dr. Woodson, you cannot do it in a day. You need a week," and after talking for a week, they said, "No, a week is not long enough." Then they said, "Well, what should we do?" Someone said, "Let's have Black History Month," and they made February Black History Month. But I got news for everyone. I appreciate all the work they have done, but black history cannot be conveyed or talked about in the period of a month. We need 365 days a year. If it happens to be a leap year, we need 366 days to talk about black history in terms of the accomplishments that have been made down through the years.

My heart is joyful as I stand and ponder the foresight of Garrett Morgan, the inventor of the traffic light which contributes to safety and order on the streets and highways of our Nation. And who can forget the courage and ingenuity of Matthew Henson, the guide responsible for Admiral Perry's successful arrival at the North Pole.

As I glance at my watch I am reminded of the tremendous achievements of Benjamin Banneker, the master designer for the layout of Washington, DC, who also perfected the internal components used in clocks.

The achievements of black women have also contributed to the development of our Nation. Mary McLeod Bethune served three Presidents and was responsible for establishing Bethune-Cookman College.

Witness the contributions of former Congressional Representatives like Barbara Jordan, and of course many who still serve with the Congress, no question about it, they are making history every day, including the gentlewoman from Illinios [Mrs. COLLINS], the gentlewoman from California [Ms. WATERS], the gentlewoman from the District of Columbia [Ms. NORTON], the gentlewoman from Michigan [Mrs. COLLINS], all who are making history every day here among us.

We are all indebted to the wonderful poet, Phyllis Wheatley, and also to the recently departed songbird, Sarah Vaughn, whose delightful voice thrilled listeners worldwide.

I am inspired by the acts of selfless service exemplified by Mother Hale in New York who is responsible for Hale House and the nurturing and sustenance of drug addicted boarder babies.

Our community and the Nation has been enriched by the contributions of individuals who have excelled in spite of seemingly impossible circumstances. We are a people with indomitable fortitude. Our resilience is only surpassed by our creative genius and sense of compassion for people of all colors.

The pages of history are incomplete unless they reflect the contributions of George Washington Carver who discovered the multidimensional aspects of the soybean, or the contributions of Apollo astronaut Ron McNair, civil rights freedom fighter Fannie Lou Hamer, or that great statesman Ralph Bunche.

I would be remiss if I did not talk about Dr. Warmouth T. Gibbs, who finished Harvard in 1917, went down and finally became the president of North Carolina A&T University, where he has molded so many young minds through the years. At the age of 99 Dr. Gibbs is still inspiring young people. I think I would be remiss if I did not talk about Evelyn Dixson, who resides in the Borough of Brooklyn, senior citizen, has done so much to provide opportunities for young people. I think I would be remiss if I did not talk about Sarah Ruffin, as Janie Glover, who now at age 111 is still inspiring young people.

Mable Bradley, a teacher, has touched the lives of so many young people down through the years. They are real heroes and real sheroes.

As we conclude this month of celebrating the achievements of African-Americans, I must call your attention to a major achievement in our time. We have 26 members of the bipartisan Congressional Black Caucus, and we have quadrupled our female congressional membership to four. We stand poised to ensure that passage of a civil rights bill that will be signed into law, so that future Black History Month events can cite the passage of the civil rights bill, H.R. 1 as one of our single greatest efforts as legislators.

Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. STOKES] for taking out this special order.

Mr. STOKES. Mr. Speaker, I thank the distinguished chairman of the Congressional Black Caucus for his very fine remarks on this occasion.

I am pleased to yield to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Speaker, we should consider ourselves fortunate. Each action by this august body, every word, whether a profoundly reflective statement or a whimsical offhanded remark, is recorded for posterity here. There is little chance that our words or deeds could become forever lost to history, though, I admit, we might all be the better if some did. Today, I would like to take a few moments to enter into the RECORD the exploits of a special group of men—and two in particular—who have been ignored by too many for too long a time. I do this with the hope that in rediscovering the lost treasures of our past, we might paint a more vivid landscape of our present and sketch an outline for a brighter future.

It is the story of George Jordan. It is the story of Henry Ossian Flipper. This is the story of the Buffalo Soldiers. This is a story of America. In the characters of these two courageous individuals is reflected the spirit of a special group of men. Within the group is reflected the burning fire that is our Nation's spirit. E Pluribus Unum is not merely words imprinted on our country's coinage. As America's motto, it is a proud affirmation of the dynamic of our country's human currency: Out of many stories emerges a one common theme. Mr. Speaker, let me introduce you to the "Buffalo Soldier."

Following the Civil War, Congress authorized the formation of, initially, six but then reduced to four, all-black regiments. The 24th and 25th regiments were infantry; the 9th and 10th were cavalry. George Jordan, a native of Williamson County, KY, joined the 9th in 1866. These troops protected white settlers from Indians and outlaws alike; they guarded the mail; and they also helped protect the construction of the railroad.

These men always acquitted themselves nobly despite being given the sickliest horses, the poorest equipment, the fewest supplies and even suffering the derision of the very people they were sent to protect. Despite these conditions, the black man made up 20 percent of all troops stationed out West, and these soldiers had the lowest desertion rate of all Army units. These men knew what it meant to be heroes.

George Jordan proved his heroism on the night of May 13, 1880. Commanding 25 troopers, Jordan rode to the aid of white settlers in New Mexico under danger of imminent attack. Outnumbered 4 to 1 these men drove Indians back not once, but twice. The settlement was never threatened again.

It was not merely from this scene, but also from many more like it sewn into the fabric of the Old West, that led the native American to give these men an unusual name, but one given out of the highest respect; Buffalo Soldier. From where did this name come? Some say, it was from the thick overcoats the black soldier wore; others think the Indians saw similarity between the hair of the African-American soldier and that of the buffalo; many others believe the tribes conveyed to the troops a name of an animal they held in high reverence. Regardless, it was a name the black soldier wore with pride.

Few soldiers of any color or stripe might ever quite hope to match the intelligence, bravery and sacrifice of Henry Ossian Flipper. In 1877, Flipper became the first black to graduate from the U.S. Military Academy at West Point. This exemplary cadet was fluent in Spanish and a remarkable engineer. Because of segregation, Flipper's choices of assignment were limited. Flipper ended up in the 10th Cavalry, stationed at Fort Sill in Oklahoma. He distinguished himself there when he designed a ditch to drain cesspools filled with malaria-causing bacteria. Over nearly 4 years, Flipper shone brightly as a scout and messenger. But upon transfer to Fort Davis in Texas, where Flipper was appointed commissary and quartermaster, he fell victim to petty internal Army jealousies. The Army arrested him on a phony charge of embezzlement. At his court-martial, Flipper's attorney told the tribunal that the question before them was merely "is it possible for a colored man to secure and hold a position as an officer of the Army."

The court, examining the flimsy, contradictory evidence in his case, found Flipper innocent of the embezzlement charge but guilty of "conduct unbecoming of an officer."

Flipper, the perfect officer, a model of leadership and courage, was dishonorably discharged.

It was a sad day for the Buffalo Soldier. And a sadder day still for America.

The members of the 9th and 10th Cavalry also fought gloriously during the Spanish-American War. Teddy Roosevelt himself declared: "I don't think any Rough Rider will ever forget the tie that binds us to the 9th and 10th Cavalry." Thus the proud spirit of the Buffalo Soldiers lived on.

George Jordan eventually received the Congressional Medal of Honor for his acts in New Mexico in 1880. He had a distinguished Army career of 30 years. He retired to Crawford, NE, where he became a respected leader of his people. In 1904, he became ill and turned to nearby Fort Robinson where he was last stationed. The army doctor there chose not to treat him, claiming there was no room. George Jordan died a few days later.

While it is sad that the Army would treat one of their own that way, it is sadder still that more people do not know the history and legacy of the Buffalo Soldiers. The worst that we as a country can do is to ask men to put their lives on the line for a principle and then—forget.

Though torn from the career he loved, Lieutenant Flipper lived a lengthy and fulfilling life. He worked as both an engineer and translator of Spanish land documents; he wrote several books, including technical journals; he was the first American black editor of a white newspaper; he was an aide to Senator A.B. Fall; he served at the Interior Department, where his engineering skills helped develop an Alaskan railroad. In 1940, he died successful, yet haunted by the unfair smirch on his name. His soul finally found true peace in 1976 when the Army, urged on by those who believed in Lieutenant Flipper's innocence, reviewed his trial and summary discharge and bequeathed him with an honorable discharge. A year later, a memorial bust and alcove in West Point's cadet library was dedicated to Lt. Henry Ossian Flipper on the 100th anniversary of his graduation.

The Armed Forces was the first part of the federal system to officially desegregate. This ended all-black regiments. The story of the Buffalo Soldiers, however, is, and must always remain, a rich part of our Nation's story. George Jordan is but one man; Henry Flipper is but one man. There are many other such figures of courage, leadership and sacrifice on this particular page of the American tapestry. We must never forget them and the role they played in building a proud country.

Similarly, we also realize that there are many African-Americans serving the United States in the Persian Gulf. They can rest assured that their sacrifices are not taken for granted. They will not be forgotten. Today, we salute

them and we salute the legacy of the Buffalo Soldier.

The January 20 edition of the Washington Post magazine featured an excellent cover story on the Buffalo Soldiers, including the story of Lt. Henry Flipper. I would like it entered into the official RECORD.

BUFFALO SOLDIERS: FORGOTTEN BLACK HEROES OF THE OLD WEST

(By David Maraniss)

Ray MacColl was in the grip of an obsession. An unpretentious schoolteacher known for good intentions and modest results, a white man whose career and training offered little grounding for this endeavor, he was possessed by the story of Henry Ossian Flipper, a black soldier out of the long lost past. For six months he awoke in the morning and retired at night with Lt. Flipper on his mind. Sleep was no escape. When the back bedroom of his old clapboard house turned dark and silent and MacColl was dreaming, Flipper's visage often came to him: uniformed and dignified, appearing in the exact image of photographs from 1877, when Flipper was the first black graduate of West Point. The message was always the same. "What," Flipper would ask, "have you done for me today?"

In a cold sweat, anxious and shaking, MacColl arose with the realization that there was more to accomplish in his unlikely effort to erase the stain on Flipper's military record and restore the old Buffalo Soldier to his rightful place in history. Four years after leaving West Point as the only black among 2,100 officers in the U.S. military, Flipper had fallen victim to a racist plot hatched by jealous white peers at Fort Davis, an isolated outpost in west Texas. He was court-martialed on embezzlement charges. The court found him innocent of theft but guilty of "conduct unbecoming an officer and a gentleman" and cut short his promising Army career with a dishonorable discharge.

Somehow, Ray MacColl—not a military man, not a civil rights activist, not even a scholar, but simply a public school educator in south Georgia—took it as his self-assigned mission in 1975 to win exoneration for Flipper, nearly a century after the shameful episode, by presenting his case to the Army Board for the Correction of Military Records in Washington. He succeeded in glorious fashion, pushing himself beyond his limitations to cleanse and heal one of his nation's ugly old sores. But that is for later in the story. First it is important to appreciate the context of MacColl's pursuit of historical and racial justice, to see beyond it obvious romantic, quixotic appeal. That context, like so much of black American history, evokes a largely unheralded and overlooked drama: the story of the Buffalo Soldiers.

What are Buffalo Soldiers? Americans, black and white, seem largely unfamiliar with the phrase, beyond the few who recall a hauntingly ironic Bob Marley reggae song by that name or those who might have seen one episode of a television Western that dealt with the subject two decades ago. But history, as Ray MacColl says, "is a big, big thing, full of holes and footnotes." Before "Glory," who knew of the deeds of black soldiers during the Civil War?

Black cavalrymen and foot soldiers in the Old West, chronological and spiritual successors to the Civil War fighters, were adorned with nickname Buffalo Soldiers by the Kiowa, Cheyenne and Apache tribes they encountered. There is uncertainty about the name's derivation. Some say it came from the thick overcoats black soldiers wore on the cold Plains. Others say their hair reminded Indians of a buffalo's. A third and the most accepted theory is that it was a monicker of respect based on Native American reverence for the buffalo. Black soldiers, including Henry Flipper, took it as a compliment, and it is still esteemed by their descendants today.

But Indians apparently regarded the troops, most of whom were ex-slaves from the South, with more respect than historians, Western pamphleteers and Hollywood screenwriters did. For more than 100 years, Buffalo Soldiers have been treated as cultural footnotes, overwhelmed by the white Western fantasy perpetuated by Buffalo Bill Cody, John Ford and John Wayne.

There is scant notice that thousands of Buffalo Soldiers scouted 34,420 miles of Western desert and plain, laid hundreds of miles of new roads and telegraph lines, protected the mail coaches, were instrumental in the military actions against the great Apache chiefs Victorio and Geronimo, fought valiantly at the side of Teddy Roosevelt's Rough Riders in Cuba during the Spanish-American War and then returned to the West, where they guarded the Mexican border until 1917—all with inferior horses, miserable rations and third-rate equipment discarded by white regiments. Despite adverse physical conditions and a racial climate that spawned the Flipper court-martial and a multitude of similar prejudiced acts, Buffalo Soldiers won 19 medals of honor and had a remarkably low desertion rate: one-third that of their white counterparts. At the end of Western expansion, their regiments—the 9th and 10th cavalries and 24th and 25th infantries—stayed together and fought in both world wars and Korea before being reconfigured in 1952 after the Army desegregated.

The historical neglect of the Buffalo Soldier created a hole of greater dimensions than the simple historical facts. It ripped at the always tender psyche of race relations in this country: allowing whites to delude themsleves with sterotypes and myths, and denying generations of black Americans both a powerful connection to the past and role models for the present.

"When I realize how much those guys had done and not been honored for, I was incredibly angry," said Cmdr. Carlton Philpot, a black Navy officer stationed at the military command school at Fort Leavenworth, Kan., where the most prominent of four Buffalo Soldier regiments, Flipper's own 10th Cavalry, was formed in July 1866. "We have to get this story into the schools, not as a part of Black History Month in February but as part of American history. This is a group of heroes—true heroes that you don't have to create. Not football players, not singers, just guys who did a tough job and nobody gave a hoot."

Not quite nobody. Philpot, director of an ambitious plan to build a Buffalo Soldier Monument at Forth Leavenworth, certainly gives a hoot. He is as obsessed with the story in Kansas as MacColl is in Georgia. So is the artistic force behind the monument, Eddie Dixon, a black sculptor from Lubbock, Tex., who sees it as his mission to let black children "know we had role models, that our only purpose in life was not slavery." The Buffalo Soldier passion has also seized Gen. Colin L. Powell, chairman of the Joint Chiefs of Staff, who thought up the idea for the monument when he was stationed at Forth Leavenworth eight years ago and whose Pentagon office features three paintings of Buffalo Soldiers, including one of Henry Flipper on patrol.

In Hollywood, the Buffalo Soldier drama largely has been ignored, but Len Glasgow pushes forward. Glasgow, an actor and stuntman, for years has led a mock 10th Cavalry drill team comprising black lawyers, teachers, actors and garbage collectors. He knows the life of Henry Flipper so intimately that he says he feels "reincarnated as the lieutenant." In Lawton Okla., Steve Wilson, director of the Museum of the Great Plains, became engrossed with Flipper's long and remarkable career after his court-martial. With pack mules and a four-wheel-drive jeep, Wilson retraced Flipper's arduous travels through the mountains of Mexico as a mining engineer. In Washington, Sarah Dunlap Jackson at the National Archives and former Howard University official H. Minton Francis, a black 1944 graduate of West Point, took up Flipper's cause and provided invaluable assistance to MacColl as he made the case for exoneration and more recently pushed for a commemorative Flipper postage stamp.

And finally, the story of black soldiers in the Old West brought new vigor, hope and inspiration to Bob Burton, Robert Nolan, Tony Zasa and Tony Brown, leaders of a juvenile care agency called Vision Quest that uses the Buffalo Soldiers of yesteryear as role models for some of the toughest kids from America's inner cities. The young men, rejected as too difficult for the normal juvenile justice system, learn the history of the 9th and 10th cavalries and perform Buffalo Soldier drills that translate the dusty past into today's rapping, step-dancing culture with a message aimed against drugs and violence.

This diverse cast is not an overly religious or superstitious lot, yet many of them say that at some point they heard voices from the past or felt the hand of providence in their work. Ray MacColl had no knowledge of black history and little inclination to become absorbed by it when he started his Flipper quest. Carlton Philpot was angry at being shipped to land-locked Kansas, but then his life was recharged by the mission of the monument. Both men say that at points in their struggles when they felt uncertain or overwhelmed, some undefinable spirit drove them forward and help arrived from the most unpredictable of places. Many of the kids in the Vision Quest program came in as hardening criminals—drug dealers, armed robbers, manslaughterers—and came out feeling proud and positive for the first time in their lives, touched somehow, through the generations, by the magic of the old Buffalo Soldiers.

It is hard to bump into the Buffalo Soldiers at any level and not be touched. From the moment I visited Fort Davis last April and read the modest historical marker noting Henry Flipper's court-martial, I too was overtaken by the lieutenant and his Buffalo Soldier comrades. Flipper has not come to me in a dream yet, but he is constantly in my thoughts. He is as alive to me as the troubled but proud young men dressed in Vision Quest's Buffalo Soldier uniforms whom I watched march into the Rayburn House Office Building in Washington one brilliant afternoon this fall to perform for Gen. Powell and the Congressional Black Caucus. "Way down in the valley, I heard a mighty roar," they chanted. "It was a Buffalo Soldier. We are the soldiers. The Buffalo Soldiers."

WALKING THE PATH OF UPRIGHTNESS

On the morning of March 21, 1856, Henry Ossian Flipper was born into slavery in Thomasville, Ga., a rich plantation town near the Florida border. He and his mother,

Isabella, were owned by the Rev. Reuben H. Lucky. His father, Festus Flipper, an expert cobbler and craftsman, belonged to one of the richest slave traders in south Georgia, Ephraim Ponder. When Ponder decided to move to Atlanta after the Civil War, Festus Flipper purchased his wife and son from Lucky so they could make the move with him. In Atlanta, according to documents at the Thomasville Historical Society, Festus was so successful that white craftsmen, resentful of his competition, pushed through a local ordinance imposing a tax on shoes, barrels and other goods constructed by slaves. Henry was the oldest of five sons. He was taught to read and write by a black slave mechanic and later studied at a missionary school and Atlanta University. In 1873, during the Reconstruction era when blacks were breaking barriers one by one, Flipper was nominated to West Point.

A white student from Atlanta tried to buy the nomination by offering Flipper a $5,000 bribe. No deal. Flipper was well aware that the few blacks who had preceded him at the military academy were hounded out before graduation. In a book of his experiences there titled *The Colored Cadet at West Point*, Flipper wrote that he arrived "with my mind full of the horrors of treatment of all former cadets of color, and the dread of inevitable ostracism." His treatment often was horrible and the ostracism intense. Many cadets were friendly to him in private; in public they disparaged him with racist epithets. But Flipper, who loved the military and was an earnest student, stuck it out, becoming the first black West Point graduate in 1877. The graduation picture of the 6-foot-2 Flipper shows a determined, strikingly handsome young man.

Liberia, the country founded by ex-slaves who returned to Africa, immediately offered the second lieutenant a position as commander of the Liberian Army. He turned it down, choosing instead to head west to serve as the only black officer among the black troops known as Buffalo Soldiers. He reported for duty with Troop A 10th Cavalry in Oklahoma on the first day of January 1878. At Fort Sill, young Flipper performed an impressive engineering task that is renowned to this day: He designed a ditch to drain cesspools that were suspected to be breeding grounds for malaria. His white superiors thought the ditch was foolhardy. They said it ran uphill. In fact, Flipper said, that was just an optical illusion. They were looking at the world from the wrong perspective. "It looked that way, but I knew I was right," he said. And he was. The ditch carried the stagnant water away, easing the malaria threat. It is now a national historical landmark known as Flipper's Ditch.

While at Fort Sill, Flipper became friendly with Capt. Nicholas Nolan, an open-minded Irishman who got along well with his black troops and held what was then the unpopular view that the cavalry's job was to control the hostilities between Indians and white settlers, not kill every Indian in sight. Nolan was married to a women from San Antonio whose younger sister, Molly Dwyer, lived with them. Molly Dwyer and Henry Flipper became riding companions. Several white officers were jealous of the relationship, which may have been Flipper's military undoing.

After performing valorous work as a scout and messenger for the 10th Cavalry's leader, Col. Benjamin H. Grierson, during the grueling Victorio campaign in 1880, Flipper was dispatched to Fort Davis, a desolate outpost amid the brown mountains and desert landscape north of Big Bend country in Texas. He was given two jobs: acting commissary and quartermaster. Shortly after Flipper arrived, the fort, which was under infantry rather than cavalry command, got a new commander, Col. William Rufus Shafter, a burly, profane fellow who took an immediate dislike to Flipper and tried to strip him of his duties. Two other white officers seemed to have it in for Flipper as well, one because of Molly Dwyer, the other holding a grudge going back to their days at West Point.

One day in July 1881, Flipper discovered that commissary funds were missing from his trunk. As a black man in a white man's army, he felt an extraordinary pressure to be perfect, knowing that any little slip would do him in. On two previous nights, he had seen shadowy figures moving in the direction of his trunk. He thought he had been set up. But he was afraid to report the missing funds, deciding instead to keep quiet until he had made up the deficit on his own. "Never did a man walk the path of uprightness straighter than I did," Flipper wrote later, "but the trap was cunningly laid and I was sacrificed."

Shafter discovered the financial discrepancy, ordered Flipper's arrest and held him in a cramped cell for four days before his superiors declared that such treatment was unprecedented for an officer and Flipper was released to house arrest. Although the money was repaid within two weeks, Shafter pressed forward with a court-martial. It took two months. Shafter and other prosecution witnessess offered unpersuasive and contradictory testimony. Flipper's attorney, Maj. Merritt Barber, addressed the issue directly. "The question before you," he said, "is whether it is possible for a colored man to secure and hold a position as an officer of the Army."

On December 8, 1881, the court found Flipper innocent of embezzlement charges but guilty of "conduct unbecoming an officer." Flipper was taken to a cot in a holding room where a fierce wave of nausea swept over him. The verdict carried a penalty of dishonorable discharge. Many of Flipper's allies assumed the order would be overturned, according to Bruce J. Dinges, a University of Arizona historian who is the leading expert on Flipper's court-martial. In fact, the Secretary of the Army recommended that Flipper not be discharged, but President Chester A. Arthur ignored his recommendation. Henry Ossian Flipper, a fine soldier who in a better world might have become the first black general, was cashiered at age 25.

Some historians, such as Sarah Dunlap Jackson, maintain that Flipper achieved more outside the military during a life that covered another 58 years then he would have in the Army. Perhaps. In any case, Flipper moved to El Paso, took temporary work in a steam laundry and then embarked on a remarkable career. He was a surveyor and mining engineer in Texas, Arizona and Mexico. He wrote several books, including technical journals explaining Spanish land laws. For a time he was the first American black editor of a white newspaper, the Nogales Sunday Herald. Fluent in Spanish, he was constantly in demand as an intepreter. He became an aide to Sen. A.B. Fall and served in Washington as a high-ranking official in the Interior Department, where his engineering skills were instrumental in the development of the Alaska railway system. And he worked as a troubleshooter for William F. Buckley's Pantepec Oil Co. in Venezuela.

Over the span of those six decades, Flipper thought of himself first as a soldier. He was addressed as "Lieutenant." Nine times he tried to get Congress to clear his name, but every effort failed. In 1931, at age 74, he returned to Atlanta and spent the last nine years of his life at his brother Joseph's house on Bishop's Row, an area that housed most of the city's black clergy. Joseph was a high official in the African Methodist Episcopal Church.

Old Lt. Flipper, dressed in a steel-gray suit and wearing thick metal glasses, rarely left his brother's two-story white house. He could often be seen on the porch pacing back and forth, sometimes muttering "left, right, left" to himself. In the mornings he would enter his closet and take out a steamer trunk full of memories, including a bundle of papers marked: "Official Army Court-Martial Records of Second Lt. Henry Ossian Flipper." On the morning of April 26, 1940, Flipper had about finished dressing—he was putting on his left shoe—when he fell upon his bed and suffered a fatal heart attack. He let out a scream, according to relatives. It was a scream that Ray MacColl would hear decades later and describe this way:

"By his scream Flipper wanted to declare that he had lived justly. However, he realized that time had run out. He had finally learned that the last victim of injustice is silence. When nothing else can be accomplished, one must scream."

Flipper was buried in Atlanta in an unmarked grave. Under the category of occupation on his death certificate were three words: Retired Army Officer.

A BURDEN LIFTED FROM MY VERY SOUL

In 1970, Ray MacColl, a transplanted Yankee from Chester, Pa., was taking a black history course at Valdosta State College in Georgia. For his term paper, he decided to write about blacks in the Old West. It was a rather uninspired effort. His professor gave him a C. But if one ever needed proof that grades are not everything, here it is. From that paper, which briefly mentioned the case of Henry Flipper, a native of nearby Thomasville, MacColl found the cause of his life. Over the next few years, as MacColl graduated and began a career as a teacher, he spent his free time gathering information on Flipper, whose story intrigued him. One day he was at the library in Valdosta's black neighborhood, searching for a back issue of Ebony magazine, when the librarian told him that she knew Henry Flipper's niece, Irsle King, and that she lived only a few blocks away. The librarian called King, who immediately invited MacColl over. It was the beginning of a beautiful relationship.

"For some reason, when he walked in the door I wanted to hug him," King, now 84, said during a recent interview. "I don't know why. I had never seen him before, but when I opened the door he actually felt like kin to me. Our spirts agreed as one, as old folks say. We started doing the best we could with each other."

MacColl and King, the daughter of Flipper's youngest brother, Carl, spent hours and days talking about their families, about education and, of course, about the Flipper history. She recounted memories of her uncle when she had visited Atlanta in the 1930s as a college student. "The Lieutenant would talk about the court-martial, but get off the subject quickly," King said. "He didn't have any hatred, but he had so much regret because he felt mistreated. It was painful to him to talk about it." From their discussions, this unusual couple, two teachers, young and old, black and white, struck upon the idea of seeking Flipper's exoneration one last time.

King put MacColl in touch with other relatives who knew parts of the Flipper story and had documents that might help him make the case. Some were skeptical at first about the motives of this white teacher, but their suspicions eased over time. As MacColl extended his research, finding Sarah Dunlap Jackson and H. Minton Francis in Washington and Steve Wilson in Oklahoma, among others, he reached the conclusion that Flipper had been wronged. By 1975, conveniently, West Point was starting to think about the 100th annivesary of Flipper's graduation. Officials there did not know how they could honor a man who had been dishonorably discharged, so they too took a renewed interest in the case and encouraged MacColl's efforts.

For six months in 1975, MacColl prepared his case, pushed on by the nightly vision of the Lieutenant. When he finished, he showed it to Thomasville attorney Roy Lilly, who was impressed with the narrative but informed his teacher friend that the "way the facts were put together as a legal brief was awful." Lilly turned MacColl's story into a legal argument. The key to his case was a fundamental piece of logic. If the court found Flipper innocent of the main charge, embezzlement, they had no standing to find him guilty on the second charge, which was wholly dependent on the first.

On December 13, 1976, the military board of corrections accepted the argument and exonerated Flipper, issuing him an honorable discharge 94 years too late. MacColl, teaching in Thomasville at the time, drove to Valdosta to share the news with Irsle King.

"My only regret is that my uncle wasn't around to know he was cleared," she said. "But sometimes we can have the strangest feelings about things, I have always felt like somehow he knew. Maybe it was the satisfaction in my heart that caused me to feel that way. When they sent me the honorable discharge it felt very, very good, because what happened was such an injustice and it kept, well, you may say a speck of hurt for a long, long time. I don't know if it was a speck or what, but there was just something that made you uneasy. When it was over, it seemed that a burden was lifted from my very soul."

MacColl felt relief as well, but his obsession was far from over. The next year he and Irsle King and many other Flipper relatives flew to West Point to witness the unveiling of a Henry Flipper statue and the inauguration of a new award at the academy given to the cadet who withstood pressure with the most integrity over the course of four years. In 1978, he led an effort to exhume Flipper's remains from the unmarked grave in Atlanta and rebury him, with full military honors, at the Old Magnolia Cemetery in Thomasville. It was the best attended funeral in Thomasville history. From the church to the cemetery, the cortege moved to the beat of muffled drums. At the grave site next to the tombs of Flipper's parents, there was a 21-gun salute and a single bugler sounded taps. H. Minton Francis delivered the eulogy. Flipper, he said, "epitomized every black man of courage."

During the 1980s, MacColl and King kept at it. In 1987 they held another ceremony at the gravesite for the unveiling of a state historical marker. For the past four years they have been pushing hard for the U.S. postmaster general's commemorative stamp committee to approve a special stamp honoring Flipper. That effort has received support from all corners of American life, from the black historian John Hope Franklin at Duke to *Roots* author Alex Haley to Republican strategist Lee Atwater to former president Jimmy Carter.

"I never thought my interest would lead to something like this," MacColl said one afternoon last fall as he stood near Flipper's grave. "Minton Francis once said that from the grace of God came Ray MacColl. I always felt awkward about that kind of statement. But I don't know how things could have been the way they were if divine providence did not play a role here, because I was totally unprepared by background. Henry Flipper had been overlooked all those years. History is such a big, big thing, full of holes and footnotes. I'm sure there are dozens of other incredible people out there who have been overlooked. And folks like me searching for them. That's the only way people who are lost in the pages of history are going to have their stories told."

A SUBTLE SENSE OF PRIDE

Colin Powell was stationed at Fort Leavenworth as a brigadier general in 1982, one of many brief postings along his trail to the top of the military world. As a keen student of black military history, the fort's significance as the birthplace of the Buffalo Soldiers was not lost on him. He knew how the regiments were formed with black ex-slaves and white officers. He knew that among the white officers sought for leadership of the 10th Cavalry was George Armstrong Custer, who rebuffed the offer, disdaining the talents of men of color for an all-white regiment, the 7th Cavalry, formed that same summer. Powell appreciated the hardships and accomplishments of his black predecessors. But he feared that, to use Ray MacColl's phrase, they might be lost in the pages of history.

"I was jogging around the post one day and noticed a couple of gravel alleys that were named 9th and 10th Cavalry streets," Powell recalled years later. "And I thought, 'I wonder if that's all there is. I wonder if here on this most historic Army post in Kansas where the 10th Cavalry spent so much of its garrison life, in the center of the region where both the 9th and 10th Cavalry spent so much of their blood, I wonder if these gravel alleyways are all there is to signify . . . their incredible contribution to the American West. And so I looked around some more. And on the entire post, all I could find to commemorate two of the greatest regiments in the Army were these two alleys. That was a situation that had to be changed."

From that unsettling morning jog, Powell set in motion a project to construct a fitting Buffalo Soldier Monument at the fort in Kansas. His concept at first was to raise a simple statue much like the one of Ulysses S. Grant that stood in a small park across the street from his headquarters near the old parade grounds. But when Powell left Fort Leavenworth for more important missions, the project fell dormant for a time, and when it was picked up again, those who revived it had a larger vision.

The monument, scheduled to open July 28, 1992, the 126th anniversary of the day Congress authorized the Buffalo Soldier regiments, will be situated off the fort's main street, Grant Avenue, on a gentle slope leading down to Smith Lake, on the spot where Buffalo Soldiers pitched their tents in the early 1900s. It will feature a 16-foot bronze statue of a soldier on his horse, rifle in hand, with a pond behind him and a reflecting pool in front. Near a walkway around the statue, markers will honor the 19 Buffalo Soldiers who earned medals of honor: George Burnett, Moses Williams, Thomas Boyne, John Denny, Henry Johnson, Thomas Shaw, Emanuel Stance, Brent Woods, William Wilson, Clinton Greaves, Augustus Walley, Louis Carpenter, Powhattan Clarke, Edward Baker, William McGryar, Dennis Bell, William Thompkins, George Wanton and Fitz Lee.

The inexorable force behind the monument is Carlton Philpot, who grew up on a farm outside Tallahassee, Fla., only a few miles from Henry Flipper's home across the Georgia state line. Philpot knew nothing of Flipper and the Buffalo Soldiers until he arrived at Fort Leavenworth three years ago. He was disappointed and somewhat embittered at the time after being passed over for command of a ship, his life's dream. What was there for a sailor to do in Kansas? Philpot found out. Soon after he arrived, looking around for an outside project, he learned of Powell's dream for a Buffalo Soldier monument. The dream has possessed him ever since.

When he wasn't teaching war theory, Philpot devoted much of his time to learning about the Buffalo Soldiers. He found that some old soldiers from the 10th Cavalry were still alive and remained in the Fort Leavenworth-Kansas City area. There was Chief Warrant Officer Harry Hollowell, a sprightly 76, who joined the Buffalo Soldiers in 1936, when Fort Leavenworth was segregated: Blacks had a separate theater, lived in separate barracks and had their own band, of which Hollowell was the leader. And there was 96-year-old Elisha "Sarge" Kearse, perhaps the oldest living Buffalo Soldier, whose days with the 10th Cavalry began when they were stationed out in Arizona before World War I.

Philpot could not get enough of the oldtimers' stories. They told him about the female companions who followed the Buffalo Soldiers and were called Washtub Women. They recalled how the path from their tents to town was called Shackpappy Lane. Kearse told him how it felt to ride wild mustangs and wield the 10th's heavy saber. Often, Philpot said, he would burn with rage when he thought about how these noble soldiers were mistreated. "Imagine the patriotism it takes to serve your country when your country is treating you unfairly," he said. "These were true patriots. But what strikes me most is that they never seem angry. I would get angry but they are always positive. I get recharged every time I talk to them."

The groundbreaking ceremonies for the monument were held last July 28. Harry Hollowell and Sarge Kearse, called "Old Double Jaw" by his troops, were among the special guests seated near the main speaker, Powell. The slope down to Smith Lake was packed with more than 2,000 people. In a speech that moved many old soldiers to tears, Powell told the audience about three paintings that hang on the wall of his Pentagon office directly across from his desk, paintings, he said, that "remind me of my heritage and of the thousands of African Americans who went before me and who shed their blood and made their sacrifices so that I could sit in that office today." One is of Col. Grierson and Lt. Flipper on patrol, another portrays a Buffalo Soldier scout on the Western plains, and the third depicts the charge up San Juan Hill in Cuba. Most paintings of that event show only white Rough Riders making the charge, but Buffalo Soldiers were there too, and Powell's painting, he said, "shows San Juan Hill as it should be shown."

Finally Powell read from Grierson's last statement to his black troops in 1888, when he relinquished command. "The officers and

enlisted men have cheerfully endured many hardships and privations, and in the midst of great dangers steadfastly maintained a most gallant and zealous devotion to duty," Grierson wrote. "And they may well be proud of the record made, and rest assured that the hard work undergone in the accomplishment of such . . . valuable service to their country cannot fail, sooner or later, to meet with due recognition and reward."

When Americans journey to Fort Leavenworth in future years to give the Buffalo Soldiers their due recognition and reward, they will see the past through the artistic perspective of Eddie Dixon, the black sculptor from Lubbock who was commissioned to make the monument. Since 1982, after abandoning a career as a grain futures trader in Chicago, Dixon has emerged as one of the preeminent sculptors of black historical figures in America. His specialty is blacks in the West, especially Buffalo Soldiers. Many parks and museums in the Southwest are graced by his Buffalo Soldier renditions, including Fort Davis, the place where Henry Flipper was court-martialed.

Dixon is working on the Buffalo Soldier Monument in the same fashion that he prepared the Fort Davis sculpture. His skill is not just artistic; he deals with history, texture, emotion. He visits the isolated posts where Buffalo Soldiers were stationed and sits quietly for hours, taking himself back in time until he can almost hear the marshaling of arms. "When I do a Buffalo Soldier," Dixon said, "I think about the position they were in, without decent horses or guns. I express that condition in the face, the forlornment, the rejection, yet determination to complete a mission. And also a subtle sense of pride. Buffalo Soldier in the vanguard: A black man in a new world."

His hope, Dixon said, is that his work will help black youngsters in the future view American history from a different perspective than he did as a child. "In the movies, it was always the white cavalry," Dixon said. "So when we were kids, and we wanted to be the cowboys charging over the horizon, we were white and our heroes were John Wayne and other whites. Blacks were not recognized as having any part in it. There were no role models for us. Every time I think about that, I get more motivation to do what I'm doing."

A WHOLE SHOW ABOUT BLACK SOLDIERS?

The Old West that many Americans think they know came to them mostly in films and TV shows, a cultural milieu based largely on the myths of white culture. Indians, for the most part, were rendered subhuman. Blacks were virtually ignored. The story of one episode of one TV show provides the exception to the rule that proves the point. It was the November 22, 1968, episode of "The High Chaparral," a Tucson-based Western starring Leif Erickson as John Cannon, Cameron Mitchell as Buck, Linda Cristal as Victoria, Henry Darrow as Manolito and Mark Slade as Billy Blue. The episode was titled "The Buffalo Soldiers." The guest star was a young Yaphet Kotto as Sgt. Maj. Creason.

In the archives of TV Westerns, "The High Chaparral's" episode on the Buffalo Soldiers stands alone: the only show devoted singularly to that subject. The show elicited much praise and high awards, yet a certain bitterness lingers concerning what might have been. As much as the episode broke new ground, it also represented an opportunity lost.

While various executives take credit for the episode, the true inspiration for it was Len Glasgow, a black stuntman who organized a diverse group of 50 African-American men in the Los Angeles area into the 10th Cavalry riding team. Glasgow formed the outfit in 1965, when he thought that Buffalo Soldiers would be needed for a film starring Woody Strode about the campaigns involving the 10th Cavalry and the Apache chief Victorio. That film fell through, but the band of mock horse soldiers held together. They spent their spare time at a stable near Burbank practicing the formations of the old 10th Cavalry. When a local television news show featured Glasgow's Buffalo Soldiers, "The High Chaparral's" producer, William F. Claxton, and executive producer, David Dortort, happened to see it and decided that the Buffalo Soldiers would make an interesting episode.

Men and horses were transported to Tucson for the seven-day shoot, where the glory and ignorance of past and present converged. Local wranglers watched in amazement as these black actor-soldiers performed precise riding maneuvers in the brutal desert heat. All except Yaphet Kotto, that is; the episode's guest star was afraid of horses and needed intense remedial help from Glasgow. The script needed remedial work as well: The original version seemed to perpetuate more stereotypes than it broke. Claxton and Kotto and director Joseph Pevney worked late every night trying to fix the scenes.

The plot is simple: Tucson citizens are dumbfounded when their petition for troops to break the grip of an evil town boss brings an all-black cavalry unit. But Sgt. Maj. Creason restores law and order without a shot being fired, so impressive are the equestrian skills of his Buffalo Soldiers. As the cavalry portrayed by Glasgow and his buddies fades into the sunset, a narrator proclaims: "The Buffalo Soldiers of yesterday were the stuff of which legends are made and hope rekindled . . . so that all of us can recall and cherish the historic and continuing contribution of the black American to the life and progress of our nation."

Months after the show aired, word arrived that it had won the Western Heritage Award from the National Cowboy Hall of Fame. Dortort and a contingent of Glasgow's 10th Cavalry journeyed to Oklahoma City for the awards banquet. When Dortort took the stage to receive the award, he said; "Gentlemen, this award does not belong to me, it belongs to the 10th Cavalry." At that moment, on cue from the back of the ballroom, an honor guard of Buffalo Soldiers appeared at the doorway and marched in. "I still get goose bumps thinking about it," Dortort said. "I've never felt that way before or since."

Glasgow, delighted by the episode's reception, thought it would be the start of something bigger. His 10th Cavalry unit stayed together and constantly sought out more authentic Buffalo Soldier material. He obtained the original marching manuals and a few old uniforms. He started studying the life and times of Henry Flipper, wrote a script about the most famous of the Buffalo Soldiers and even started to take on aspects of the old lieutenant's personality. "I just absolutely know him," Glasgow said. "He was the quietest person. A scholar, athlete, gentleman. Spoke Spanish so well. I've tried to model myself after him. He is quite a role model for all of us." Yes, Glasgow even dreamed of Flipper.

Surely, he thought, one of the networks or production studios in Hollywood would see the potential here for a series or miniseries. In his effort to take the Buffalo Soldier story to a wider TV audience, Glasgow found that David Dortort was among his strongest supporters. The esteemed executive producer of "The High Chaparral" and "Bonanza," one of the most popular Western series in history, went to New York in an effort to persuade NBC executives to consider a series. No luck.

"NBC would not go for it," Dortort recalled. "They said: You want to do a whole show about black soldiers? Who would sponsor a show entirely about blacks? They also said that Westerns were becoming passe. They were more interested in cops and crime shows. It was a depressing ending to a glorious episode. The feelings blacks have of being excluded from American history is enormous. That's why 'Glory' was so important. I think the neglect began in the writing of history, and Hollywood people read the so-called conventional wisdom and never realized there was a glaring omission. If they would have dealt with it based on the facts of history, instead of the exclusions, we would have had role models for kids in the inner cities today: now they have so little from the past to relate to. There is nothing that has the strength of a successful TV series week after week to reinforce in the hearts and minds of young people an image that is respectful, that they can respond to, that they can say, yeah, we had a great role in helping build this country."

IT'S GREAT TO BE A BUFFALO SOLDIER

As the old blue and white bus rumbled through the Pennsylvania countryside from Reading to Philadelphia, rap music pounded from the sound system and 35 black youths aged 14 to 19, dressed in cavalry uniforms modeled after those of the old Buffalo Soldiers, were getting a little rowdy.

"Information!" yelled Tony Brown and Tony Zasa in unison.

"Information!" responded the kids. The tomfoolery stopped.

Brown and Zasa—black and white, both in their thirties, one a former cop, the other a onetime hockey goalie, both ram tough—were the staff leaders for this monthlong Buffalo Soldier Quest. They were officially designated as generals. Other staff members at Vision Quest, a private juvenile care agency, were colonels, majors and lieutenants. The highest-ranking juvenile was a sergeant major. The kids called Brown and Zasa "Gents," as in, "Hey, Gents Brown," or "Thanks, Gents." It was short for general; the "t" on the end gave it a nice twist of linguistic irony.

There were "no jaywalkers in this group," as Gents Zasa said of his troops. These were tough young men who had been arrested for armed robbery, drug dealing, manslaughter and assault. On average they had been through the justice system 3.8 times. Most were considered so wayward that local authorities wanted nothing more to do with them. Their sentencing judges viewed Vision Quest as a final alternative to adult jails and prisons and had placed them in the agency's care for terms ranging from one to three years.

Since the early 1970s, Vision Quest has taken about 800 troubled youths per year and tried to teach them the importance of self-discipline, pride, control and cooperation through old-fashioned missions. One mission, or quest, is a yearlong wagon-train trek across the country. The most popular mission these days is the Buffalo Soldier Quest, where boys are taught the lore of black soldiers from the Old West. They dress in cavalry uniforms, learn how to ride and march at a two-week boot camp, then visit schools spreading a message against drugs and violence. Not all social workers approve of Vi-

sion Quest's hands-on approach. Some juvenile experts once raised questions about the agency's effectiveness in rehabilitating youths. They said the recidivism rate in the program was higher than that of youngsters who had been locked up. But recent studies of Vision Quest over a 10-year period indicate just the opposite, that its recidivism rate of less than 50 percent is far better than most other juvenile detention programs. And the Buffalo Soldier Quest, to those familiar with it, is regarded as especially imaginative, effective and emotionally powerful.

"Most inner-city kids are desperately looking for something to be loyal to," said Bob Burton, Vision Quest's founder. "That search usually leads to the negative loyalty of a gang. Being a Buffalo Soldier is a positive alternative." Another Vision Quest leader, Robert Nolan, put it this way: "The kids start seeing it and living it. It's really magical. There is a definite connection between the old guys and us. The perspective I have is that a lot of these kids that get in trouble, 100 years ago might not have. They'd have been cavalry scouts, stagecoach riders, found some way to fit. Society has changed, and they don't belong, they're outside the bubble and having a hard time trying to find a way back in. This is a way to give them that sense of self worth."

The 23rd Buffalo Soldier Quest over the past decade was in its final week on this bright fall morning as the bus rolled toward west Philadelphia. For the past two weeks the young men had been practicing their drills, a series of intricate maneuvers that spanned the decades, combining old Buffalo Soldier marches and chants with modern black raps and stepdances. Their first performance would be at the West Philadelphia Community Center in a gymnasium teeming with awestruck 4-year-olds. Their last, two days later, would be inside the Rayburn House Office Building in Washington before an audience that featured Colin Powell, distinguished black war veterans and members of the Black Congressional Caucus.

Gents Brown viewed the trip to Washington as the culmination not only of this month of training but of years of developing the Buffalo Soldier program. One by one, he called boys to the front of the bus to discuss the week's mission. He and Gents Zasa were especially concerned about the tuneups in Philadelphia so close to the neighborhoods where many of these kids found trouble. The night before they had been warned by one boy that another might try to make a run for it. "The street is a strong pull," Brown said. "Loyalty to the Buffalo Soldiers competes with loyalty to the street."

Near the front of the bus sat Ron Roberts, oldest of the group at 19, an ex-gang member from Philly who had committed more felonies than he cared to remember. Becoming a Buffalo Soldier, he said, changed his life. In school he had learned about the Rev. Martin Luther King Jr., but nothing about black soldiers. Never before had he encountered men who cared about him or been around horses and other animals. "This is my family now," he said.

Behind Roberts was 18-year-old Dormen Lisby, tall, sensitive and bespectacled, a high school graduate serving time in Vision Quest for vehicular manslaughter. Being a Buffalo Soldier meant so much to Lisby that when his sentence expired a week earlier he asked the judge for permission to stay another six months. Lisby, a talented artist, said the judge thought he was crazy, but granted his request. "Being a Buffalo Soldier gives me a pride I can't really explain," he said. "When the Gents talk to us about what the old guys did and what we can do to stop drugs and violence, it brings tears to my eyes. It's great to be a Buffalo Soldier. I live my race. It means a lot to me, finding out about my people and my ancestors. This should be for everyone, not just those of us who get in trouble. It changed me."

When the bus reached the community center in Philadelphia, Lisby stepped off to find his mother waiting at the sidewalk. She hugged him and gave him a silver angel pin and three African arm bracelets. The gym was lined with bright-eyed preschoolers who screamed with delight when the sharply outfitted Buffalo Soldiers doubled-timed their way in. Gents Brown told the toddlers that their message was to say no to drugs and violence. Gents Zasa told them about the 9th and 10th cavalries, how they had done so much under difficult conditions and yet had the lowest desertion rates in the military.

For the next 30 minutes, the young Buffalo Soldiers performed their precision drills. Then they spread out across the gym in pairs, each pair taking a group of six or eight tots and teaching them how to march and chant: "Are we saying no to drugs? Yes, we are! Yes, we are! Yes, we are! Say no, chu-chu. No, chu-chu."

The room resounded with syncopated joy, though an enormous teardrop rolled down the cheek of one little boy who felt left out of the proceedings. "I want to be a Buffalo Soldier," he sobbed. A 14-year-old Buffalo Soldier, Dominick from Lancaster (juvenile offenders under 18 can be identified only by first name), found the boy and took him into his group. Dominick said the scene made him feel "happy in my heart." From his 13th birthday to the time a few months ago when he arrived at Vision Quest, Dominick, whose parents had been killed in separate violent incidents, spent most of his nights out on the town looking to beat up people and fight with cops. He said he had more anger than he could release. When he appeared before little kids and told them to say no to drugs and violence, he said, it sent chills up his spine with contradictory sensations: a sense of pride at being a positive role model and a sense of concern that he was really talking to himself.

When it was over, as the Buffalo Soldiers double-timed back to their bus, Kareem, a 17-year-old Philadelphian, saw his chance to triple-time it right on out of the program. He flew down the street with three Vision Quest staffers in pursuit. They caught him in back of the American Family Market. "I'm not going back on that bus," he shouted. The police came and took him to the precinct station. The other boys were stunned and subdued. Dormen Lisby said Kareem had told him he was going to run. "I thought he was kidding. It was such a stupid thing. We're free and doing something useful," Lisby said. "He couldn't take that pressure. He would have rather been locked up."

Lisby's mother got on the bus for a few minutes. "Don't worry about it," she told her son. "Just do what you've got to do."

"I love you, Mom," he said.

Two mornings later, the Buffalo Soldiers awoke on the hard floor of the Greenbelt Armory gymnasium on the northern rim of the nation's capital and quietly went about preparing for the biggest day in their lives. In one corner they were shining boots and spats. At another end Gents Zasa passed out new shirts and suspenders. Col. Dorothy Lamb, a social worker who served as a second mother for many of the boys, sewed stray buttons and did some hemwork on the pants. The peer leader of the group, 18-year-old Sgt. Maj. Steve Bryant, showed up. He'd been scheduled to leave the program a day earlier, but like Dormen Lisby, he had gone to court and asked to stay. Most of the drills these guys had learned—the M.C. Hammer and Wizard of Oz, the Tipatap March, Stop the Violence—he had taught them. His rap name back in Philadelphia was Silky. Bryant was incorrigible, it seemed, when he arrived in the program two years ago. Now he was a leader, determined to stay off the streets and attend Temple University.

At 12:39 p.m. they marched out to the bus, with Sgt. Maj. Bryant barking out the orders; "Heeeere we go again! Buffalo Soldiers back again!" When they arrived at the Rayburn Building for the Congressional Black Caucus ceremonies honoring black veterans, the boys still had a few hours to kill. So they performed outside on Independence Avenue. Suddenly they seemed almost out of place, naive, touching, a quaint curiosity in this hardened world of political power. There are so many layers of cynicism, self-absorption and suspicion in Washington. The professionals of Capitol Hill eyed them with puzzlement. Who are these kids? How do they fit in? Are they being used? Washington seemed tougher in that hour than the meanest streets from which the Buffalo Soldier juveniles came.

But soon they were inside, standing proud as honor guards as Powell spoke to the caucus and the black veterans. Their generals, Brown and Zasa, were right up there at the speaker's rostrum below Powell. The kids carried the flags and watched the doorways as Powell declared that "no group of Americans ever served this nation with greater devotion, greater loyalty, greater sacrifice than African Americans." When he mentioned the Buffalo Soldiers in his speech, Dormen Lisby felt an overwhelming sense of pride. When the address ended, the Buffalo Soldiers marched down to the foyer, where Sgt. Maj. Bryant introduced them to Powell and said they wanted to be soldiers of peace. Then Bryant lined up his troops and got rolling, 20 minutes of step-dance drills.

They were dazzling, moving in flawless unison from one step to another. Bob Burton, the Vision Quest founder, stood to the side and smiled. "And the psychologists say they can't do this," he said softly. As the late afternoon shadows darkened the foyer, the Buffalo Soldiers, performed an encore step. They finished frozen in place, heads down, fists triumphant in the air.

Henry Ossian Flipper was not there, as far as anyone could tell. Carlton Philpot, director of the Fort Leavenworth Buffalo Soldier Monument project, had planned to attend, but at the last minute headed off to southern Virginia in search of a 108-year-old man who claimed to have served in the 10th Cavalry. Ray MacColl, the Georgia schoolteacher, had never heard of Vision Quest at the time of the Washington performance in late September. But the world works in mysterious ways. No long ago, MacColl was driving along a road outside Atlanta when he encountered a wagon train of young men heading in the other direction. They were from Vision Quest. They said they were Buffalo Soldiers.

□ 1710

Mr. STOKES. Mr. Speaker, I thank my distinguished friend for his excellent remarks on this occasion.

Mr. Speaker, I am pleased now to yield to the distinguished gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding to me.

This year's Black History Month theme is Educating America: Black Colleges and Universities. Our historically black colleges and universities have done a superb job of educating those who have passed through their doors. Among them are graduates of their school of communications. These men and women constitute another institution that has served to educate an even broader spectrum of African-Americans and the Nation as a whole: Our black-owned media.

For over 160 years, the newspapers, magazines, journals, and more recently the radio and television stations owned by African-Americans, have reported on issues that are important to us, the people we know, the places we've been, the things we feel as minorities in America. The black media has and continues to bring black perspectives to the world's events, perspectives largely missing from the general media. They have long served to report on matters that the general media has no interest in, or to give more extensive coverage to matters of importance to our community.

Sometimes the black media has served to tell the whole story. The book, "Split Image: African Americans in the Mass Media," edited by Dr. Jannette Dates and Dr. William Barrow, contains a reference to an incident in Baltimore from the early 1960's. In the midst of much white protest, young black children attempted to integrate a community swimming pool. Returning to their homes, they were met with racial slurs and threats of violence by a crowd of white youths who had followed them. Instead of turning the force on the threatening crowd, the Baltimore police used attack dogs to rush the blacks into their homes. According to Dr. Dates, the only newspaper to report the story in full, including the use of the dogs, was the Baltimore Afro-American.

Not only does our black-owned media cover issues of importance to us, in a way that is meaningful to us, they also give us a set of role models that is rare in the majority-owned media. We are aware that the owners and generally the subjects are black like us, but the journalists, reporters, photographers and on-air personalities are, too.

Perhaps the two most important roles for the black media are to provide a balance of the images of blacks as most commonly portrayed, and to add to the diversity of opinion and ideas circulated in the general media. Since the black-owned media covers the broad range of the African-American experience, it serves to balance the overwhelmingly negative depictions of blacks in the white media. The black media endeavors to portray African-Americans not as stereotypes or caricatures, but rather as real people, with good and bad qualities, hopes, dreams, values, fears, rights and opinions, just like everyone else. The entertainment programs offered by black-owned broadcast media generally reflects our preferences, our culture, and our people.

A function of both blacks who are associated with white media outlets and those associated with historically black media, is to provide another view of the world's events, a different perspective, particularly on matters that shape our lives in the United States. Our national telecommunications system is charged with offering a diversity of programming, ideas and opinions reflective of the varied peoples, cultures and experiences that make up the mosaic of American life. Far too often, however, the voices of minority groups and women are muted at best and nonexistent at worst. The black media has served as an outlet, a way of sharing our views with each other and getting our message to the rest of our fellow countrymen and the world.

There is something very special about picking up a newspaper or magazine and feeling a connection, a certain familiarity with the people and events covered. I'll bet nearly every one of us has read a social note in Jet magazine at one time or another and known a person being written about. Ebony magazine is criticized because it often shows the palatial mansions of the black rich and famous. Well, why not? Why should not we know that some of us have worked hard, in whatever field of endeavor, and earned the resources to build a dream house? Someone needed to do an indepth article on AIDS in the black community, addressing the issue from the perspective of the black family and traditional black family values. Someone has, and very well, I might add: Emerge magazine.

From humble beginnings, with the first black newspaper which began publishing in March 1827, our black media has grown to include every medium of communications: the very popular black papers like the Chicago Defender and the Afro-American; widely circulated magazines like Ebony, Emerge, and Essence; Black Entertainment Television [BET]; the NAACP's Crisis magazine; approximately 200 radio and television stations nationwide and, numerous special interest magazines, academic journals, weekly newspapers, and newspaper supplements. They have come and they have gone, but the good news is that the black media lives on.

For all that our media has done for going on two centuries, we must not forget that there is still an enormous job to be done. The traditional purposes that the black-owned media has served are alive and well today, and maybe, as we face a retreat from battles already won, their role is even more important today in getting our messages across, keeping each other informed and mobilizing our efforts to continue the struggle for equality and justice.

□ 1720

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

Mr. STOKES. Mr. Speaker, at this time I yield to the gentleman from New Orleans [Mr. JEFFERSON] and we are happy to have him participate in his first special order on black history.

Mr. JEFFERSON. I thank the gentleman for yielding.

Mr. Speaker, I rise today to participate in this special order on Black History Month, which has been reserved by my esteemed and distinguished colleague, the gentleman from Ohio [Mr. STOKES].

I commend Representative STOKES for his annual efforts on behalf of this noteworthy event in our Nation. Through his efforts to educate the citizens of this country about the contributions of Americans of African descent, he has furthered the understanding of our Nation's history, which is inextricably bound to the presence, the plight, the joys, the sorrows, the struggles, and the successes of black Americans.

As a native son of the South, I believe this year's theme for Black History Month, "Educating America: Black Universities and Colleges—Strengths and Crises," is a particularly relevant one for the 11 States of the Old South. Most of the black universities and colleges of this country can be found in the South. From Fisk University which was founded in 1865, to Mississippi Valley State University, which was established in 1950, these institutions have played a major role in educating blacks nationwide, as well as educating scholars from Africa, South America, the Middle East, and the Caribbean.

In no other region of the country has the impact of historically black colleges and universities been felt more directly than in the South. Mired as it has been in the depravity of its past injustices toward its black citizens, the South today shows strong signs of changed cultural and political landscapes and an increasingly enlightened appreciation for its rich diversity. This would not have been possible without black colleges and universities.

Ironically, these schools were established, in great part, to ensure that the races were, in Booker T. Washington's words, kept "as separate as fingers in a glove." No one could have perceived the role these institutions would play in emboldening and furthering black political empowerment. No one could have imagined that these schools would become instruments for assimilating blacks in the political process, specifically, and of integrating society in other areas as well.

It is no accident then that the South has the greatest number of black elected officials of any region in the country. According to the Joint Center for Political and Economic Studies, among our numbers are a Governor; 4 U.S. Representatives; 187 State legislators; 671 county officials; 2,219 municipal officials; 270 judicial and law enforcement officials; and 876 elected officials serving in varied education functions. All 4,227 are active and vital participants in the southern political process.

Without fanfare and with meager resources, black colleges and universities prepared the overwhelming number of these officials to assume the roles they occupy today. As W.E. DuBois described them, these colleges were "practical enough to nurture [black Americans] in the enterprise of learning on the earth, yet able to point us to new horizons in the skies whither we aspire."

In the 11 States of the Old South, black academicians, especially during the early years following passage of the Voting Rights Act of 1965 a number of African-Americans met the requirements for running for a wide range of local and State offices. Upon the election of these brave and talented men and women, these scholars helped prepare these elected officials for the discharge of their duties and responsibilities. Educators from Atlanta University, Clark College, Southern University, Arkansas A&M, Texas Southern, Jackson State University, South Carolina State College, and North Carolina Central, to name just a few schools, viewed their work with black elected officials as an extension of their pedagogical pursuits in the classroom. These educators knew that the special role of historically black colleges, called upon them not just to be centers of knowledge, but centers of applied knowledge and a guide to political action and empowerment. Names such as Bacote, Henderson, Dent, Cook, Clark, Prestage, Reed, Ransburg, Francis, and countless others gave of their time so that the potentials of the Voting Rights Act of 1965, could be realized. This was not easy work, and little, if any, recognition came to them.

But their good deeds are evident throughout the South. The lives of many, including this Member, Mr. Speaker, have been laid with infinite and eternal gratitude because black colleges and universities viewed the educational enterprise as more than an intellectual pursuit devoid of real life experiences.

During this Black History Month, Mr. Speaker, I salute the black colleges and universities of the South for their stellar contributions toward the evolution of the black elected official. As the Congress prepares to reauthorize the Higher Education Assistance Act, let us be reminded that these colleges and universities must be preserved, they must be strengthened, they must be enhanced. For without them, Mr. Speaker, democracy would have few effective laboratories to test the viability of its ideals.

Mr. Speaker, I thank the gentleman for yielding.

Mr. STOKES. I thank the gentleman from Louisiana.

Mr. Speaker, I am now pleased to yield to the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. I thank the gentleman for yielding.

Mr. Speaker, I am proud to join my distinguished colleague from Ohio, and the members of the Congressional Black Caucus in this special order in honor of Black History Month. I want to commend Mr. STOKES for calling this special order and Mr. TOWNS, the chairman of the Black Caucus, for their many years of bold leadership on issues of concern to African-Americans and all minorities in the United States.

We in the U.S. Virgin Islands join enthusiastically in observing Black History Month. For us it is a major opportunity to celebrate the primary culture of our islands, where the vast majority of our people are black West Indians. We are proud of our distinctive heritage as West Indians and Americans. And we are determined to create for ourselves a distinctive future, which will build upon our unique position as a West Indian and American territory under the U.S. flag.

I want to take special note of an institution in our islands that, perhaps more than any other, symbolizes the dreams and aspirations of Virgin Islanders, and provides one of the most important vehicles our people have to realize the full potential of their destiny: The University of the Virgin Islands.

The University of the Virgin Islands, one of the Nation's historically black colleges and universities, is the only institution of higher education in the territory. A relatively young institution—29 years of age—UVI has carved an indelible place, not only in the history of the Virgin Islands but in the Caribbean region as well.

Two-thirds of the student population attend on a part-time basis. They are working men and women who are able to further their education and further the horizons of their lives through the learning they obtain at the university.

In its short history, it has produced two Rhodes scholars and students from UVI have excelled in graduate schools all over the United States.

UVI graduates hold positions of prominence in government in the territory, in many Caribbean island states, and in the U.S. Federal Government.

UVI's new president, Dr. Orville Kean, who officially begins his leadership of the university next month, in many ways personifies the African-American Virgin Islander of the 20th and 21st centuries. He is a man of the arts and sciences, a man of strength and leadership, and a man of humility. His vision will serve as an example of the limitless opportunities that blacks and, indeed, all Virgin Islanders can achieve when built on the foundation of a sound education.

The new administration under Dr. Kean plans to increase the student population, expand the programs and activities to increase the university's competitiveness as a HBCU. In addition, UVI can effectively serve as the center for leadership training in the Caribbean region. The university can collaborate with institutions from abroad to expand and improve its services.

To do this, the University of the Virgin Islands and, indeed, all HBCU's need continued support. During Black History Month and during every month and every year, we must realize the importance of education and higher education to blacks and to all peoples. For institutions like UVI truly epitomize and symbolize the greatness to which we all can aspire, and the unlimited opportunities that can be ours.

Mr. Speaker, let me say that the U.S. Virgin Islands, her people, and university are proud to share in this celebration of Black History Month.

□ 1730

Mr. STOKES. Mr. Speaker, I thank the gentleman from the Virgin Islands [Mr. DE LUGO].

At this time I am pleased to yield to the gentleman from Florida [Mr. BACCHUS], our distinguished colleague.

Mr. BACCHUS. Mr. Speaker, I rise today to honor one of America's early civil rights leaders. If I were to be asked, who was the greatest American ever to live in the 11th Congressional District of Florida, my answer would be Harry T. Moore. Thirty years before Birmingham, there was Harry T. Moore, born in Florida, Mr. Moore lived in difficult times. He was a quiet, peaceful man who preached nonviolent protest. He died at the hands of violence, ignorance, and hate. His legacy is the thousands he taught, the voters he registered, the movement he served, and the cause for which he gave his life.

In the late 1920's, Harry T. Moore came to Brevard County in central Florida as a schoolteacher. Later he became principal of Mims Elementary School. In 1934, he established the first Brevard County chapter of the NAACP. His frustration with the lack of equal pay for black educators in the public school system drove Mr. Moore, along with the NAACP, to file a successful lawsuit calling for equal wages. Just 1 week after the decision, he and his wife Harriet, also a teacher, were fired from their jobs.

Yet Harry continued to teach—as the executive secretary of the Florida

NAACP. He traveled the State at a time when violence against blacks was often overlooked, and sometimes encouraged. He sought fairness and freedom. He led statewide voter registration drives and fought for the right of blacks to vote in primaries. He filed suit against the University of Florida so that all students would be allowed to enroll.

Like too many others of his day, Harry T. Moore became a martyr of the civil rights movement. On Christmas night 1951, his 25th wedding anniversary, Harry T. Moore and his wife Harriet, were brutally murdered when a bomb exploded under their bed. Mr. Moore died before reaching the hospital. Mrs. Moore was buried 2 days after her husband's funeral. Upon hearing the news, the U.S. delegate to the United Nations, Eleanor Roosevelt, said, "That kind of violent incident will spread all over every country in the world and the harm it will do us among the people of the world is untold." No one was indicted. No one was tried. The murder of Mr. and Mrs. Harry T. Moore was never solved.

Gone now 40 years, what would Harry Moore think of America in the 1990's? He would be proud that a black American leads our Armed Forces at a time of war, but sad to learn that there are more young black men in prison than in college. He would be proud that blacks are increasingly represented in the ranks of our attorneys, doctors, and other professionals but sad to see the poverty of inner city life that so often prevents our black children from seeing these examples. And he would know that the movement he served so well continues today as we work for minority scholarships and new civil rights protections.

Harry T. Moore believed in the American dream. He hoped to make that dream a reality for all Americans. Another great central Floridian, Zora Neale Hurston, once said: "ships at a distance have every man's wish on board" but for some "they sail forever on the horizon, never out of sight, never landing until the watcher turns his eye away in resignation, his dreams mocked to death by time."

Harry Moore's dream is not yet a reality. But the life of Harry T. Moore did make a real difference—and will continue to inspire others, black and white, to overcome all that divides us, and to find strength in all that unites us.

Let the price he paid inspire us all to continue his struggle for equally, not just as we celebrate Black History Month, but as we celebrate too our endless quest for the American dream, and let us always remember, the call for a renewal of that quest has always been heard first, not in the promises of the powerful, but in the passions and in the protests of the people, people such as Harry T. Moore.

Mr. STOKES. Mr. Speaker, I thank the gentleman from Florida [Mr. BACCHUS] for his contribution to this special order.

Mr. Speaker, I am pleased now to yield to the distinguished gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I thank the gentleman from Cleveland [Mr. STOKES] for giving me this time to make a few observations on Black History Month.

Mr. Speaker, as I join my colleagues in the Congressional Black Caucus who are participating in this special order on Black History Month, thousands of American men and women are in the Persian Gulf. Perhaps the most feared weapon in the Iraqi arsenal is poisonous gas. If this weapon were used, our troops will count on the invention of Garrett A. Morgan to save their lives. Mr. Speaker, Garrett A. Morgan, an African-American was the inventor of the gas mask.

Born in 1875 in Paris, TN, Mr. Morgan's first invention was a belt fastener for sewing machines. He eventually sold the invention for $150. In 1914, Morgan won the first grand prize gold medal at the Second International Exposition of Sanitation and Safety for his breathing helmet and smoke protector. This forerunner to the modern day gas mask got its first practical test in 1916, following an explosion in a tunnel at the Cleveland Water Works, where many men were trapped below Lake Erie. Morgan, who at the time lived in Cleveland, his brother, and two other volunteers, all wearing inhalators, were the only people able to go into the tunnel and save several of the workers from asphyxiation.

As you might expect, the Morgan Inhaler was requested by fire companies all over the Nation. Unfortunately, once it was known that Morgan was an African-American, the orders were quickly canceled. In the Southern region of the country, Morgan had to hire a white man to demonstrate his invention.

Mr. Speaker, all of the troops are counting on the invention of an African-American to potentially save their lives.

When we are rushing from the House floor on our way to a speaking engagement or to catch a plane, Garrett A. Morgan keeps us under control. In 1923, Morgan developed an automatic stop sign to aid the movement of traffic.

Mr. Speaker, as I take this moment to recognize the achievements of Garrett A. Morgan, I also pay tribute to the scores of African-American inventors whose contributions helped to make America the great country that it is today.

Mr. STOKES. Mr. Speaker, I thank the gentleman from California [Mr. DYMALLY].

Mr. Speaker, I am pleased now to yield to the distinguished gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I thank the gentleman from Ohio [Mr. STOKES] for yielding to me and for his effort in leading this commemoration of Black History Month and the opportunity it provides for Members to come forward to celebrate this observance. I also want to thank the gentleman from New York [Mr. TOWNS], the chairman of the Black Caucus, for his leadership in this effort as well, and I want to publicly thank the Congressional Black Caucus for its historic work that has had such an extraordinary effect on the lives of African-Americans and Americans of all backgrounds.

As a new Member, I regard my membership in the Congressional Black Caucus as one of my most important associations in the Congress. Black History Month is not one more parochial observance. It offers an opportunity our country has heretofore denied itself, the chance to fill in an important part of the American story, a part too often missing, ignored, even deleted.

We have paid a price for our neglect of African-American history. It goes beyond the inevitable denial or ignorance of a shaping part of our American heritage. If we do not know our own history, we are apt to repeat parts of it that should be closed. College students do not know our history when they commit racial harassment and racial incidents on campus, an astonishing development throughout the country in what was thought to be our most enlightened places.

Mr. Speaker, the President does not understand our history when he vetoes the historic Civil Rights Act of 1990 despite a large majority vote in Congress reflecting a new American consensus for equality, and some Americans do not grasp our history when, despite a fighting force in the Persian Gulf that is nearly one-third black, a recent poll shows that whites question the patriotism of blacks.

How do we close the racial divide of misunderstanding and mistrust among people born and raised in the same country, under the same flag, struggling toward the same goals? We have not created enough devices for bridging divisions that have been created by centuries of history. One way surely is to come to grips with history. Black History Month provides such an occasion.

Despite the demoralization in the black community about both actions and inaction by government, black history and traditions, heroes and heroines continue to inspire us and other Americans. Fannie Lou Homer, a sharecropper and civil rights worker who, though lacking formal education, became a brilliant leader of the civil rights movement is such a heroine for me. The gentleman from New York

[Mr. RANGEL] has suggested a man who qualifies as a hero, Malcolm X.

□ 1740

Congressman RANGEL has suggested that Malcolm X was a man who qualified as a hero. Malcolm's life was a metaphor of change, hope, determination, and transformation of a kind that our country must seek. Hardened by the racism and jail he had experienced, Malcolm began his brilliant career as an agitator full of venom against white people. His journey to Mecca converted him to a nonracial view of our common humanity.

Malcolm X has become a special hero in the District of Columbia, where 70 percent of the people are African-Americans. Every May, the month of his birth, we celebrate his birthday, and District leaders, such as Dr. Calvin Rolark, galvanize the community in Malcolm's name for Malcolm X Day. Malcolm has become for District residents the embodiment of our desire for transformation, for equality, for greater democracy, and for statehood.

Malcolm's life is a textbook study of self-wrought change. Black history is replete with such models. Their lives inform America of its history and must inspire us to move both with history and beyond it.

Black history is the special pride of African-Americans, but the burden of history made in America lies with all our people. We must not only accept the verdict of history, we must respond to its lessons.

Mr. Speaker, I thank the gentleman for yielding.

Mr. STOKES. Mr. Speaker, I thank the distinguished gentlewoman from the District of Columbia [Ms. NORTON].

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

Mr. STOKES. I am pleased to yield to my distinguished friend and colleague, the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me first thank the gentleman from Ohio [Mr. STOKES] for consistently affording us the opportunity to express ourselves in the Halls of Congress on the contribution that black folks have made to this great country, and certainly the chairman of his committee, the gentleman from Ohio, with the contributions he has made from Cleveland to Washington, DC, can be included among our heroes, as well as his brother Carl, who, while he sits on the Judiciary in Cleveland and in the State of Ohio, became the first black American to become the mayor of a major city.

The irony and the tragedy is that we should never have this in our country. We should never have a day or a week or a month set aside for black Americans because we should be able to say that we are all Americans. But certainly the contributions that have been made have not been made to black history but to American history, and whether we start with Crispus Attucks and bring it up to Gen. Colin Powell, whether we start with the Revolutionary War and bring it up to the Persian Gulf, certainly American blood has been spilled on every battlefield and every cotton field to make this country what it is today.

Where do we start in talking about the contributions that we have made, with our parents, with our grandparents, with those who never went to school, with those who worked to make life better for each and every generation that followed? We can start with my predecessor, the late and indeed the great Adam Clayton Powell, where history could not distort the great contributions he made in terms of legislation to this country, and certainly with the prince of peace, the late Martin Luther King.

But so often what we find is that we wait for someone to die, and at that time we find that we can make a martyr out of that person. That is why I feel so proud to say that the late Malcolm X made such great contributions, not only to Harlem but indeed to the world. Twenty-six years ago he was assassinated in my congressional district in the Audubon Ballroom, and now Columbia University in the city of New York is going to make that a shrine where people can go and get a piece of their history. Columbia is going to be able to give scholarships in his name for those who want to study and cannot afford higher education. And we find people from throughout our community willing to join together to make certain that we never forget the great contributions Malcolm X has made. He was a man who rehabilitated himself in prison, and still he was able to educate himself so that other young people would be able to see someone they could idolize and someone they could follow.

So it is with a great deal of pleasure that I as a member of the Black Caucus have the opportunity to enter into the RECORD something about Malcolm X so that our colleagues and people who follow what we are trying to do today will know there are many faceless heroes who are black who made their contributions. And certainly high on that list would be Malcolm X.

Mr. Speaker, let us now, 1 week after the 26th anniversary of his assassination in the Audubon ballroom in Harlem, take this opportunity to revisit the life and legacy of Malcolm X. I dedicate my comments to the children of Malcolm X, Attallah, Qubilah, Ilyasah, Gamilah Lamumbah, Malikah, Saban, and Malaak Saban, and to his wife, Betty Shabazz.

Why speak now about Malcolm X? Because to the great misfortune of both blacks and whites he was dismissed and distorted by the mainstream press and public while he was alive. Because the circumstances which shaped his life—racism and oppression—are still very much in force today. And, Mr. Speaker, because 26 years without a proper recognition by this body is, in my estimation, far too long.

I feel very close to Malcolm X, Mr. Speaker. He is one of Harlem's greatest citizens. New York City has named one of its grandest avenues in his honor, just as it did for Frederick Douglass and Congressman Adam Clayton Powell, Jr., and Percy Sutton, a leading Harlem businessman and former Manhattan Borough president as well as a good friend of mine, I was proud to be his lawyer. And his funeral, which attracted over 30,000 people, was the largest funeral in Harlem's history.

Malcolm lives on in Harlem today, 26 years after his funeral. Columbia University, the State, and city are cooperating with the people of Harlem to memorialize the Audubon ballroom, the site of many of his lectures and, ultimately, his death. Columbia has also established a medical scholarship fund for minority students in Malcom's memory. Already, five Malcolm X scholars have been named; three are already doctors.

Malcolm X remains an inspiration to people everywhere as a figure of strength, of self-reliance in the face of oppression. Particularly today's youth, many struggling to beat back poverty and despair, look to the man whom they never knew as an inspiring figure of strength and determination, who was one of them. He had been where they are, knew their hurts, nursed their dreams.

Today, people play and replay the records of his speeches, study his autobiography, refuse to attend school or go to work on the anniversaries of his birth and death. He is immortalized in the minds of African-Americans today—in song and poetry, in the hopes and pains of yet another generation of people who yearn, like he did, to realize their potential.

Listen to his words of December 1964: "Look at yourselves. Some of you teenagers, students. How do you think I feel—and I belong to a generation ahead of you—that you have to be born into a society where you must fight for basic human rights. What did we do, we who preceded you? Nothing. And don't you make the same mistake we did." People today listen to these words, and they understand, and they will not make the same mistake.

Malcolm X did not preach black supremacy. But he did preach, in no uncertain terms, black pride and black redemption, black affirmation, and black unity. He presented to America the image of a black person that one could—that one had to—respect.

As Ossie Davis said, "Malcolm said get up off your knees and fight your own battles. He would make you angry, but he would also make you proud. It was impossible to remain defensive and apologetic about being a Negro in his presence. He would not let you."

Born Malcolm Little on May 19, 1925, in Michigan, Malcolm X was molded by the racism of the United States. Racist episodes checkered his early life, like those of so many blacks born in America. When he was 4 years old, his house was burned to the ground as white police and firefighters looked on. Two years later, his father was killed in what Malcolm always believed to be a lynching. In school, his teachers crushed Malcolm's aspira-

tions to be an attorney and instead advised the gifted student to become a carpenter; he dropped out after the eighth grade.

Malcolm moved east, where he found first jobs, then crime. When he was not yet 21, Malcolm was finally arrested for burglary and sentenced to 10 years in prison.

In prison, he educated himself through correspondence courses and by reading the dictionary from A to Z in the glow of a light in the hallway. Although his schooling stopped at the eighth grade, his speeches—and you can hear them on records and read them in books—were more articulate and forceful than many I have heard on this very floor.

His struggle in prison to rehabilitate himself on his own is not only a tribute to his self-reliance, but it also suggests the enormous untapped talent—even genius—in today's black youth who now struggle in the inner cities or languish in prison.

After his release from prison, he made his way to Chicago where he entered the Black Muslim movement and changed his last name to X, signifying the African name, long erased from his family, that he would never know.

After organizing a mosque in Philadelphia, Malcolm X was sent to New York City to lead Muslim Mosque No. 7 in Harlem. In just a few years he was able to transform the movement into a national organization. As its most prominent public spokesperson, he literally put the movement on the map.

In Harlem, Malcolm X initially argued that we had to separate from society, that blacks could not hope to succeed in a society that was defying their peaceful overtures with dogs and firehoses and bombings, in the night.

In 1963, after continuing disagreements with the Nation of Islam leadership, Malcolm X left the Nation of Islam and started two new organizations in Harlem: the Muslim Mosque and the Organization of Afro-American Unity.

As he said then, "I believe the best solution is still separation, with our people going back home to their own African homeland. But this is a long-range program and while it is still yet to materialize, 22 million of our people who are still here in America need better food, clothing, housing, education, and jobs right now."

He began a broad campaign for black America's human rights and brought it to the international level. Malcolm realized that blacks in America were a minority, but only in a narrow sense. Indeed, there are over 100 million blacks in the Americas and over 300 million others on the African Continent. When joined, these millions could indeed become a mighty force. And so Malcolm urged unity.

He patterned his organization, the OAAU, after the OAU and united the concerns of African-Americans with those of Africans throughout the world. He took his grievances to the United Nations and sought the counsel and advice of world leaders in several trips to Asia and Africa, including pilgrimage to Mecca.

Malcolm returned from abroad with his thinking again revolutionized. He no longer opposed whites joining the black liberation movement. During his pilgrimage he realized for the first time that brotherhood could exist among all colors, where no one felt segregated, where there was no superiority and inferiority complexes.

Malcolm X aroused so much controversy—and let's admit it, fear and even hatred—because he was unreservedly committed to the liberation of our people in America. He demanded that America keep its promise of democracy to all people and never let anyone, black or white, forget it.

Malcolm X was a remarkably gifted and talented leader whose righteous indignation symbolized the oppression that formed his life. His spirit will rise again, because he is worthy of being remembered and because the racism that shaped him will not let us forget.

Malcolm was a black man who lived and died in leadership to our people. He was one of us. He cried out for our needs, sustained our aspirations, insisted that we were strong when all the world had told us we were weak.

He was a black man who managed to realize a large degree of his abilities in spite of the oppressive pressures he encountered throughout his life. He was a man who acknowledged his own errors as readily as he did those of society and who tried, to his dying day, to correct them all. A man who learned to recognize the humanity of all people, even those who strove to put him and our people down.

Above all, he was a man of courage who would not—could not—wait to save our people.

As the noted African-American scholar John Henrik Clarke said, "His dream of a world where his people will walk in freedom and dignity was temporarily deferred by his assassination. The assassin killed the dreamer but not the dream. The dream is the legacy that he left us."

Mr. Speaker, I close by offering the following lines by Harlem poet Langston Hughes:

What happens to a dream deferred?
Does it dry up
Like a raisin in the sun?
Or fester like a sore—
And then run?
Does it stink like rotten meat?
Or crust and sugar over—
Like a syrupy sweet?

Maybe it just sags
Like a heavy load.

Or does it explode?

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

Mr. STOKES. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I certainly want to commend the gentleman in the well from Cleveland, OH, for taking this special order out to commemorate Dr. Carter Woodson's celebration of Negro history, of black history, and also to commemorate this month that we have set aside for pointing out the kinds of contributions that blacks have made to the development of this great Nation.

In addition, I want to commend the gentleman from New York [Mr. RANGEL] for citing the accomplishments of Malcolm X. Malcolm lived through those turbulent years of the late fifties and early sixties. He was not understood by everybody and certainly was not appreciated by everybody, including many black leaders at the time. What Malcolm did was what had to be done. Malcolm was a great leader, in my opinion, and Malcolm was a great educator. He taught black people to have pride in themselves. He taught black people to be proud of their heritage and proud of their contributions. I think it is very noble for the Black Caucus to now cite him as many other individuals throughout the Nation are now citing him and recognizing his contributions.

Mr. Speaker, I welcome this opportunity to contribute remarks at this special order featuring a tribute to Malcolm X.

It is very important that we continue to point out the character and contributions of Malcolm X so that his place in history will never be diminished or distorted. His achievements must be documented continuously to ensure that his accomplishments are placed in their proper perspective.

It is our duty to see that this happens. We cannot be assured that he will hold an honorable place in American history books if past experience is any indication. Note for example, that a black Harvard honors student's sorry response when asked to identify Malcolm X, replied that he was unable to find any historical reference to "King Malcolm the Tenth."

So let us honor Malcolm X today. From "Detroit Red," street hustler to the dynamic leader of a movement to instill racial pride in his people.

His was the voice that radically articulated the frustrations of an oppressed black people during the turbulent 1960's. His was the voice that openly defied America's denigration of black history and culture. His advocacy for racial pride and self-empowerment impacted directly on the way many black Americans came to view themselves.

And what a voice it was. The sheer power and articulation of his words literally mesmerized black audiences throughout the Nation.

Malcolm was a man with a mission, on a great crusade to uplift his race. He was an advocate for self-love, self-worth, and yes, even self-defense which he preached to his followers. He spoke out on many issues when established black organizations and institutions failed to do so. He would say what the white establishment wanted hushed.

At the time of his death his influence was only beginning to be felt. His legacy, however, must continue to live on because in honoring Malcolm we honor the best in ourselves.

□ 1750

Mr. STOKES. Mr. Speaker, I certainly thank both of these distinguished chairmen for their contribution here this afternoon, and particularly the gentleman from New York [Mr. RANGEL], for having brought to our attention the significant contributions of Malcolm X.

I am pleased at this time to yield to my friend, the distinguished gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. STOKES] for once again allowing me to

participate in this special order, and for allowing me some time in recognition once again of Black History Month.

Mr. Speaker, it is well known that recognition of black achievements in the Nation's history cannot be restricted to 1 month or 1 day or 1 year. In fact, the achievements of African-Americans in the Nation's history defies restriction.

I want to associate myself also with my colleagues concerning the role of historically black colleges and universities. Mississippi has five HBCU's. Alcorn State University and Mississippi Valley State University are both in the Second Congressional District that I am proud to represent, but also Tougaloo College, Rust College, and Jack State University as well, all fine institutions.

These institutions have a history of overcoming adversity. Each year, they provide quality education to students who otherwise would have to do without. They take many young people from disadvantaged backgrounds and give them an advantage for the future. They have to do more with less. They lift up those who have the farthest to climb. In the process, HBCU's have produced many outstanding African-American leaders who have returned to the community to pave the way for others.

Mr. Speaker, I would like to mention one great African-American leader, and that is the gentleman by the name of Medgar Wylie Evers, who was one of those leaders who attended HBCU, which at that time was known as Alcorn A&M College, in 1946. He attended it with the backing of the GI bill. Unfortunately, the name Medgar Wylie Evers is not known to most Americans, but he is, of course, very well known to the people of Mississippi.

A few weeks ago, many of you may have read that Mississippi agreed to reopen the trial of the man accused of killing Medgar Evers. Medgar was shot in the back in front of his home in Jackson, MS, on June 12, 1963. But no one has ever served a day in jail for his murder.

The fact that Mississippi would reopen this case, almost 30 years after Medgar's death, is a sign that times are truly different from the days of Medgar. It is a sign that Mississippi is putting behind the pain of the past and looking forward to the promise of the future. Medgar Evers gave his life for justice. It is only right that Mississippians should seek justice in his death.

When most Americans think of the civil rights movement, they automatically think of Dr. Martin Luther King, and they should.

But even before Dr. King led the Montgomery bus boycott in 1955 and brought the civil rights movement to the consciousness of the world, Medgar Evers was leading the fight against racism and segregation in Mississippi. Medgar Evers was the first field secretary of the Mississippi NAACP. He served from 1954 until his death 9 years later. He led the movement in Mississippi before the civil rights movement was on the evening news.

He was a man of tremendous courage. At a time when a black could be beaten, jailed, or fired for going against the tradition of the South, Medgar Evers led campaigns to desegregate higher education. When blacks, who stepped too far out of line could wind up floating in a river, Medgar Evers led the struggle for the right to vote and the struggle to desegregate public accommodations and led campaigns against racist violence.

Born in 1925 in Decatur, MS, Medgar followed his brother Charles into the Army during World War II when many did not believe black soldiers were capable of fighting a war. But his experiences in the Army inspired Medgar to come back and fight for freedom at home. In 1946, he came back from France determined to register and vote. But he was stopped by a racist mob.

He decided to go to Alcorn College with the backing of the GI bill. Alcorn College, like so many other historically black colleges, played a critical role in nurturing Medgar Evers. He excelled in school where he joined the debate team, played several sports, and was listed in "Who's Who Among College Students." While at Alcorn, Medgar met his future wife, Myrlie Beasley, whom he married in 1951.

Medgar and Myrlie Evers became the proud parents of three children. Medgar was devoted to his family. Yet, he became deeply involved in the civil rights movement and Myrlie assisted, gradually learning to share her husband with the movement. Medgar joined the NAACP in 1952, and he worked to build chapters in the towns of the Mississippi Delta where cotton was king and black sharecroppers worked in the fields creating wealth they would never know while being denied the rights that all Americans deserve. But Medgar Evers refused to accept Mississippi as it was. He devoted his life, and finally gave his life, to make Mississippi, and America, what it should be.

Mr. Speaker, it's hard to believe that Medgar Evers was ambushed almost 30 years ago. Yet, during that 30 years, the movement he set in motion has produced a new Mississippi and a new South. His is a legacy of struggle and sacrifice. Today, he is a symbol for all Mississippians and for all freedom-loving people around the world.

As we recognize the contributions of historically black colleges during this Black History Month, it is appropriate that we remember Medgar Evers. He was a product of Alcorn College in Mississippi. Today, he is a symbol of the very best of what black people, what Mississippi, and what the United States can produce.

Mr. Speaker, I want to say to the gentleman from Ohio [Mr. STOKES] that we are proud of you for taking the time, for recognizing Black History Month, and for allowing those of us time to make this contribution. I did want to bring to the attention of the Nation the contributions of Medgar Evers, and in fact give Mississippi some recognition for agreeing to prosecute his murder some 30 years after his death.

Mr. STOKES. Mr. Speaker, I thank the gentleman from Mississippi. I am pleased to yield to the gentleman from New Jersey [Mr. PAYNE], our distinguished friend and colleague.

Mr. PAYNE of New Jersey. Mr. Speaker, I commend the gentleman from Ohio [Mr. STOKES] for taking this special order today.

Mr. Speaker, the war in the Persian Gulf has given an especially profound meaning to Black History Month this year. In military conflicts throughout the history of our Nation, African-Americans have willingly laid down their lives for their fellow citizens and for the cause of freedom throughout the world.

Yet, for too long, there has been little attention focused on the cruel irony that African-American men and women who fought for our country have been routinely denied their own rights and freedoms when they return to American soil.

Let us hope that we have learned a lesson from history. Let us be sure that those who return from his conflict will be given the respect, the dignity, and the economic opportunities that they have earned.

The enormous pride we feel today in the achievements of African-Americans is mingled with deep sorrow over the loss of promising young lives in the Persian Gulf. Yesterday, I attended the funeral of a young African-American man from Newark, 18 years of age, who was killed in action in the Persian Gulf after serving in the Army for just over 2 months. Pvt. Robert Talley grew up in my neighborhood; he attended Barringer High School, where I was educated years earlier.

Robert was described by friends and neighbors as a kind and courteous young man who had hopes for the future; he aspired to become a doctor. Because his family could not afford to send him to college, Robert chose the Army as a path to attain an education so that he could reach his goals in life.

Mr. Speaker, I know my colleagues here in the House of Representatives join me in honoring Pvt. Robert Talley, whose young life was tragically cut short before his dreams could be realized.

Almost 50 years ago, when the Japanese bombed Pearl Harbor and set off

World War II, one of the first heros on the American side was a young man from Newark, Archie Callahan. He was 19 years old, a member of Hopewell Baptist Church who had attended Monmouth Street Elementary School, Cleveland Junior High School, and Central High School. After enlisting in the U.S. Navy on August 21, 1940, Archie Callahan became the first Newark resident to die by enemy action in World War II. He was serving on the U.S.S. *Oklahoma* which capsized during the Japanese attack.

In 1942, a monument commemorating Archie Callahan was purchased by the city of Newark and unveiled in Douglas-Harrison Park. On the anniversary of Pearl Harbor, a wreath is laid at the Archie Callahan monument. This event is organized by the Guyton-Callahan Veterans' Post, the oldest predominantly black legion unit in New Jersey. The post is named for Callahan and Emmet Guyton, a black Air Force veteran who died in World War I.

Let us hope that in the future, we will find peaceful solutions to our global problems so that other young people will not have to pay the ultimate and terrible price exacted by war.

As we reflect on today's realities, the message of Malcolm X, which shocked many people during his lifetime, is being reexamined.

While we continue to meet resistance in our efforts to pass the new civil rights bill, we call to mind what Malcolm X told an audience in 1965, "You cannot separate peace from freedom, because no one can be at peace until he has his freedom."

Malcolm X promoted the values of self-reliance and self-determination. He believed that the African-American community should strive for excellence. One of his famous remarks was, "Whether you use ballots or bullets, you've got to aim well."

While Malcolm X challenged the status quo during his lifetime, many of his ideas seem conventional today. He recognized the importance of education, telling young people that "Education is our passport to the future, for tomorrow belongs to the people who prepare for it today."

Mr. Speaker, as we look back at our proud history this month, let us also look ahead to the challenges of tomorrow. Let us fulfill the dreams of those who went before us by working to see that the door of opportunity is open to all Americans.

Mr. STOKES. Mr. Speaker, I thank my friend, the distinguished gentleman from New Jersey [Mr. PAYNE], for his significant contribution to this special order.

Mr. Speaker, it is altogether fitting and proper that the last speaker on this special order today be a Member of this body who has distinguished himself by becoming a legendary figure during the course of the civil rights movement in this country. I am very pleased at this time to yield to my friend, the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank Chairman STOKES for setting aside this time to recognize the contributions of America's black colleges and universities. It is fitting and proper that at the end of Black History Month that we in Congress pay tribute to history of black Americans. By honoring black colleges and universities, we honor the best of what black America has contributed to the building of this nation.

I take special pride in speaking on this worthy subject. I represent the city of Atlanta and it holds a special significance for America's black colleges and universities. Atlanta is the home of the Atlanta University Center, the single largest complex of black colleges in the world.

Those schools comprising the Atlanta University Center include Morehouse College, Spelman College, Morris Brown College, the Inter Denominational Theological Center, and Clark-Atlanta University. I feel proud to live in a city that has been profoundly shaped by the Atlanta University Center.

The schools each have a rich history and they have graduated thousands of distinguished African-Americans. Notable graduates include Dr. Martin Luther King, Jr., Atlanta Mayor Maynard Jackson, Julian Bond, our colleague, Congressman MAJOR OWENS, and many others. When historians sit down to write the history of Atlanta during the 20th century, they will recall the impact and influence of the Atlanta University Center. They will write about the civil rights movement and how many of its student leaders attended schools in the A.U. Center. They will write about the development of black political leadership in Atlanta and Georgia, and they will see the hand of Atlanta's black colleges.

I believe you cannot overestimate the influence of the Atlanta University Center in the growth and development of Atlanta. When you consider that Atlanta will host the 1996 Olympic games, you must realize that the leadership that has been provided by Atlanta's black colleges has had a decisive impact on the city's success.

Winning the rights to host the 1996 Olympics grew out of the city's reputation as an international human rights center. Much of that positive reputation has resulted because of the schools in the Atlanta University Center.

Unlike some other cities, Atlanta underwent public desegregation peacefully and in an orderly manner during the 1960's. Atlanta's black leadership had nurtured a social and political dialog with white civic leaders for many years. That tradition of dialog and cooperation played a central role in accommodating the civil rights movement. In the process, Atlanta was spared the bloodshed and violence that marked the movement in other locations across the South.

I believe the Atlanta University Center can take some credit for contributing to Atlanta's social prosperity. On many occasions, the late Dr. Martin Luther King, Jr., spoke highly about the influence that Morehouse College had upon his life. Dr. King like other leaders who emerged from the Atlanta University Center had teachers such as Dr. Benjamin Mays. It was men and women like Dr. Mays who inspired their students to take part in the civil rights movement.

Since the movement, we have had another generation to assume leadership in Atlanta politics, such as Atlanta Mayor Maynard Jackson, Fulton County Commissioner Michael Lomax, and Atlanta City Council President Marvin Arrington. These young men are graduates of the colleges in the Atlanta University Center. That new generation has also moved into the Nation's corporate boardrooms and firmly into the mainstream of American life.

In the process, the city of Atlanta has blossomed into one of the most vibrant and socially diverse cities in the Nation.

I salute the Atlanta University Center. These schools have had a grand history. My city as well as the Nation owes a tremendous debt to these institutions.

□ 1800

Mr. STOKES. I thank my distinguished colleague from Georgia for his contribution to this special order.

Mr. Speaker, I thank all of my colleagues who have joined me here and those who also were unable to be present but who have submitted statements for the RECORD.

Mr. CONYERS. Mr. Speaker, I am pleased to join my colleagues in commemorating Black History Month. The month of February provides African-Americans with a chance to reflect upon the past and celebrate our infinite contributions to society. It is also a time to assess our present status and define our goals for the future.

Today, I would like to call your attention to the casualties of our health care system, which far outnumber any casualty reports we are receiving from the Persian Gulf.

Our health care system is failing. Thirty-seven million Americans, most of whom are working, lack health insurance. Women don't receive prenatal care, children go without immunizations, people with AIDS or cancer get dropped from insurance policies. Yet, the United States spends more per capita on health care than any other industrialized nation.

Health care in America is rationed by income, by social status, and yes, by race. Doctors visits, medication for an ailment, surgery for disease, and exposure to health threats are not equally distributed. Just as African-Americans face the pain of discrimination, the

walls of restricted opportunity, and the limits of choice every day, so too do we face the institutional barriers of our health care system.

All too often African-Americans care for the infirm, yet lack health care themselves. All too often blacks identify hospital emergency rooms as their doctor's office, sometimes getting care too late to prevent serious illness. All too often African-Americans live near the toxic waste dump or downwind from the chemical plant, dramatically increasing risk of disease.

What impact do these conditions have on the health of African-Americans? To begin, African-Americans in this country have a shorter life expectancy, just over 69 years, than the overall population, with 75 years. Black men experience a 25 percent higher risk of all cancers than non-black men. Diabetes is 33 percent more common among African-Americans. And, black infants are twice as likely as white infants to die before their first birthday. In my own city of Detroit, an infant is more likely to die than in Jamaica or Costa Rica, two of the poorest countries in the world.

In the 1960's, American apartheid—those decades of legal discrimination which followed slavery—came to an end. Yet too many barriers still exist—such as access to health care. One out of five African-Americans lacks any health insurance. No nation in the world spends as much on health as we do. Yet we are still in the company of the apartheid regime in South Africa; but more fundamentally, our health care system is sick because of the political—and moral—choices our Government makes.

In the mid-1960's, the United States and Canada had similar health care systems. Both were unable to cope with the growing need to care for the elderly and the poor, or to make health care affordable for the middle class.

America responded in 1965 by creating Medicare for the elderly and Medicaid for the poor. But these programs only expanded and complicated an already complex and inefficient health care system. As a result, both failed to live up to their promise. Our senior citizens currently spend 18 percent of their income on health care despite qualifying for Medicare, and only 45 percent of the poor are covered by Medicaid.

On the other hand, Canada created a comprehensive national health insurance program that was fully implemented in 1971. Like in European countries, every citizen receives care no matter what their income or ailment. Costs are contained by eliminating unnecessary beds, requiring hospitals to share technology, and limiting excessive fees. Canada's health indicators now equal and in many cases surpass our own.

Their system, because it is centrally coordinated by the public sector, increased efficiency and dramatically reduced the cost of health care. In the 1960's the United States and Canada each devoted about 6 percent of their gross national product [GNP] to health care. Since that time, the percentage of GNP devoted to health care in the United States has doubled to 12 percent; Canada has held health care spending to about 9 percent of GNP. Translation: we spend $2,425 per person each year on health care; Canadians spend only $1,746 per person.

There are shortcomings in Canadian health care that cannot be overlooked, such as waiting lists for some procedures. However, we are shortsighted if we fail to learn from the success of our neighbor up north.

That is why I have commissioned a major congressional study comparing the United States and Canadian health systems. I believe this report, to be released in June, may find that large savings and much lower inflation can be achieved from a Canadian-style system—enough to provide health care to those who don't currently have it, and to reduce costs for those who increasingly can't afford it.

In his most recent State of the Union Address, the President acknowledged that health care is a basic right for all Americans. This was a step forward, but soothing words are not enough to end the economic rationing of our current system. We need a plan, so that we no longer are in the company of South Africa when it comes to how we treat our citizens.

The Social Security Program was created to provide much-needed income security for the elderly. It is now time to develop a national health insurance program to provide health security to all Americans regardless of income, social status, or race. It is the moral, and the efficient, thing to do. The critical condition of our health care system, and of the health of African-Americans, requires such major surgery and intensive care. Without it the patient doesn't have a chance.

Ms. WATERS. Mr. Speaker, like many of my colleagues, I rise today to pay tribute to America's black colleges and universities. The historical accomplishments of African-Americans could not have been achieved without the existence of black colleges and universities. Publishing newspapers, designing capital cities, scoring operatic productions, inventing traffic signals, building financial institutions and developing life-saving blood plasma all resulted from the education and nurturing provided by black colleges and universities.

With the beginning of Cheyney State College in Pennsylvania in 1837, higher education became a reality for African-Americans and the foundation for academic excellence for a race of people once denied the right to read.

Black institutions of higher learning and the educators who supported them, gave this Nation the very thing it needed, when it needed it—an intelligent, productive work force, able to significantly contribute to the industrial revolution in America.

The brilliance and discipline of Tuskegee's first lady principal, Olivia Davidson; the poise and integrity of W.E.B. du Bois and the focus and determination of Mary McLeod-Bethune were but a sampling of the seeds planted in the fields of academic potential for African-Americans. These compassionate educators had the vision to see the long-term effect of what a college education from a black institution could bring to their people and this Nation. They understood that the contributions made by them and others like them would, give African-American people a foundation that no amount of racial discrimination could erase.

There are approximately 107 historical black colleges and universities in this country. Every year, 300,000 students enroll in historical black colleges and universities. Every year 30,000 students graduate from these colleges and universities. Since 1966 alone, these very institutions graduated over a half million African-Americans. Black colleges heard the cry of a people saying, "I want to learn, I have something to give, I am somebody." The commitment invested in these academic institutions has given America some of the best scientists, doctors, architects, engineers, educators, lawyers, and statesmen any nation could even have.

As we focus our attention on the current educational needs of our children; as we attempt to give form and structure to the academic agenda of our children's future, let us rededicate ourselves to black colleges and universities. We have not moved as quickly as we would have liked. But, we cannot stop—we cannot hesitate—we, must quicken our pace, to do whatever is necessary to strengthen the very institutions that nurture and challenge our children, our culture, and our country.

And so today I ask my fellow colleagues to recognize the achievements of America's black colleges and universities, to remember what these institutions of higher learning have given to our society and to pledge to support. I want us to remember what black colleges and universities have given this country when we talk about cutting financial aid programs. I want us to remember that dedicated educators like Booker T. Washington have inspired modern-day educators like Johnetta Cole. Most importantly, we must acknowledge that our society is richer because of black colleges and universities.

Do not forget the struggles and successes of our black college history. It is forged on a vision of freedom, equality, and opportunity that we must preserve for our children.

Mr. ROE. Mr. Speaker, I rise today to focus attention on and to commemorate National Black History Month. February is the month set aside to recognize the many many contributions black Americans have made to our Nation's history and their significant accomplishments in building this great Nation.

In February 1926, the renowned historian Dr. Carter G. Woodson, recognized as the father of black history, inaugurated what was then known as "Negro History Week." He chose February because it was the month in which two men, both who fought for equality, were born: Abraham Lincoln and Frederick Douglass. In 1976, Congress passed a resolution designating February as "Black History Month." Since then, we have paused every February to honor the invaluable achievements of black Americans in pursuit of the American dream and in furthering the economic and physical health and well-being of all Americans.

As we all pray for a swift and speedy resolution of the gulf war, with the minimum of casualties, it would be worthwhile to call to mind the contributions black Americans made in previous conflicts.

Black Americans participated in the Revolutionary War, in order to exchange slavery for freedom. The name Crispus Attucks is well known—he was the first person, a slave, who perished in the Boston Massacre of 1750. While it is common knowledge that many black Americans fought with the Union Army

during the War Between the States, it is also a fact that a black American woman, Dorothea Lynde Dix, was appointed to serve by Secretary of War Simon Cameron in 1861 as the Supervisor of Women Nurses. She organized hospitals for the care of the sick and wounded soldiers, appointed nurses, and dispersed special supplies to the troops.

There were all-black units accompanying Teddy Roosevelt in his courageous charge up San Juan Hill. In the First World War, the 369th Infantry Regiment, an all-black unit, distinguished itself in battle. Among its notable accomplishments were the eleven citations for bravery, the entire unit receiving the French Legion of Honor, and never losing a man to capture. The 369th also distinguished itself in World War II and in Korea. Today, the 369th attention focuses on helping children to achieve their dreams, by supporting Boy Scouts and little league teams, by running a program of tennis instruction, and by teaching black American children the history of the blacks in the military.

Mr. Speaker, black Americans participated in disproportionate numbers in the Vietnam war, and suffered the same problems that other GI's returning from Vietnam did. Nevertheless, they served their country admirably in that long and bitter conflict. Today, as we speak, they are serving their country proudly in the gulf war, and a black American, Colin Powell, is now the Chairman of the Joint Chiefs of Staff.

Black American achievements have not, by all means, been limited to the military. Education, arts, medicine, academia, agriculture, athletics, science, industry, politics, and entertainment have all beeen enriched because of the participation of American blacks. Most recently, the Congress passed H.R. 996, the Excellence in Mathematics, Science, and Engineering Act of 1990, which was signed into law as Public Law 101–589. This legislation, which originated in the Committee on Science, Space, and Technology during my tenure as chairman of that committee, establishes special visiting professorships for minorities in the sciences, and calls for collaborative efforts between research universities and institutions with large minority enrollments. These efforts will help attract more minority students to careers in science and engineering. H.R. 996 also expands the NSF graduate fellowship program and sets up a new graduate traineeship program. Both of these programs are designed to increase support for minority students preparing for careers in science and engineering research.

It was Dr. Woodson's dream of setting aside a special time when the Nation would focus on the important part that black Americans have played from our Nation's earliest history, and, as you can see from above, no facet of society has not benefited from the contributions and leadership of black Americans. As we observe Black History Month, we are continuing to fulfill the mandate of Dr. Woodson.

Mr. OWENS of New York. Mr. Speaker, I am honored to participate in today's colloquy concerning historically black colleges and universities, their strengths and crises, which was organized in observance of Black History Month by my esteemed colleague, Representative LOUIS STOKES of Ohio. It is indeed a timely subject. As a senior member of the House Committee on Education and Labor and a graduate of two historically black colleges and universities—Morehouse College and Atlanta University—I am well aware of the significant role the 107 HBCUs have played, and continue to play, in the education of African-Americans, and in higher education overall. The Bush administration, however, fails to grasp their significance, and prefers lip service to real service when it comes to providing HBCUs with the Federal funding they urgently need in order to give their more than 248,000 students a quality education. In its fiscal year 1992 budget, the Bush administration is requesting only $99,542,000 for the HBCUs. $87,831,000 of that money would be under the part B formula grant of title III—the Aid for Institutional Development Programs—and $11,711,000 would go to the HBGIs, the historically black graduate institutions under part B. These amounts are identical to those in its fiscal year 1991 budget, and fail to take into account the rising costs of higher education. The fiscal year 1992 proposed budget request also includes $7,462,000 for the Endowment Challenge Grant Program, which is designed to help developing institutions move toward financial stability by building endowments and developing their fundraising capabilities. The problem with this is that the Challenge Grant Program is available to both HBCUs and non-HBCUs. In addition, the proposed amount for fiscal year 1992 is much less than what was appropriated in the fiscal year 1991 budget: $17,462,000.

The Bush administration, meanwhile, is considering a controversial plan that would change the way Federal agencies support black colleges. The HBCUs would be divided into several categories based on their missions and programs. Federal agencies planning to work with HBCUs would then focus attention and money on the category of college appropriate to the agency's needs. For instance, a Federal agency wanting to support research could hold a competition that would be open only to those HBCUs designated as research institutions. Most HBCU presidents oppose the idea, saying the Federal Government and private foundations would shift money to a small group of HBCUs—those that have more money—and abandon other HBCUs. As the president of the University of Maryland, Eastern Shore, William Hytch noted, it would set up another caste system, under which the rich HBCUs would become richer, and the poor HBCUs would become poorer.

Although the last 10 years has seen a dwindling Federal commitment to civil rights, particularly to equality in education, the HBCUs have remained true to their time honored mission to educate African-American young people, and give them access to higher education, regardless of their financial and academic standing. Their hard working administrators and professors have nurtured and encouraged African-American youth, refusing to let go, pushing all students toward the goals of educational excellence and achievement. And they do this on shoestring budgets and with ever-shrinking resources.

HBCUs have been as critical to the development and advancement of African-Americans in this country as Brigham Young has been to Mormons, Yeshiva has been to Jewish people, and Notre Dame has been to Catholics. Since their inception, HBCUs have produced more than 70 percent of all African-American college graduates. The most recent statistics available show that two HBCUs account for 40 percent of all African-Americans earning dentistry degrees; two account for 22 percent of all African-American medical students; four account for 16 percent of all African-Americans in the legal profession; one accounts for 82 percent of all African-Americans earning degrees in veterinary medicine. HBCUs constitute only 3 percent of all higher education institutions, but they enroll 16 percent of all African-American students in higher education. Three-fourths of all African-Americans holding doctorate degrees, three-fourths of all African-American officers in the Armed Forces, and four-fifths of all Federal judges, attended HBCUs. However, there are a number of crises that hamper the ability of HBCUs to carry out their higher education mission effectively.

A persistent and critical issue for HBCUs is rising costs. Students attending HBCUs need sufficient grant and work-study funds if they are to continue to meet those costs. During the years 1979–80 to 1985–86, HBCUs struggled with rising costs, while at the same time the Federal share of HBCU's revenues fell by 29.8 percent. The share for all other colleges fell by only 17.1 percent. The level of funding for individual students through Pell grants has not kept pace with increasing demands for tuition and fees; as a result, Government guaranteed loans have become a major source of payment, which places a serious financial burden on low-income students and their families.

Another critical need for HBCUs is the upgrading of their physical plants. An American Council on Education survey of higher education leaders issued near the end of the 1980's showed that upgraded facilities ranked as the number two challenge facing college administrators. HBCUs are often forced to defer physical plant development and maintenance in order to be able to meet competitive faculty salaries and to fund the development of programs.

A major issue for HBCUs is the underrepresentation of doctoral candidates of color in most areas of black colleges and universities. From 1977 to 1986 the number of African-American doctoral recipients fell from 1,116 to 820. The number of African-Americans attaining doctorates continues to decline, and shows no sign of recovery. The number of African-American males earning doctorates in that period dropped from 684 in 1977 to 321 in 1986. African-American women showed an average increase of only six Ph.D. recipients during that 9-year span. The reduction of African-American doctorate degree recipients has serious implications for the development of African-American faculty at HBCUs and on predominantly white campuses. Many senior faculty at HBCUs are retiring or close to retirement age; at the same time, the pool of African-American Ph.D. recipients who could replace them is decreasing. Many African-American faculty members of predominantly white colleges and universities earned their doctorates at HBCUs; where will the role models for African-American students on white campuses come from if the decline in African-American

Ph.D. recipients continues? Education experts attribute the drop in African-American doctorate degree recipients to a number of factors, among them: Deficiencies in early education; Federal cutbacks in financial aid for graduate education; decline in affirmative action; market trends and career attractions outside of the academic arena; and lack of incentives in the public and private sectors. Clearly an effort must be made to reverse these trends, with the Federal Government leading the way by providing more Federal funding for Pell Grants; more Federal funding for Head Start and other innovative early education programs; increasing Federal funding for graduate education; and renewing its commitment to educational equality and affirmative action.

The Federal Government must also step up its research into the problems of inner-city, at-risk youth, many of whom are African-Americans, to enable them to have access to higher education.

We not only need HBCUs to educate and develop African-Americans; the Nation needs them. A major role in winning the allegiance of the Third World nations could be played by HBCUs. Foreign students who have difficulty adjusting to life in this country have found greater receptivity on HBCUs' campuses. With more funding in research and development, HBCUs could contribute to the drive to make the United States more competitive with Japan, Germany, the Soviet Union, and other highly industrialized nations, by producing more scientists, engineers, and technicians of all kinds.

The survival of HBCUs is inextricably linked with the survival of African-American communities and of the Nation as a whole. We must maintain the tradition of HBCUs as the fountainheads, the sources of intellectual orientation, stimulation, and inspiration for the African-American community. We need HBCUs to help uplift the African-American "underclass", to show them that involuntary membership in this "underclass" is not a permanent fate. The presence, the totality of activities in our HBCUs can provide a vital, continuing education for us all. In my capacity as a member of the House Education and Labor Committee, and as the chairman of the Congressional Black Caucus higher education braintrust, I will continue to fight for the survival, and the growth, of HBCUs.

Mr. MFUME. Mr. Speaker, Frederick Douglass said:

> Measure not the colored man from the heights you have attained, but rather the depths from which he has come.

Mr. Speaker, in February 1926, Carter G. Woodson inaugurated Negro History Week, in an attempt to address the many inaccuracies and untruths told about the history and culture of people of African descent. The purpose of today's special order is to recognize Black History Month and continue to build upon Dr. Woodson's dream.

As Members of Congress, thousands of Americans both black and white, Jew and gentile, look upon us to provide leadership and direction for the betterment of our society. Having said that, I commend the gentleman from Ohio, Chairman LOUIS STOKES, for once again spearheading today's special order and also commend our colleagues for taking the time to honor the history and culture of African-Americans.

Mr. Speaker, the African in American history is as old as the advent of the New World itself. Yet, to all too many Americans, the popular conception exists that the history of the African in America began with slavery and that their ancestors in their homelands willfully sold their people for personal gain or other reasons. This distortion, which persisted for centuries, practically ignores the vicious slave trade and the journey through the middle passage by thousands of African men, women, and children. Moreover, it does not acknowledge unseen forces and personalities who labored collectively to oppose and expose the horrors and atrocities of the peculiar institution of slavery.

Since early colonial America, the African-American has been portrayed as either a docile, carefree servant, or a rebellious fugitive lying in wait to strike at his oppressor. It is no small wonder, therefore, that the history of African-Americans in this country has been a never ending struggle for equality and against invisibility.

Mr. Speaker, one vehicle that African-Americans have used to further their ambitions in the United States is to join the armed services and defend their country. Just as today, in Operation Desert Storm, African-American men and women bravely risk their lives to defend the ideals of liberty and justice for all. Crispus Attucks, a black seaman, was the first to die in the Boston Massacre, a precursor to America's War for Independence.

In 1775, an African-American clergyman, Lemuel Haynes awoke to Paul Revere's summons to arms against the British. Haynes was joined by other black militiamen including Samuel Craft, Pomp Blackman, Caesar Ferritt, and Cato Wood. During the British siege of Newport, RI, in 1778, a black regiment repelled several hellacious assaults by German mercenary troops. This same unit fought courageously in 1781, at the Battle of Points Bridge, NY. After their commander was killed, the regiment fought against a massive British offensive to the last man.

In the War of 1812, African-American soldiers fought along side Beale's Rifles, pirates, Stonewall Jackson and the Choctaw Indians to drive the last foreign invaders from North American soil for nearly 200 years. Sadly, these same valiant fighting men were barred from participating in the annual parade commemorating the battle because of the color of their skin. And so, this was the state of African-America for many years to come.

During America's Civil War, more than 38,000 African-American soldiers lost their lives before war's end in 1865. The black soldier's mortality rate was nearly 40 percent higher than that of their white counterparts. This is attributed to poor health care, violent battlefield massacres carried out mostly by Confederate troops, or because they were used to advance Union troops against an onslaught of Confederate cannons. After the war, black soldiers thought that their valor and service more than warranted their freedom; unfortunately, with the advent of reconstruction and later Jim Crow, African-American's dreams of true equality and justice were deferred.

Reconstruction did not offer blacks much chance for equality. African-Americans were not allowed to share in the reconstruction of America nor given the opportunity to build their plantations and manor houses the way descendants of Western Europeans had been allowed to do. Governmental agencies such as the Freedmen's Bureau were established to assist African-Americans in their efforts to rebuild the south and their lives. However, this bureau did not actually enable African-Americans to realize their hopes for success, social, economic or political participation. In short, the Freedmen's Bureau did little for blacks. According to W.E.B. DuBois, the bureau should have been a medium of social change and not just an agent of reconciliation between former slaves and their former masters.

During Reconstruction, the aspirations of African-Americans were exploited by politicians from both the North and the South. African-American active participation in America's public life was clearly not in the cards of governmental policymakers. Participation in public life was motivated by African ancestered Americans' desire to develop their intellect, cultivate their initiative, improve their environment, and exercise their rights of citizenship.

No group in African-American history has a more consistent record of striving for this public participation than the black soldier. The black soldier participated in the Spanish-American war, which ironically thrust the United States into the world as a colonial power. African-American soldiers fought to put down a Philippine rebellion and liberate subjugated peoples of African descent in Cuba. Paradoxically, in the quest for equality and justice at home, African-American soldiers often were forced to stare down the irony of introducing imperialism to other lands.

In World War I, New York's 369th Infantry were the first black soldiers under fire. After 191 consecutive grueling days of battle the regiment suffered approximately 900 casualties and was decorated with France's most distinguished combat medal, the Croix de Guerre. Two African-American soldiers, Henry Johnson and Needham Roberts, were the first American soldiers to receive this distinction.

Sadly, again, these same valiant soldiers returned home only to learn that their condition was identical to the one in which they left. The long hot red summer riots of 1919 only reinforced Dr. DuBois's characterization of the 20th century: "The problem of the 20th century, is the problem of the color line—the relation of the darker to the lighter races and men in Asia, Africa, in America and the islands of the sea." DuBois was right. It was a segment of this conflict that caused the Civil War, invented Jim Crow and contributed to the volatile state of race relations during the period immediately following World War I and the 1920's.

During World War II segregated black units fought admirably against the Germans and were among the first to liberate the Nazi concentration camps. Black units were involved in every major battle of World War II, the Battle of the Bulge, the Coral Sea, the invasion of Normandy, North Africa and Sicily. Units were only desegregated at times of necessity.

Asa Phillip Randolph threatened the Roosevelt administration with a march on Wash-

ington, DC in 1942 to protest segregation in the armed forces. Roosevelt conceded minimally and the march was called off. Armed forces units were not integrated until 1950 during the Korean War. Although World War II was the last declared war, African-Americans have fought in Korea, Lebanon, the Belgian Congo, Vietnam, Grenada, Panama and most recently the Persian Gulf.

Mr. Speaker, I wanted to give a brief summation of African-Americans quest for equality through the military service as a tribute to all African-Americans, but especially to the black veterans of all wars, their families, and to those persons involved in Operation Desert Shield/Desert Storm.

Additionally, because many of these brave men and women were denied their proper accolades at the time of their heroic deeds, it is vitally important to me that the facts and commentaries on these soldiers are reported as accurately as possible. My desire is not to create a new black mythology about our historical past. Rather, my purpose is to expose the invention of old western ones and newer synthetic creations adapted for contemporary research historians.

Mr. Speaker, I again thank Chairman STOKES for his initiative and all those who have joined in to make this year's Black History Month one of the most memorable in my life time.

Mr. FRANKS of Connecticut. Mr. Speaker, as we celebrate the accomplishments and rich history of black Americans, we can take particular pride in the work of the historically black colleges and universities.

Black Americans, as well as all Americans, can only achieve the fruits of success when they build their dreams on a solid education.

Historically black colleges and universities have shouldered a tremendous load and we should commit ourselves to preserving and enhancing their place, as a primary outlet for black Americans to further their academic credentials.

It is an especially important time for HBCU's. While these institutions represent only 3 percent of the total number of colleges and universities nationwide, almost a quarter of black college students attend those schools.

In order to support and enhance the performance of the HBCU's, the public and private sector must continue an active partnership to coordinate a higher education with real economic opportunities once students graduate.

By getting both parties involved in the classroom, the transition to the working world will give black people greater chances at employment and career enhancement.

The Federal Government must implement its objectives of coordinating their departments with HBCU's with an active outreach effort.

Any Federal initiative sounds good on paper, but it is the implementation which will foster meaningful long-term opportunities for black Americans.

The Federal Government cannot do it alone given the resources available. That is why we must encourage more private initiative, in concert with Federal action.

Why? Because it is in everyone's interest to do so for the economic future of our country. While two-thirds of the HBCU's are privately funded, more funding is needed, particularly from corporations and small companies eager to replenish their ranks with competent workers.

By the end of this century, almost a third of those at precollege age will be from minority groups. Those numbers would normally parallel the type of work force that will be running our economy.

They will require higher educational opportunities to not only enter the work force with a level of competence, but climb to areas of management responsibility.

If we follow market trends, the number of minority consumers will also be growing. It seems a natural fit to accelerate the viability of HBCU's to meet these new marketing requirements.

These goals, if fulfilled with some aggressive implementation, will not favor one group over another.

They will increase competition and thus, provide economic opportunities for all Americans, and our black youth will not be left behind.

Once we begin to achieve these goals, and send more qualified, college educated blacks into the workplace, they in turn, will be role models for future generations eager to fulfil the American dream.

I have seen this work in my own office. My executive assistant is a graduate of a HBCU. He has, for the last 10 years, been teaching part-time at a HBCU, offering his experience and insights to black students.

This is the type of long-term solution black Americans need and deserve.

The Federal Government can do its part by setting a proper example through its goals and objectives.

The private sector must respond, in kind, if they are to remain competitive and grow into the next century.

The history of the black colleges and universities are full of success stories.

We should work together to make educational opportunities flourish for those who seek to strengthen their minds and achieve their dreams.

Mr. ATKINS. Mr. Speaker, I rise today to commemorate Black History Month by paying tribute to the Massachusetts 54th Infantry, the most well-known black regiment in the Civil War.

At the beginning of the Civil War, Frederick Douglas called upon President Lincoln to allow slaves and freed blacks into the Union Army, to form what he called the "sable arm" of the military. As one who understood that the Civil War would first and foremost become a war over slavery, he argued that if the military were to allow the black man into its ranks, "there is no power on earth which can deny that he has earned that right to citizenship." But it was not until 1863 that Massachusetts Gov. John Albion Andrews, an enthusiastic abolitionist, was able to receive permission from the Federal Government to raise a black regiment. That permission was the beginning of the Massachusetts 54th Infantry. Although there were earlier, more surreptitious attempts to allow blacks into the army, including Colonel Higginson's use of black troops for Union raids in South Carolina, the 54th quickly became the most well-known black unit in the Union Army.

Most of us have probably seen the brave work of the Massachusetts 54th portrayed in the recent popular movie, "Glory," which ends with that regiment's proudest moment and first significant test on the battlefield. For soldiers, the real test of a regiment's capability is its performance and bravery in battle. The men of the Massachusetts 54th knew that their performance would be a test of not only their regiment, but of all blacks in the Nation. Therefore, after 2 days without rest or rations, the commander of the 54th, Col. Robert Gould Shaw, didn't hesitate to volunteer his unit to lead an assault on Fort Wagner, A Confederate earthwork defending Charlestown harbor. Although historians argue that the assault was badly-timed by Union strategists, the Massachusetts 54th was able to successfully gain Fort Wagner's parapet and held it for an hour before retreating. The bravery displayed at Fort Wagner by the Massachusetts 54th has been repeated by black soldiers in the U.S. military on countless occasions since the Civil War, and includes those men and women who are presently serving in the Persian Gulf.

While the assault on Fort Wagner was a minor skirmish in the history of the Civil War, it was a turning point for the role of black soldiers in the war. Throughout the North, the press praised the valor of the black soldiers, and many skeptical whites in the military became quickly convinced that recruiting blacks was a wise decision. The Atlantic Monthly declared that "The manhood of the colored races shines before many eyes that would not see," and by the end of the year the number of black regiments in the Union Army had doubled. In 1864, when President Lincoln's advisers suggested his pro-abolition stand may cost him the election, Lincoln pointed out that if black soldiers were willing to "* * * stake their lives for us they must be prompted by the strongest motive—even the promise of freedom. And the promise being made, must be kept."

While recruiting volunteers throughout the North for the Massachusetts 54th, Frederick Douglass once declared that Massachusetts "* * * was first in the War of Independence; first to break the chains of her slaves; first to make the black man equal before the law; first to admit colored children to her common schools. She was the first to answer with her blood the alarm-cry of the nation when its capital was menaced by the Rebels * * * Massachusetts now welcomes you as her soldiers." Massachusetts' strong abolitionist tradition is certainly something of which Bay Staters can be proud. But it is the black soldiers themselves who fought for and won their own freedom.

Barbara J. Fields, a historian most Americans would recognize by her appearance in the Ken Burns' film recently aired by PBS, "The Civil War," has written that "freedom did not come to the slaves from words on paper, either the words of Congress or those of the President." Rather, says Fields, "It was they who taught the nation that it must place the abolition of slavery at the head of its agenda." By volunteering to fight and die for freedom, the brave men of the Massachusetts 54th Infantry helped to teach this lesson, and it is in

part because of their actions that black soldiers of later generations were able to continue the battle for racial equality in the United States.

Mr. COYNE. Mr. Speaker, I am very pleased to join my colleagues in celebrating Black History Month. I would also like to thank Congressman LOUIS STOKES and the members of the Congressional Black Caucus for their initiative in providing members of the House this opportunity to note the significant contributions of African-Americans to our country's cultural, business, educational, scientific, and political life.

Since 1976, the United States has officially commemorated Black History Month. In every aspect, this recognition of the contributions made by African-Americans to the history of the United States was long overdue. From the very beginning of our Nation's founding, African-Americans have played a major role in making our country a better place in which to live and work.

It is appropriate that the theme for this year's observance of Black History Month is "Education America: Black Universities and Colleges—Strengths and Crises," since the man given credit for the celebration of Black History Month was Carter G. Woodson, a prominent educator, historian, and author. A pioneer in the study of black history, Dr. Woodson inaugurated Negro History Week in February 1926, and this achievement laid the foundation for the national recognition of Black History Month.

America's black universities and colleges deserve our support. Historically black institutions of higher learning have played a central role in advancing the cause of civil rights and promoting access to quality education for black men and women.

During times in our Nation's history when the color of a student's skin often represented an obstacle to obtaining an education, black universities and colleges proved to the world that intellectual achievements were not subject to a color barrier.

Prominent black educators like Booker T. Washington, of the Tuskegee Institute, Dr. Benjamin E. Mays, of Morehouse College, Dr. Frederick Patterson, founder of the United Negro College Fund, Dr. W.E.B. DuBois, founder of the National Association for the Advancement of Colored People, and Mary McLeon Bethune, founder of Bethune-Cookman College, set oustanding examples for Americans of every color. These educational leaders recognized the value of education, both for the development of individual human potential and for the expansion of understanding among men and women.

While legal barriers to educational attainment have been removed, historically black universities and colleges continue to play a significant role in promoting educational achievement among African-Americans. Such schools often set the standard for efforts at expanding educational opportunities for minorities. These institutions have never forgotten their traditions of serving black communities and helping black men and women to realize their dreams of higher education.

As we celebrate Black History Month, I believe that we should all rededicate ourselves to the expansion of educational opportunities for African-Americans. Such efforts can go beyond the laudatory words we speak here today. In addition, let us express our support for historically black universities and colleges by supporting legislation that ensures appropriate financial support for these institutions and measures which provide educational assistance to all Americans who seek a quality education.

Mr. HORTON. Mr. Speaker, it is an honor and privilege to join my colleagues today to pay tribute to the accomplishments and contributions that black Americans have made to our Nation. The contributions that blacks have made to our great country have long been ignored and often forgotten by many.

Before joining this distinguished body I had the privilege to be president of the Rochester Red Wings, the triple A farm team of the Baltimore Orioles. During my tenure with the Red Wings, I had the pleasure of meeting players that later became Major League stars. However, none of the players were as close to me as the great Luscious "Luke" Easter.

Luke was one of the first blacks to gain entry into major league baseball, following the great Jackie Robinson by only 2 years. Luke had little professional training before the Cleveland Indians signed him out of the Negro American League. His lack of training was overshadowed by his friendliness, warmth, generosity of spirit, and of course his baseball prowess.

Luke joined the Indians at the age of 33. Although plagued by chronic knee injuries that limited his career to 491 games with Cleveland, his long home runs made him a fan favorite. Luke's 477-foot home run is regarded as the longest home run ever hit in Cleveland Municipal Stadium. One can only imagine what Luke could have accomplished had major league baseball not waited until 1947 to welcome the great athletes that played in the Negro leagues.

My relationship with Luke began after Luke's successful career with the Cleveland Indians and the Triple A Buffalo Bisons. Luke joined the Rochester Red Wings in 1959. At that time I was president of the Red Wings. Luke spent 6 seasons as a player and a coach in Rochester, where he became a legend. Even now, Luke is regarded in Rochester, NY, as the most popular player in the history of the Red Wings. After my departure from the Red Wings organization, Luke and I remained in close contact.

Tragically, on March 29, 1979 Luke was fatally shot in the heart during an attempted robbery when he refused to relinquish the cash he had in a shopping bag. The money in the bag was not his, it was from checks he had cashed for fellow workers at the Aircraft Workers Alliance at TRW, Inc.

Luke's 6-foot-4, 240-pound frame could never measure up to his amazingly large heart. Luke is a man we will not forget not only for his baseball ability, but, for the way he gave of himself to his fans and each community where he played. The many contributions and the timeless effort that this man gave cannot be detailed in this short speech. He was truly bigger than life.

Mr. GUARINI. Mr. Speaker, for more than a century, African-Americans have played a key role in the growth and development of Hudson County, NJ, my congressional district. A number of African-Americans have gained prominent places in the history of our county and deserve to be honored as part of Black History Month.

I am especially reminded, during this time of war in the Persian Gulf, of two of the many black Hudson County residents who distinguished themselves fighting for our Nation.

Decatur Dorsey earned the Congressional Medal of Honor, our Nation's highest award for valor, during the Civil War. A former slave, Dorsey was 1st Sgt. of Company B, 39th Regiment, U.S. colored troop.

On the morning of July 30, 1864, Dorsey led his company at the Battle of Petersburg, VA. Carrying the Union colors, he moved forward during the battle and mounted his flag on Confederate soil ahead of his regiment. When Union troops retreated, Dorsey held the colors. He then rallied the troops for another charge. His advance was the only successful Union foray of the day.

After the war, Dorsey and his wife moved to Hoboken, NJ, where he lived until his death on July 11, 1891. For years, his grave lay forgotten in Flower Hill Cemetery in North Bergen, until it was discovered in 1984. I had the great privilege of taking part in the rededication ceremony during which a Medal of Honor marker was placed on Dorsey's grave.

The second resident I want to bring to the attention of my distinguished colleagues fought during World War II. Dr. William Garfield Wilkerson of Jersey City showed the same mettle as Dorsey. Wilkerson, born June 16, 1916 in Newman, GA, was one of the first four black test pilots recruited by the U.S. Army Air Force.

Wilkerson served from 1942 to 1946 as a fighter pilot with the 99th Fighter Squadron of the 332d Army Air Force Fighter Group. He was shot down over Rome in 1944, but was returned to the allies by the Italian resistance movement.

During the war, he received the Air Force Air Medal with clusters, the distinguished Flying Cross and the Purple Heart.

After leaving the Army, Wilkerson went to medical school in Geneva on a fellowship from the Institute of International Education and opened a practice in Jersey City in 1958. He was an obstetrician/gynecologist.

While tending to his community's medical needs, Wilkerson also became involved in politics. He served as a New Jersey assemblyman from 1972 to 1974. He was also a board of mental health vice chairman, Jersey City Housing Authority, chairman, a police surgeon, a member of the Jersey City Health Commission, and president of the Hudson County Chapter of the National Association for the Advancement of Colored People.

In 1982, Wilkerson received a master of divinity degree from Drew Theological Seminary. He was ordained a minister at the Monumental Baptist Chuch in Jersey City.

Wilkerson died September 21, 1984, at the Walter Reed Medical Center in Washington, DC.

The life of another noted African-American showed that Hudson County's black community displayed compassion as well as bravery and civil leadership. I can think of no better

example of this sensitivity to the needs of the less fortunate than Dr. Lena Frances Edwards.

A native of Washington, DC, Edwards set up a medical practice in Jersey City after graduating from Howard University Medical School in 1924. An obstetrician/gynecologist, she tended to the needs of the European immigrants in the city's Lafayette section. Edwards also founded the People's Charitable League, which opened a day nursery in Jersey City.

Edwards was an early promoter of natural childbirth and was appointed a resident at the Margaret Hague Maternity Hospital in 1944. She practiced in Jersey City until 1960 when she traveled to St. Joseph's Mission at Hereford, TX, to work with Mexican migrant workers, who were badly in need of prenatal care.

Using her own money, Edwards established a modern maternity hospital for the labor camp.

In 1964, President Lyndon Johnson awarded her the Presidential Medal of Freedom for her work in Texas.

Edwards returned to Jersey City in 1966 and worked there for the rest of her life. She was the medical coordinator for the Jersey City Preschool Antipoverty Program and taught at the St. Peter's college institute of industrial relations. I had the pleasure of serving with her on the St. Peter's college board of regents.

While Edwards received numerous awards, as a devout Catholic she most cherished the Poverello Medal. This is a religious award bestowed on individuals whose life exemplifies that of St. Francis of Assisi.

One of Edwards' last efforts before her death on December 3, 1986, at the age of 86 was to establish a scholarship trust at Howard University Medical School

I am sure, Mr. Speaker, that you and my distinguished colleagues agree these three individuals set an example to be followed not just by the black community in Hudson County, but by all peoples throughout our Nation.

Mr. DELLUMS. Mr. Speaker, it is with great pride that I rise today in observance of Black History Month.

We should look at Black History Month not only as a time for celebration, but as a time for renewal and implementation. We must begin to incorporate solutions to the crises our young men and women are faced with on a daily basis.

By celebrating Black History Month we take a look back at the great leaders of our past and present. These men and women had great dreams for their people and would be proud to see them become realities. The realization of their aspirations can no longer be simple statements, they must exist as fact for our young people.

We must begin to ensure the success of future generations to come. We have to stop the madness of drugs, violence, crime, mental and physical abuse, social decay, and general apathy toward changing a system which is destroying our youth. What do we as Americans have to look forward to if the leaders of tomorrow can't make it over the obstacles of today?

In an effort to overcome obstacles one of our greatest leaders, Malcolm X, displayed to the world what the power of self-knowledge and determination could do. Malcolm's life was a true testimony to strength, courage, and dedication. He was a man faced with many of the same obstacles our young men and women find themselves faced with today. Poverty, racism, violence, substance abuse, and a sense of hopelessness are leading our future generations down a pathway of destruction. Yet Malcolm was uncompromising; he refused to allow the direction of his life to be dictated by others.

Malcolm began his process of self-discovery and education while incarcerated in prison. He read everything he could get his hands on. He was not afraid to open up his mind and explored the regions of life which had been foreign to him before. He challenged the system which held his people in bondage and was not afraid to give his life if it meant others might be free of he chains which kept them oppressed.

We must follow Malcolm's lead of self-determination and education. Time, understanding, direction, and concern must be given to our young people, for they have no one else but us to turn to. So let us begin to realize the importance of not only Black History Month but every month as a chance to renew and implement changes into our social structure that will be celebrated for years to come.

Mr. FLAKE. Mr. Speaker, February is Black History Month. While it is appropriate to set a special month aside to honor African-Americans for the contributions we have made to our country, the lessons that are taught during Black History Month should be recognized throughout the year. Black history is not only for African-Americans, but it enriches and enhances the lives of all Americans. The accomplishments and contributions of African-Americans to our society should be incorporated into our history texts and become an integral part of each State's educational curriculum. It is imperative that all students benefit from African-American history in order to achieve true harmony. Toward that end we must learn tollerance, respect and appreciation for each other.

We must strive to attain our goal of accurately incorporating African-American history into our Nation's history books. From the invention of the traffic light, subways, and elevators, to rock and roll, jazz, and gospel music, we, as African-Americans, have played an important role in America's history and cultural development. Unfortunately, many of our children believe the misconception that African-Americans have contributed little, if anything at all, to America's rich heritage.

African-American children are constantly under a barrage of negative images via the media. There are so many positive role models that our children need to be aware of, from Crispus Attucks to Gen. Colin Powell, Chairman, Joint Chiefs of Staff. More than pride is at stake here. Children need to feel self-worth and realize a positive sense of being. Without self-esteem, goals seem unattainable and dreams and aspirations become limited. Let us work toward insuring that all children accurately learn about America's past, so they can relate to the present and adequately prepare for the future.

Mr. RAHALL. Mr. Speaker, I want to thank my colleague, the distinguished gentleman from Ohio, for reserving this time to observe Black History Month.

Today, we honor black Americans who have made significant accomplishments and contributions to our society, especially in the field of education. I am pleased to bring to my colleagues' attention, the contributions of a dear friend of mine, the late Earl Muse.

Earl grew up in the small town of Genoa, WV, and obtained his undergraduate degree from West Virginia's historical black college, Bluefield State, which is also located in my congressional district. Earl served as assistant director of the Mercer County Vocational Technical Center and was appointed by the Governor, to serve as a member of the State's Council on Vocational Education. His contributions in the field of education were recently acknowledged with a posthumous induction into the Mercer County Academic Hall of Fame. Earl was not only known in the education field, but he became the first black mayor of Princeton, WV, and the first black State commander of the Veterans of Foreign Wars.

It is an honor for me to stand here today, before my colleagues, to recognize the contributions of Earl Muse, a black American from the great State of West Virginia.

Mr. HOBSON. Mr. Speaker, as our Nation celebrates Black History Month, I would like to take this opportunity to pay tribute to the vast accomplishments and contributions of black Americans for this country.

Throughout our Nation's history, black Americans have had the determination to face great obstacles and stand up for the principles that are the foundation of the United States of America. Their work has made our country stronger as a result.

We have all reaped the benefits of Dr. Martin Luther King, Jr., who so courageously fought to bring understanding and equality for all Americans. Today, it is a black American, Gen. Colin Powell, who is so successfully leading the fight for freedom of the men and women of Kuwait, as another great leader, Dr. Louis Sullivan, guides our Nation's health care system.

As we look to our next generation of leaders, they are most likely attending colleges and universities across this country. The 1991 theme for Black History Month is "Educating America: Black Universities and Colleges—Strengths and Crises." I am proud to have two of the finest of these institutions, Wilberforce University and Central State University, located in my Seventh Congressional District in Ohio.

Founded in 1847, Wilberforce University was the first college for the education of black Americans in this country. Throughout its history, Wilberforce has educated thousands of students with the help of a quality faculty and the strong foundation of the African Methodist Episcopal Church. Central State University, which began as a department of Wilberforce in 1887, became Ohio's only historically African-American public institution of higher education in 1947.

As a former trustee of Central State and current board member of Wilberforce, I know both of these universities have distinguished themselves as two of the finest institutions in the State of Ohio. They have maintained a strong tradition of academic excellence and

have successfully prepared our young men and women for a variety of fields and careers.

In today's world, higher education is essential to the strength of our country and the social well-being of our young people. Central State and Wilberforce Universities have prepared young men and women not only from Ohio, but throughout the country, for tomorrow's challenges—and have laid the foundation for tomorrow's leaders.

I would like to ask the 102d Congress to join me in paying tribute to Wilberforce and Central State Universities. I congratulate them for their praiseworthy accomplishments and record of achievements.

Mr. DWYER of New Jersey. Mr. Speaker, each year, Members of Congress observe Black History Month, a month when we celebrate and acknowledge the many contributions of African-Americans. Today, I would like to pay tribute to an adopted son of New Jersey and one of Rutgers University's most distinguished alumni, Paul Robeson.

The grandson of slaves, Benjamin and Saba, and the son of a minister who escaped slavery, Paul Robeson could be described today as a scholar-athlete, but he was much more than that. Paul Robeson was a scholar, an athlete, a man of letters, an artist, and a controversial political leader.

Paul Robeson graduated from Rutgers University in 1919 after attaining a brilliant academic and athletic career. As the first African-American football player at Rutgers, he attained All-American status in 1918 and 1919. His prowess on the football field was recognized and lauded by many sports writers of the time, who fully credited Robeson with Rutgers combined record of 22–6–3. In fact, Harry J. Rockafeller, director of athletics emeritus at Rutgers and the man behind whom Robeson played as a freshman, once called him "the greatest living All-American football player." Robeson's athletic ability was not limited to the football field, however, he collected 13 varsity letters during his undergraduate career.

Academically, Paul Robeson also excelled. His distinction in the classroom earned him membership in Phi Beta Kappa and Cap and Skull, the senior honorary society. He was an accomplished debater and public speaker. Indeed, he graduated from Rutgers College as class valedictorian and delivered the commencement address. After Rutgers, Robeson attended Columbia University Law School where he received a bachelor of law degree in 1923. Subsequently, Paul Robeson received an honorary master of arts degree from Rutgers as well as honorary doctorates from Rutgers, Hamilton College, Morehouse College, and Howard University.

Paul Robeson's brilliant career as an actor and a concert singer spanned four decades. While at Columbia, Robeson was seen by Eugene O'Neill in an amateur play at the YMCA in Harlem. After making his professional acting debut in "Taboo," Robeson appeared in O'Neill's "All God's Chillun Got Wings," and later in "Emperor Jones." In addition, his 1943 interpretation of "Othello" was considered a triumph and remains the longest Shakespearean run in Broadway history.

Robeson made his concert debut in 1925 with a concert of negro spirituals in Greenwich Village. Robeson's reputation as a singer and actor spread beyond our shores. Robeson's travels took him to Europe, Asia, and Africa where he learned nearly 20 languages including the African languages of Yoruba and Efik. Indeed, his voice was described by Alexander Woollcott as "the finest musical instrument in our time."

As a political figure, Robeson is a man of controversy. During the 1950's, he was accused of being a Communist, a claim which he rejected. In 1963, he was quoted: "I am disillusioned because I find in Russia a different form of oppression which is all the more dangerous because it operates in the name of a bogus liberation." Today, Robeson is acclaimed for being a voice of his people, a man who spoke and lived black pride long before it became politically acceptable in the white community.

The campus center at the Rutgers University-Newark bears his name. At its dedication, then President Bloustein said: "We are here to pay homage to a great American; a man who through his world-wide acclaim brought esteem to our Nation and our university." I share these sentiments and urge my colleagues to reflect on the rich life of Paul Robeson during Black History Month.

Mr. LANTOS. Mr. Speaker, February is Black History Month—a fitting time to reflect on the significant contributions blacks have made to American culture. Those contributions are innumerable, and America is a better place because of them. While it is important that we reflect on the vital contributions of black Americans to our Nation's past, it is more important that we look at the present—that we take this opportunity to contemplate the current state of affairs for blacks in America.

Mr. Speaker, right now over 100,000 black American soldiers, sailors, airman, and marines are key players in the effort to end the illegal occupation of Kuwait by Saddam Hussein. These men and women are making a critical contribution to preserving and defending our democratic system.

At the same time, however, there is a bitter irony in the fact that our Nation, which depends on these fine black Americans, has not provided the opportunities which they should have to share fully in the promise of our Nation.

It is imperative that we in the Congress not simply commemorate the past but act decisively to create an environment for opportunity in America's workplaces and communities. To that end, we must work to reverse the recent Supreme Court decisions hostile to the legacy of hard fought civil rights legislation.

I am delighted to be an original sponsor of legislation that would do just that. The Civil Rights Act of 1991, identical to the bill passed in both Houses of Congress and vetoed by the President last year, would reverse a series of Supreme Court rulings which have seriously undercut standing equal employment law.

This legislation, although worthy and eminently fair, is no panacea and will not, in and of itself, right all wrongs. Rather, it would reopen a window of opportunity closed by the Supreme Court rulings. More importantly, it would demonstrate this Government's commitment to advancing minority opportunity in this country at a time when many question the extent of our willingness to do so. I ask my colleagues to support its passage and urge our President to sign it into law.

Mr. Speaker, as we fight an enemy abroad, it is easy to overlook our enemies at home—enemies that are striking disproportionately at black Americans. But those adversaries demand our attention. As we plot our strategies for the battlefields in the Persian Gulf, we must also plot our strategies on the battlefields in our own country.

We need not look too far to find these battlefields, Mr. Speaker. We are in the middle of one. Last year, the war on our shores—innercity violence and drug wars—claimed 703 men, women, and children in Washington, DC alone. Deaths and injuries have been recorded in my congressional district in San Mateo County, CA., and, unfortunately, throughout our Nation.

Mr. Speaker, the measure of commitment we apply to the war in our own streets should match our commitment abroad. The problems that we face in our cities are just as serious and deserving of our attention as the threat we are confronting in the Persian Gulf.

Our efforts to improve the quality of life in urban America, to create an environment of opportunity and strengthen the civil rights of minorities in this country is a fitting tribute to the heroes of the black community, past and present.

Mr. FASCELL. Mr. Speaker, I would like to join our colleagues in commemorating Black History Month. Every February, our Nation pays tribute to the contributions which African-Americans have made to our country. Americans of African heritage have contributed to all phases of our society and will continue to do so, but it is important to take the time to remember and reflect on those achievements.

Perhaps no other institutions have played as prominent a role in the achievements of African-Americans than black universities and colleges. The State of Florida is blessed with two such schools, Bethune-Cookman University and Florida A&M University.

These institutions are not just producing prominent leaders in the African-American community; they are producing the people who work at all levels of government, in all areas of business, in all areas of science, and in all areas of the arts. They work not just to improve the lives of fellow African-Americans; they work to improve the lives of all Americans by making this a more just and more equal society. These prominent leaders are evidence to all of our youth that dreams are reachable.

Many of these people have studied at predominantly black colleges and universities, and many of those they influence will study there as well. These institutions serve an important cultural and historic role because for many years they were the primary place where African-Americans could receive a college education. While access to other educational institutions has widened, they continue to serve as a valuable and useful purpose for those who choose them because of the cultural focus and historic perspective these institutions provide.

African-American men and women are excelling in virtually every field in our society. When I first entered the U.S. House of Rep-

resentatives in 1955, few would have envisioned that an African-American could run for President, serve on the Supreme Court, or serve as the Chairman of the Joint Chiefs of Staff. These are but three of many areas of what the access to quality education has meant to African-Americans. As we move toward a new century, we must continue to expand the educational opportunities for our young people and work to keep historically black institutions of higher education in a position to help us meet the challenges which lie ahead.

Mr. MAZZOLI. Mr. Speaker, I am proud today to join my colleagues in the House in celebrating and commemorating February as Black History Month.

In 1926, Dr. Carter G. Woodson, known as the father of black history, established Negro History Week—in 1976 extended to a month—because he recognized the need for all to recognize the history and culture of black Americans.

It is fitting that a month be set aside to honor the significant achievements of black Americans, many of whom have lived in Louisville and Jefferson County, KY, the district I am honored to represent in Congress.

At this point, Mr. Speaker, I want to share with my colleagues during this special order my recent experiences with the Louisville Black Achievers Program, one of the oldest such programs in the country. The mission of the Black Achievers Program is to provide young black persons with positive role models who can encourage them to complete school and to enter rewarding careers.

The Louisville Black Achievers Program is under the able direction of Michael Harreld and Beverly Brown and I commend them on their great work here.

On February 16, I had the pleasure of addressing a separate group of some 25 high school students who have career interests in government, public service, and communications. I emphasized the personal satisfaction that accompanies public service as well as the need to stay in school and pursue college level studies.

Mr. Speaker, much still needs to be done in providing affordable, quality education to the black youths of today and tomorrow. Along with quality education, jobs must be available so that their dreams may be fulfilled. But, given what I saw on Saturday on the face of the students I had the pleasure of addressing, the Black Achievers Program is moving things in the right direction.

Before I end my comments on Black History Month, I salute all black Americans who are part of Operation Desert Storm. Black Americans have always served with honor and distinction in our country's Armed Forces. The Persian Gulf war is no exception.

Mr. Speaker, I wish to thank the Congressional Black Caucus for taking out this special order. I also commend the great accomplishments of the Louisville Black Achievers Program.

Mr. WEISS. Mr. Speaker, it is with great pleasure that I participate in the commemoration of Black History Month. I want to thank my distinguished colleague, Mr. STOKES, for once again organizing this special order, providing us with the opportunity to share our thoughts and hopes during this momentous American celebration.

The history of black America is rooted in its struggle for freedom and equality. African-Americans' perseverance to overcome immeasurable racism and oppression has fueled their numerous accomplishments—accomplishments which, to the discredit of this Nation, have been greatly overlooked. Today, we hope to amend that wrong by displaying the remarkable contributions of African-Americans for all to celebrate, admire, respect, and remember.

The foundation for today's awareness of African-American history was laid diligently and brilliantly by Dr. Carter Goodwin Woodson. This pillar of black education garnered the title "Father of Black History" as he paved the way for bright and promising black scholars of the future. Dr. Woodson created the Association for the Study of Negro Life and History and the prestigious Journal of Negro History in 1915. He discovered, researched, and organized the authoritative body of knowledge on African-Americans. In addition, he developed its bibliography, methodology, and philosophy. Most importantly, he produced the support system that perpetuated and popularized the field to make it a valuable source of self-awareness and pride for African-Americans everywhere.

Many other blacks also contributed significantly to expanding educational opportunities for African-Americans. Dr. Frederick Patterson's notable work as founder of the United Negro College Fund provided the means for black colleges and universities to survive and grow independently. Also, Dr. Benjamin E. Mays motivated young blacks to reach new heights with his brilliance in the classroom and later became the first black president of the Atlanta Board of Education.

In discussing African-Americans' achievements, we cannot ignore blacks' milestones in athletics which helped shatter many color barriers. Jesse Owens made Olympic history winning four gold medals in track and field at the 1936 Olympic Games. Baseball's Jackie Robinson forged the path for future black athletes like champion boxers Muhammad Ali and Joe Louis, who used the sports arena to inspire the world. Today, African-American athletes continue to proudly represent their country's pursuit of excellence on playing fields around the world.

Especially pertinent to my congressional district, are the performances and achievements of past and present black artists. The Harlem Renaissance of the 1920's saw a blossoming of talented black writers such as Langston Hughes. African-American musicians' prominence in the entertainment business can be traced to a black bandleader named W.C. Handy who is identified as the father of the blues. Two later African-American musicians, Duke Ellington and Louis Armstrong, eventually became the country's leading jazz musicians. The black founder of Detroit's Motown Records, Berry Gordy, gave the music industry some of its biggest black stars, including the Supremes, Marvin Gaye, the Jackson Five, the Temptations, and Stevie Wonder. Today's black entertainers continue the exceptional work initiated by their predecessors and now constitute a dominant force in the music industry.

Sadly, many of African-Americans' rich contributions to our country remain unacknowledged. I anxiously await the day our Nation fully appreciates the significance of this history and the values that inhere in the black tradition. By thoroughly recognizing black history, our Nation can redress the omissions of the past and enrich our national heritage with the brilliance, dignity, and unshakable commitment to freedom of black America.

Mr. RAY. Mr. Speaker, earlier this month I cohosted the 4th annual Third District of Georgia Black History Month observance. My good friend and distinguished colleague—Congressman LOUIS STOKES—was the featured speaker in Columbus, GA, and at the historically black institution Fort Valley State College.

He delivered a stirring and impressive message, and emphasized that black history is often left out of the history books. He particularly made a favorable impression on the students at Fort Valley State College by describing his rise, along with his brother Carl, from a ghetto in Cleveland, OH.

Carl Stokes went on to become the first black to be elected mayor of a major city, and LOUIS STOKES has been a Member of Congress for 23 years.

Congressman STOKES emphasized that you can be what you want if you strive to do so. He pointed out several black Americans who have done great things and have been overlooked by the authors of history books. He stated: "until we commit ourselves to acknowledge the historical fact that black men and women have made great contributions to our Nation's progress, just as white men and women have, our Nation will never be able to realize the basic benefit of our democracy that all men and women are created equal."

Black History Month has been set aside throughout America to recognize those individuals, organizations, and communities who have played key roles in our history. The annual event held in the Third District of Georgia pays sincere tribute to those individuals and institutions who have contributed their efforts and dedicated their existence to the improvement of America.

While we pay tribute to black history during this month, we should also recognize people and projects that are helping present and future generations. The proceeds of the events in the third district went this year to the House of Mercy in Columbus and the Cleveland W. Pettigrew Endowment Fund at Fort Valley State College.

The House of Mercy was founded in Columbus by Mrs. Ocie Harris in 1976; and offers a loving home to less fortunate people by providing them with meals, clothing, shelter, medical services, aid in finding employment, and drug and alcohol recovery programs. The Cleveland W. Pettigrew Endowment Fund at Fort Valley State College exists to raise funds needed for scholarships, faculty development, research, and academic activities at the college.

Recognition of those who have helped better race relations, or who have dedicated their lives to the betterment of America, or who have worked to help the less fortunate, knows no racial boundaries.

Congressman JOHN LEWIS, John F. Kennedy, Martin Luther King, Jr., Benjamin Mays, Eleanor Roosevelt, Douglas Wilder, Chairman of the Joint Chiefs of Staff Gen. Colin Powell. Each of these people and many others—some black, some white—some rich, some poor—some living and some departed—each tried or are currently trying in their own special way to work for a better America. This spirit continues to flow through many of us and our young people, and will continue to bolster our free and democratic society.

It was a pleasure to have Congressman STOKES with us at the observances in the Third District of Georgia.

He has played an integral role in this development, and he continues to be a moving force in helping others. Congressman STOKES served honorably in the U.S. Army, and then began a successful career as an attorney. In his first attempt at public office, Mr. STOKES was elected to the congressional seat in 1968 he still represents. This made him the first black Member of Congress from the State of Ohio.

Congressman STOKES currently serves on the House Committee on Appropriations, and ranks seventh on that prestigious committee of 57 members.

He served as chairman of the select committee which conducted the investigation and study of the circumstances surrounding the death of President John F. Kennedy and the death of Dr. Martin Luther King, Jr.; and he has been the chairman of the House Permanent Select Committee on Intelligence.

Congressman STOKES is a former chairman of the Congressional Black Caucus: he currently chairs the Congressional Black Caucus Health Brain Trust; he has been named as one of the 100 most influential black Americans by Ebony magazine in every year since 1971; he has been presented the Martin Luther King, Jr., Award by Ebony magazine; and was awarded the William L. Dawson Award by his colleagues in the Congressional Black Caucus.

He has received 18 honorary doctorate degrees from distinguished institutions.

I would like to publicly applaud the Speaker of the House, TOM FOLEY for recently appointing Congressman STOKES as chairman of the House Ethics Committee. It is a chairmanship he previously held from 1981 to 1985, and one in which he will do an excellent job.

Mr. Speaker, it is my pleasure to participate today in the celebration and recognition of Black History Month. I am also delighted to pay tribute to a living, breathing example of black history and black history in the making: my colleague, my friend, LOUIS STOKES.

Ms. SLAUGHTER of New York. Mr. Speaker, as America celebrates Black History Month this February, we are provided an opportunity to measure the great contributions of African-Americans throughout the history of our Nation. More than 200 years after our Constitution asserted that "all men are created equal," we live in a world where all people are not treated equally.

Blacks are twice as likely as whites to be unemployed in this country, and they are three times as likely to be poor. The infant mortality rate is two times higher among black babies than white babies. Racial disparity in judicial sentencing is also strikingly clear: More than half of those executed in the United States were blacks or other minorities. Employment discrimination continues at all levels of the corporate ladder.

In Congress this year the fight against discrimination continues to be a major priority as we once again take up legislation that would reinstate antidiscrimination law weakened by a series of Supreme Court decisions in 1989. Last year Congress passed this legislation but was unable to override the President's veto. This year, we are determined to see the Civil Rights Act of 1991 become law. There is reason to be optimistic. Twice in the past 10 years, Congress has overturned Supreme Court decisions that narrowed civil liberties.

Although this country still has far to go in the struggle for equality, it is useful to reflect on the progress we have made and on the leaders who have brought us here. In Rochester, we can claim one of the great leaders of the civil rights struggle, Frederick Douglass. Rochester is where he chose to make his home, publish his abolitionist newspaper, the "North Star," and help lead the fight against slavery. Indeed, it is highly appropriate for us to recall his contribution to our history in February since this is the month we commemorate both his birth and his death.

Born in 1817 as a slave in Maryland, Frederick Douglass worked hard to educate himself and his fellow slaves, all the time struggling to free himself from bondage. In 1838, he escaped to Massachusetts and became involved in the abolition movement that was just beginning to have a voice in the north.

He moved to Rochester in 1848 and there founded his newspaper, which served as the first pulpit for his political views and as a forum for essays of black writers who could not be published elsewhere. In Rochester he formulated his philosophy that:

> The Constitution knows all the human inhabitants of this country as "the people." It makes, as I have said before, no discrimination in favor of, or against, any class of the people, but is fitted to protect and preserve the rights of all, without reference to color, size, or any physical peculiarities.

Unlike many other abolitionists, he felt that the Constitution called upon us to abolish slavery. He became an international hero in the fight against repression, first for slaves, then for women, and then for freed blacks.

Frederick Douglass utimately had confidence that our Constitution, and inherent human nature, would cause society to rebel against the unnatural bondage of one race to another. He helped clarify the debate against slavery in an Independence Day speech to the Rochester Ladies' Anti-Slavery Society in 1852:

> Americans! your republican politics, not less than your republican religion, are flagrantly inconsistent. You boast of your love of liberty, your superior civilization, and your pure Christianity, while the whole political power of the nation . . . is solemnly pledged to support and perpetuate the enslavement of three millions of your countrymen.

He expressed his hope for the future in a phrase that still has meaning for the race problems afflicting countries around the world today.

> * * * my spirit is also cheered by the obvious tendencies of the age. Nations do not now stand in the same relation to each other that they did ages ago. No nation can now shut itself up from the surrounding world and trot round in the same old path of its fathers without interference * * * Walled cities and empires have become unfashionable * * * Intelligence is penetrating the darkest corners of the globe.

Frederick Douglass was more than just a brilliant orator. He was a powerful political force who met and influenced five American presidents. He saw the Civil War as a crusade to freedom and urged President Lincoln to allow blacks to fight. He led a delegation to meet with President Johnson to discuss the condition of freed slaves. President Hayes appointed him as U.S. Marshal for the District of Columbia. President Garfield later named him Recorder of Deeds for the District of Columbia. In 1891, President Harrison appointed him as Minister-Resident and Consul-General to the Republic of Haiti.

Freedom for all was his credo. At a time when blacks were slaves, he fought to abolish slavery. At a time when women and blacks could not vote, he fought for their suffrage. The first issue of his newspaper headlined "Right is of no sex," and he was the only man who played a pivotal role at the first women's rights movement conference in Seneca Falls, NY, convincing delegates to include the right to vote as part of their political platform. Both of these movements have had a profound effect on the politics and policies of our country since then. Frederick Douglass and the first women's movement began fights for equality that have not been won yet today. There are still no African-Americans in the U.S. Senate. There has never been a black or a woman President. While all can vote, women and blacks are underrepresented in most electoral bodies.

Frederick Douglass believed that education and learning to support yourself were the most important things people could do to help themselves prosper. This is still true today, as the fight for jobs, fair wages, and equal opportunity continues, both for African-Americans and for women.

Without the leadership of people like Frederick Douglass, this country would not have a history that is impelling us, through struggles in the courts, Congress, neighborhoods, and the workplace, toward unquestioned civil rights for all. In February, Black History Month, we study our past to inspire and rededicate ourselves to that goal. I hope that by next February, we can look at the enactment of the Civil Rights Act of 1991 as a part of that history.

Mr. KILDEE. Mr. Speaker, we are celebrating Black History Month at the same time we are trying, once again, to enact the Civil Rights Act of 1991 into law—a measure to restore important antidiscrimination protections to women, African-Americans and other minorities.

I am saddened that we find ourselves still wrestling with civil rights legislation more than 30 years after President Johnson signed the original civil rights bill into law.

But the fact that the issue of equality and civil rights is still a top priority is grounds for great hope and pride.

I can remember back 30 years when I joined with other civil rights activists in my own hometown of Flint, MI in the fight for open housing. We surmounted enormous obstacles then, thanks, mainly, to the tireless efforts of extraordinary citizens and friends who represented the African-American community eloquently and tenaciously.

I remember, in particular, Floyd McCree, one of the most remarkable people I have known in Flint who in 1975 served with great honor and distinction as our mayor. And Edgar Holt, one of the most marvelous and abiding civil rights leaders in our State. Both of these extraordinary people have passed away, but their efforts, their compassion, their dedication and the respect in which they were held are more than shared by those today who carry on the fight for equality, for fairness, for human dignity.

I think of Ruben Burks, a regional director for the United Auto Workers. And I think of the work of the Concerned Pastors for Social Action, a group of African-American pastors within my community whose efforts for social justice have been unforgettable.

These remarkable individuals, and groups such as the Urban League, the Urban Coalition and the NAACP, have moved mountains of unjust barriers. But as we stand here today celebrating Black History Month, we also know only too well that there remain miles to go before we reach true equal justice.

In recent years, the U.S. Supreme Court—the very body whose Brown decision jumpstarted the civil rights movement—has placed new obstacles in our march toward equality and justice for all.

To overcome those obstacles, I and a number of colleagues introduced the Civil Rights Act of 1990 2 years ago—legislation that would overturn those high court decisions so we could restore valuable, precious and badly needed antidiscrimination protections in the workplace for women, African-Americans and other minorities.

Congress passed that legislation last year, but unhappily, it never made it into law. Parroting the protest raised by businessmen that the bill would impose workplace quotas, which it did not, the President vetoed the measure.

We are back, however, with a new Civil Rights Act of 1991, which earlier today was praised and lauded during an Education and Labor Committee hearing this morning.

I have great hope that we will move this bill not only through the Halls of Congress once again, but through the White House and into law.

We live in a great democracy where the principle of freedom is among the dearest. We are now engaged in a war effort in the Persian Gulf to regain freedom for Kuwait.

True freedom cannot exist without equality, however. A person cannot be free who is still shackled by prejudice, discrimination and unequal protection under law.

At a time when patriotism rings jubilantly, it is worth remembering the words of James Madison back in 1820 that are inscribed in the Madison Memorial Hall in the Library of Congress:

> Equal law protecting equal rights * * * the best guarantee of loyalty and love of country.

Equally worth remembering in our hearts are the words of Dr. Martin Luther King, Jr., 26 years ago, in a speech on the steps of the State Capitol in Montgomery, AL, March 25, 1965. In urging the continuation of "our triumphal march to the realization of the American dream," Dr. King said:

> The road ahead is not altogether a smooth one. There are no broad highways that lead us easily and inevitably to quick solutions * * * We are still in for the season of suffering * * * How Long? Not long. Because no lie can live forever * * * our God is marching on.

Mr. FROST. Mr. Speaker, I welcome the opportunity to join my colleagues in observing Black History Month. I want to thank Congressman STOKES for taking out this special order and choosing to highlight the issue of black universities and colleges.

Historic black colleges have played a major role over the last century in educating blacks at the college level. Typically located in the south, where discrimination against blacks has been the most profound, these institutions sought to educate a population that was largely isolated from the rest of society educationally and politically. Segregation was legal and blacks lived under harsh economic and social restrictions. Despite the difficulties, America is home to nearly 100 historically black colleges and universities.

Many of these schools were organized under the direction of some of our country's most distinguished black leaders. Hiram Revels, for instance, the first black elected to the U.S. Senate, left Congress in 1871 to become the first president of Alcorn A&M College in Mississippi. In North Carolina, a black state legislator, Hugh Cale, introduced a bill that eventually established Elizabeth City State University.

In Texas, we have eight historically black colleges or universities spread throughout the State. Most recently, Bishop College in Dallas closed and I am pleased to note that the Paul Quinn College of Waco has relocated to the Bishop campus in the Dallas area.

While the black colleges and universities in our country have contributed immensely to the education of America's black community, many barriers to education still remain. Statistics continue to indicate that financial accessibility to higher education is not a reality for the black community. When Ronald Reagan was successful in cutting aid for education in 1982, blacks were disproportionately affected. For the most part, the situation has not improved over the last decade.

Today, as we pay tribute to the accomplishments of the many distinguished black Americans, let us recognize the responsibility we bear to change the status quo. Let us seriously evaluate our education agenda and consider the possibilities before us that will enable the black community to fully and equally participate in the higher education process in our country.

Mr. FORD of Tennessee. Mr. Speaker, this month has been set aside in commemoration of the celebration of Black History Month. A celebration of the outstanding achievements and contributions made by African-Americans.

We celebrate Black History Month to afford all Americans the opportunity to learn, appreciate and most importantly to respect the role of the African-American in the shaping of our Nation.

African-Americans have played a vital part in the building of our Nation. The story of black America is one of valor in the face of hardships, courage in the storm of injustice and faith in the wake of defeat.

The first blacks were brought to this country against their will, castigated, ostracized and even criticized, yet were able to remain a strong people.

Until only a few decades ago, we lived our lives separate and unequal. We were barred from most public facilities and even made to drink at separate water fountains.

In a nation that proclaimed liberty and justice for all—African-Americans were living neither.

These events are significant in our lives and should foster a sense of pride among us—a sense of pride that enables us not to lament on what has been done to us but rather what we have been able to accomplish in the face of adversity.

Let us be mindful of the fact that African-Americans own a major block of stock in this country, this State, and this city. And the stock is beginning to pay dividends as guaranteed by the Constitution on the United States.

African-American students who graduate from Lemoyne-Owen College can expect a job at Buckman Laboratories just as a white student who gradutes from Rhodes College.

Graduates of historically black colleges and universities [HBCU's] can look forward to jobs at companies like Eastman Kodak, Schering Plough, Federal Express, just like graduates from Memphis State.

Students from my alma mater Tennessee State University can gain a seat in the U.S. Congress just like graduates from the University of Tennessee.

For some time, we were of the mindset that in order to succeed in America one had to attend predominantly white institutions.

We found that premise to be untrue. Finally our people are learning what you at Lemoyne-Owen College knew all along. HBCUs do a better job at educating our young people than traditionally white institutions.

HBCU's constitute only about 3 percent of all American colleges and universities, and yet they graduate a full 40 percent of all African-Americans receiving bachelor degrees.

Our students are coming back home and rightfully so. Our colleges and universities are valuable and are teaching our graduates so well that in today's America, they will gain seats on the boards of the first Tennessee and Cabinet positions in the U.S. Government.

Black universities and colleges are the hope for our future. Get all that you can from your institutions, complete your studies, enter into the work force with a vision of unlimited success, go into your communities and assist those who are not able to assist themselves.

As African-Americans we have a responsibility to take care of our own, to help one another, our families, our neighbors, our friends. Direct them to opportunities, encourage them to succeed, and give them the benefit of your learning.

Today's HBCU's graduates understand the need to support their institutions financially. When you do make it in corporate America or whatever field you choose thank your insititution of higher learning with a note from your checkbook.

It is up to the young people of today to take a part in the building of the new world order—for if America is to continue as a great nation, we must take an active role in making it so. This is your opportunity to be included.

I think that as we celebrate Black History Month, it is important that we utilize this period to reflect upon our history.

Utilize this month to learn of the accomplishment of our people, not only in this country but around the world. Study the accomplishments of our people throughout history—for it is our responsibility to learn about our history as a race.

Believe that all things are possible—for all great persons had a dream in which they believed. That reminds me of an adage that goes something like this—what the mind can conceive and believe can be achieved. Despite adversity, one must still believe.

Mr. ABERCROMBIE. Mr. Speaker, the theme for Black History Month, 1991, focuses on the importance of education. For my home State of Hawaii, nothing could be more appropriate. Although Hawaii does not have a large Afro-American population, its members have distinguished themselves in the field of education far out of proportion to their numbers.

In fact, one of the very first Afro-Americans to visit our islands could rightfully be considered the founder of public education in Hawaii. In 1823, Betsey Stockton, a former slave, sailed with a company of missionaries from New Haven, CT. She arrived in Lahaina, on the island of Maui, on April 27 of that year.

Others among the missionaries concerned themselves only with the education of the children of chiefs. Betsey Stockton, however, saw another need. She founded a school for the maka'ainana, or commoners. From her own life experience, she had learned that the worth of a human being depended not on social standing, but on the spark of life that resides within all of us. When Betsey Stockton left Hawaii, she left behind a foundation for public education at a time when that concept was still struggling for acceptance in the United States and Europe.

In the years since Betsey Stockton, countless other Afro-American teachers, principals, and educational administrators have left their mark on Hawaii. Notable among them have been Helene Hale, Hawaii's first woman mayor, State Senator Charles Campbell, and State Superintendent of Education Donnis Thompson.

It is a pleasure to salute these dedicated Afro-American educators and public servants. To them and to those who share their work, we acknowledge our debt and extend our gratitude. Thank you.

Mr. SCHEUER. Mr. Speaker, it is with both pleasure and sadness that we honor Black History Month—a pleasure, because there is so much to celebrate in the riches of African-American culture and the great strides that the African-American people have made in this century.

But there is also sadness, because the advancement of blacks and the African-American community have cost so dearly, claiming the lives of Dr. Martin Luther King, Jr., Medgar Evers, and so many others in the long march toward equal rights and equal opportunity.

We are here today to recognize the achievements of our African-American brothers and sisters. We are here to celebrate the opportunities available to American black youth, and to commit ourselves to expanding those opportunities. We are here today to restate the inalienable equal rights of all African-American citizens.

For a start, we must again pass the Civil Rights Act that the President vetoed last year, and challenge him to keep his promises and not stand in the way of this important legislation. We must expand business, employment, education, and government opportunities for African-Americans and for all minorities.

Mr. Speaker, Senator Hiram Revels of Mississippi took his seat as the first black in Congress 121 years ago this week. Blacks have been woefully underrepresented since then. Women are underrepresented. Hispanics are underrepresented. Asian-Americans are underrepresented. Let us use this month of celebration of good things to commit ourselves to a renewed vigor in righting the wrongs.

Mrs. KENNELLY. Mr. Speaker, I rise today in observance of Black History Month. While the theme for Black History Month is "Educating America: Black Universities and Colleges—Strengths and Crises," I would like to take this opportunity to recognize the accomplishments of an individual who has demonstrated a professional and personal commitment to the inner-city youth of Hartford.

Walter "Doc" Hurley grew up in Hartford, CT, and graduated from Weaver High School. After graduating from Virginia State University and teaching in Virginia, Doc Hurley returned to Hartford and to the community in which he had lived. He served as both a teacher and counselor to hundreds of youngsters who passed through the Hartford public school system.

Doc Hurley grew to be a leader within the community. During the riots of the 1960's, he was instrumental in easing the pains of discontent and frustration among Hartford's youth. Through his own experience, Doc Hurley realized the importance of education as an opportunity and devoted himself to the education of others, to the youth of Hartford.

In 1975, while he was assistant vice principal of the very same high school from which he was graduated, he developed the idea of using the basketball as a tool to raise money and encourage educational goals in inner-city youth. He began a fundraising drive for students with the potential and the desire to improve and further their education. The result of his dedicated efforts became known as the "Doc Hurley Scholarship Basketball Classic." After 15 years, this small grassroots drive has resulted in a major scholarship fund supported by local corporate sponsors and in-kind services.

Although he has since retired from his position at Weaver High School, Doc Hurley continues to be involved in all aspects of the scholarship program. His commitment is more than just raising funds for young men and women to attend institutions of higher learning. In addition to his fundraising, he works closely with guidance departments throughout the Greater Hartfofd School System, identifying students with both need and ability.

By helping students and their parents to choose colleges which are both academically and financially within reach, Doc Hurley has enabled high school students to see that a college education is possible. His firm belief in strong parental involvement is best illustrated by the college orientation program he runs strictly for parents. This program assists parents in understanding the application, Federal aid, and scholarship process.

Walter "Doc" Hurley never really left his neighborhood. Yes, he went away to college. He acquainted himself with our great country, but he returned to Hartford. Doc Hurley's dedication and commitment to the young people of Hartford is to be commended, for he has never forgotten what challenges face a youngster. Nor has he forgotten what it takes to help a young man or a young woman make something of themself—faith, determination, and a good education.

Mr. SHARP. Mr. Speaker, there's been a lot to the celebration of Black History Month in east central Indiana this year. We've had gospel choir concerts, African craft demonstrations, movie screenings, and lectures about views of African-Americans in film. All these activities plus poetry readings and exhibits by local black artists and other events are to focus on diverse experiences in American history and contributions by African-Americans.

In preparing to celebrate Black History Month I rediscovered a 1976 publication by two constituents of mine entitled, "A History of Negroes in Muncie (Indiana)." Some information on the early history of blacks in our area was of particular interest to me.

As stops on the Underground Railroad, Fountain City, Richmond, and other towns and farms were safe places for runaway slaves. In fact, the tolerant attitude of the Quakers and others in these communities encouraged many blacks to end their journeys in the area. The Federal census of 1850 showed Wayne County with the largest black population of any county in the State.

This tolerance was a result of individual community standards rather than statewide policy. Although, according to the first Indiana Constitution, slavery was not allowed, in 1831 the State legislature passed a law forbidding any African-American from migrating to Indiana. Discrimination worsened. The 1850 constitution denied blacks the right to vote, and by 1852 it was a crime for blacks to settle in our State. It must have been a frustrating atmosphere for blacks who did move here.

Obviously, individuals stood up to these challenges. Black institutions developed, and the black population in Muncie grew from 200 blacks, who were 3.5 percent of the population in 1880, to more than 9 percent of the population in recent years. It is the accomplishments of individual African-American citizens and their triumphs over ongoing struggles that are notable.

Mr. Goodall and Dr. Mitchell, who wrote the paper, reported on Miss Ella Lulu Vivian Keith, who in the 1920's helped edit, publish, and sell a newspaper called the Shining Star. She

used her position at the newspaper to highlight the careers and community activities of prominent blacks in Muncie. I have no doubt she was a great supporter of Black History Week. These activities were particularly remarkable in the context of racial attitudes during the 1920's.

World War II opened more economic opportunities in factories for blacks and women. While problems of discrimination persisted, African-Americans in Muncie were instrumental in organizing labor unions in local heavy manufacturing plants. Blacks organized locals of the newly created CIO and served as union officials, elected by both whites and blacks. Having blacks serve as organizers was an attempt to separate racial issues from unionization.

Churches began as and remained a cornerstone of activities of the black community in our area and across the country. Bethel AME Church in Muncie was built on its current site at Jackson and Beacon Streets in 1872. Rev. James Townsend, for whom the Townsend Center in Richmond is named, was a leader in the church in Richmond and became the second black elected official in the Indiana General Assembly.

It is through this kind of continuing education in American history that each of us can learn a little about others and ourselves. I look forward to the time when the history of all Americans is being told on a regular basis and until then am pleased to participate in celebrating the accomplishments of African-Americans and other Americans.

Mr. ROEMER. Mr. Speaker, it is an honor to pay tribute to several great African-Americans during this Black History Month. Outstanding black Americans like Rosa Parks, Marian Anderson, Thurgood Marshall, and Duke Ellington are well known by us all for their commitment to Martin Luther King, Jr.'s dream of equal access and opportunity for all Americans.

But Mr. Speaker, today I want to honor several outstanding black Americans from Indiana's Third Congressional District, Americans who are perhaps not as well known as Langston Hughes or Jackie Ribonson but who, through hard work, talent, and dedication, have made a difference in our communities.

I am proud to recognize Mr. Charles Martin, director of Urban Youth Services for the Y.M.C.A. Mishawaka. With a dedication to young people that is unparalleled, Charles Martin has enriched the lives of hundreds of children and youth of the communities of South Bend.

Mr. Martin founded and is president of the Black Community Scholarship Fund, Inc. He chairs the outreach committee for the healthy babies project and is a member of the Park View Juvenile Division Advisory Board, the Forums for Youth Self-Sufficiency, the Kiwanis Club, the South Bend Community School Corporation Youth-at-Risk Committee, and the Martin Luther King, Jr., Foundation of St. Joseph's County.

Among the many awards and honors that Mr. Martin has been presented is the Sagamore of the Wabash Award. Although this is the highest honor that can be bestowed upon an Indiana citizen, Mr. Martin has been given this award on two separate occassions. He was recognized by the National Child Labor Committee as one of the top 10 youth workers in the Nation when he received the Louis Hine Award. Mr. Martin is a two-time recipient of the Key to the City of South Bend. An "Outstanding Black, Alumni from Ball State University," Mr. Martin is also in the Indiana Wrestling Hall of Fame.

Next, I want to bring your attention to a dedicated South Bend educator, Mrs. Rosalind Ellison, assistant principal of South Bend LaSalle High School. A counselor and teacher for 16 years, Mrs. Ellison truly reflects the realization of true equality for all Americans.

In 1974, Mrs. Ellison became the first member of her family to graduate from college when she received a bachelor's degree from Mundelein College in Chicago, Mrs. Ellison further distinguished herself by receiving a master's degree in guidance and counseling from Indiana University and by graduating from the Upperward Bound Program at the University of Notre Dame.

Mrs. Ellison now serves on the board of directors for the Y.M.C.A. and for the United Religious Community. Like Mr. Martin, she is a member of the coordinating committee for the healthy babies project.

I would also like to recognize an individual who has selflessly placed his own life on the line in order to save the lives of others, Mr. Jack Reed. A firefighter for more than 30 years, Mr. Reed won the distinction of being selected as the first black battalion chief of the South Bend Fire Department. On more than one occasion, Mr. Reed has been honored for his courage in saving lives.

Mr. Reed currently holds the position of administrative assistant to Mayor Joe Kernan of South Bend. He is a member of the board of directors of the United Way, the Salvation Army, Real Services, and the South Bend Heritage Foundation.

Mr. Franklin Breckenridge is another outstanding Hoosier I would like to recognize today. An attorney with Miles, Inc. in Elkhart, Mr. Breckenridge received a B.S. in education from Indiana University, Bloomington, in 1963 and a J.D. from Indiana University Law School, Indianapolis, in 1968.

In 1982, the National Association for the Advancement of Colored People presented Mr. Breckenridge with the William Robert Ming Advocacy Award, the highest award that the association bestows upon attorneys who volunteer legal services. Mr. Breckenridge current president of the Indiana State NAACP, was presented the 1990 award for Outstanding NAACP State President. Mr. Breckenridge is also a member of the national board of directors for the NAACP.

Mr. Breckenridge is a member of the Elkhart City Bar Association, the Indiana State Bar Association, the American Bar Association, the National Bar Association, and the American Corporate Council Association. He is on the board of visitors with the Indiana University Law School, Indianapolis, and is affiliated with the St. James African Methodist Episcopal Church.

It is with great sadness that I pay tribute to the late Mrs. Theodessa Earles, a quiet, unsung hero with an unwavering commitment to her community and family. Although Mrs. Earles relied on public transportation, she was always involved, always present, and always punctual.

A native of Birmingham, AL, Mrs. Earles graduated from Lincoln High School in Milwaukee and from Peters Business College in Chicago. Always active in politics, Mrs. Earles was chosen as delegate to the 1976 Indiana Democratic Convention and was elected to the St. Joseph's County Council in 1986. She founded the Metropolitan Democratic Club and was a member of the Indiana League of Cities, the Indiana National League of Cities and Counties, the National Association for the Advancement of Colored People, and the National County Association. Mrs. Earles also served on the board of directors for the Hope Rescue Mission, the League of Women Voters, the Special Olympics, Northeast Housing Services, Water Works, and the Minority Business Council.

Mrs. Earles retired as administrative assistant from the Institute for Urban Studies at the University of Notre Dame, where a scholarship was recently established in her honor. The Indiana Black Assembly awarded her a certificate of distinction as one of 100 Most Outstanding Black Women. She has received certificates of appreciation for her work with Real Services and Nutrition Program, the Northeast Neighborhood Center, and the Notre Dame Legal Aid and Defense Association.

A source of strength to her community and to those who knew her, Theodessa Earles is and will be deeply missed.

I believe Black History Month is not just about famous black Americans in our Nation's past. Black History Month is also about black Americans—like these outstanding citizens from Indiana—who are making our communities better places to live.

The theme for the 1991 Black History Month celebration is "Educating America: Black Universities and Colleges—Strengths and Crises." As a former teacher from a family of educators, I understand how crucial it is for us to promote opportunities for black students everywhere. Education opens doors of opportunity not only for individuals but also for our country.

I will strive through my work in Congress, and as a member of the Committee on Education and Labor, to promote opportunities through education. By providing greater opportunities for our young people who are inspired by the examples of Theodessa Earles, Charles Martin, Rosalind Ellison, Jack Reed, Franklin Breckenridge, and so many others, I believe we are building a stronger, better America.

Ms. PELOSI. Mr. Speaker, I rise in proud celebration of Black History Month. Black History Month serves as a time to honor black achievement and as an occasion for renewing our commitment to opening the American dream to the black community and all Americans.

This month and every month, we should look not only to the many accomplishments of black Americans of the past, but also to the many people who are making history by their actions today. I especially commend the black Americans from my district of San Francisco who are making our city a more humane and rewarding place to live.

As we applaud the accomplishments of black Americans in San Francisco and across the Nation, however, we must recommit ourselves to tapping fully the tremendous resources of the black community. By knocking down the barriers of discrimination and racism that deny blacks equal opportunity to participate in American society, we can energize our labor force and brighten our cultural fabric.

Congress must restore civil rights as a national priority. We must fight to erase the blight of racism in American society. We must expand educational and employment opportunities. We must more fully incorporate the disenfranchised into the American political system.

Let us make the 102d Congress a watershed in black history by championing civil rights and by enacting H.R. 1, the Civil Rights Act of 1991.

I would like to end my remarks, Mr. Speaker, by presenting to my colleagues the inspiration offered by the winning essays from the annual Martin Luther King, Jr., essay competition in San Francisco. These young students are an inspiration to their community, to their generation, and to our entire country.

MARTIN LUTHER KING, JR. LIVES

(By Ebony Glenn)

Dr. Martin Luther King, Jr's dream is still alive. It is alive because we live it each day. His dream is very important to me, because without his dream we wouldn't be free. His dream was for everybody, not just blacks or whites, but for all races to have peace. His dream helped make this world a better world.

On August 28, 1963, when the March on Washington was held, he delivered a speech. Millions of people attended from different backgrounds. Dr. King spoke about all races of people working together, living together and most of all, loving one another. He spoke of peace, justice and equality for all. His speech was very powerful. It woke up the whole nation and it is still remembered today.

Dr. King taught me to love and respect others. His dream taught us to treat people like you want to be treated. We should not judge people by the color of their skin. I have lots of friends, not just Black friends, but friends of all races. I like being able to play with my friends no matter what color they are. We try to treat each other with respect. We just play and have fun. If we get upset with each other, we get mad, but we try not to fight.

I try to help others when they need help. I try to do my best to be nice and do whats right. Also, his dream helps me to be proud of who I am and that I am black and that I am somebody! No race is better than any other race. Freedom means not under the control of another. Every race is in control, that, why he fought for freedom and justice so we could all have equal rights. Because he gave so much to me in his dream, I'll always remember his dream and I put it in a poem:

Dr. King had a dream
That we shall all be free.
Do what's right
Do not fight
Live in peace and harmony
That's his dream of equality.

Thank God for Dr. King.

FULFILLING THE DREAM

(By Dawn A. Green)

Dr. Martin Luther King had a dream. It was a dream of peace, unity, and harmony. A dream that he lived and died for—A dream that we, working together, can fulfill.

As someone who would very much like to see his dream come true, I think it is very important that we, as individuals, do as much as we can to make this world a better place, where we can happily live, knowing that we are forever free of racism, segregation, and bigotism.

I dream that someday not only Martin Luther King's dream will come true, but others as well. I feel that by keeping the world healthy, and it's inhabitants happy, we can achieve the dreams that seem so impossibly far away.

Having always been opposed to drugs and gang violence, I try to convince friends and neighbors to turn their backs to the growing drug and gang violence problem, and help solve, not expand it. Working together with neighborhood youth groups, we can, and will make a difference.

Not being ashamed of my race, or religion, I am equally opposed to the beliefs of all racists. For although there were generations before me trying to solve this problem, it still lingers. By spreading my own anti-racial beliefs, I hope to convince others to fight against this problem.

Youth, adolescents, grown-ups, and people of all ages, races, and religions must realize that drugs and gang violence can only kill the people we love and care for most, that racism is only drawing us further apart, and that all are equal, and all should be free.

SERVICE: AN ACT OF LOVE

(By Myradin Sabido)

"Every man must decide whether he will walk in the light of creative altruism or the darkness of destruction selfishness. The urgent question is 'What are you doing for others?'" These are moving words from Martin Luther King. He felt that each person should help one another regardless of age, place, time and race. For him, an act of charity shows love. He also said, "Everybody can be great. Because anybody can serve. You only need a heart full of grace. A soul generated by love." Just open up your heart and soul to anybody who needs help.

Martin Luther King showed service to others. He knew that many Blacks needed his help. He stood up for them; leading them on their way to freedom. He willingly started the march going to Washington, D.C. The hardships he had gone through didn't matter. Even though it cost him his life, he never regretted it for his life had a meaning and a purpose; for the benefit of others.

I live the dream by volunteering at Mission YMCA. I felt that serving others meant helping them with an open heart, willingness, and a gift not worthy of waiting for any payment. Since my first day there, everybody showered me with respect and appreciation. Though my job was hard at times, it didn't matter. As long as I knew I was helping somebody for his own good. That's what mattered to me. I helped the children do their homework; played with them on sunny afternoons and taught them little things that helped them grow. Both Martin Luther King and I have helped others, in obvious different ways; still, everything contributes to service for others.

Mr. CUNNINGHAM. Mr. Speaker, I would like to thank the gentleman from Ohio for having called this special order. I appreciate the opportunity to join my colleagues in honoring the African-Americans that have contributed so much to the history of this great Nation.

In 1926, Dr. Carter G. Woodson, the father of Black history, established Negro History Week, and in 1975 it was extended to a month. I am proud to join my colleagues in the House of Representatives in recognizing the history and culture of all Black Americans.

And while it is important that we remember the work of Frederick Douglass, W.E.B. Dubois, Rosa Parks, A. Philip Randolph, and the thousands of other Black Americans who have made a difference, I feel it is equally important to recognize the Black Americans who are making a difference in their communities today. Black Americans are looking for new solutions for problems which have long plagued the Black community, and foremost among them in my mind is Dorothy White Smith. It is fitting, that with this year's Black History Month focusing on education, that we honor one of San Diego's greatest educators.

Mrs. Smith moved to California in 1967 and first settled in Long Beach, where she earned her master of arts degree from Cal State, Long Beach. She thentaught English at Millikan High School and Long Beach City College. She moved to San Diego in 1973, where for the past 18 years, she has contributed greatly to her profession, to African American culture,and to the city of San Diego.

Dorothy Smith has taught at San Diego City College for 18 years and is currently a visiting professor in the school of teacher education at San Diego State University, where in 1990 she received the Outstanding Faculty Award. But she is best known for her distinguished service as a member of board of education of the San Diego Unified School District from May 1981 to December, 1988. As president of the board in 1984 and 1988, and vice president in 1983 and 1987, she initiated the core curriculum policy and many other innovations to provide students of all cultural group with higher educational quality and greater access to education.

Mrs. Smith has written numerous publications on shcool reform, educational responsibility, parent-student relationships, and the role of Blacks in the educational process. In here doctoral studies at the University of Southern California, her dissertation focuses on teacher characteristics for culturally diverse schools. Mrs. Smith founded the African American Advisory Committee to the Superintendent of Schools and is a member of Women, Inc., Alpha Kappa Alpha Sorority, the Urban Mathematics of Collaborative and Martin Luther King Jr. Memorial Committee, the Allensworth State Historic Park Advisory Committee and the San Diego Dialogue.

For her accomplishments and here community service, Mrs. Smith has received over 70 professional and community awards. Her contributions are certainly deserving of recognition during this year's Black History in Education Month. I am honored to be able to recognize this great educator, San Diegan, and Black American.

Mr. RANGEL. Mr. Speaker, let us now, in memory of the 26th anniversary of his assassination in the Audubon Ballroom in Harlem, take this opportunity to revisit the life and legacy of Malcolm X. I dedicate my comments to

the children of Malcolm X, Attalah, Qubilah, Ilyasah, Gamilah Lamumbah, Malikah Saban and Malaak Saban, and to his wife, Betty Shabazz.

Why speak now about Malcolm X? Because to the great misfortune of both blacks and whites he was dismissed and distorted by the mainstream press and public while he was alive. Because the circumstances which shaped his life—racism and oppression—are still very much in force today. And, Mr. Speaker, because 26 years without a proper recognition by this body is, in my estimation, far too long.

I feel very close to Malcolm X, Mr. Speaker. He is one of Harlem's greatest citizens. New York City has named one of its grandest avenues in his honor, just as it did for Frederick Douglass and Congressman Adam Clayton Powell, Jr. Percy Sutton, a leading Harlem businessman and former Manhattan borough president as well as a good friend of mine, was proud to be his lawyer. And his funeral, which attracted over 30,000 people, was the largest funeral in Harlem's history.

Malcolm lives on in Harlem today, 26 years after this funeral. Columbia University, the State and city are cooperating with the people of Harlem to memorialize the Audubon Ballroom, the site of many of his lectures and, ultimately, his death. Columbia has also established a medical scholarship fund for minority students in Malcolm's memory. Already, five Malcolm X scholars have been named; three are already doctors.

Malcolm X remains an inspiration to people everywhere as a figure of strength, self-reliance in the face of oppression. Particularly today's youth, many struggling to beat back poverty and despair, look to the man whom they never knew as an inspiring figure of strength and determination, who was one of them. He had been where they are, knew their hurts, nursed their dreams.

Today, people play and replay the records of his speeches, study his autobiography, refuse to attend school or go to work on the anniversaries of his birth and death. He is immortalized in the minds of African-Americans today—in song and poetry, in the hopes and pains of yet another generation of people who yearn, like he did, to realize their potential.

Listen to his words of December 1964: "Look at yourselves. Some of you teenagers, students. How do you think I feel—and I belong to a generation ahead of you—that you have to be born into a society where you must fight for basic human rights. What did we do, we who proceded you? Nothing. And don't you make the same mistake we did." People today listen to these words, and they understand * * * and they will not make the same mistake.

Malcolm X did not preach black supremacy. But he did preach, in no uncertain terms, black pride and black redemption, black affirmation and black unity. He presented to America the image of a black person that one could—that one had to—respect.

As Ossie Davis said, "Malcolm said get up off your knees and fight your own battles. He would make you angry, but he would also make you proud. It was impossible to remain defensive and apologetic about being a Negro in his presence. He would not let you."

Born Malcolm Little on May 19, 1925 in Michigan, Malcolm X was molded by the racism of the United States. Racist episodes checkered his early life, like those of so many blacks born in America. When he was 4 years old, his house was burned to the ground as white police and firefighters looked on. Two years later, his father was killed in what Malcolm always believed to be a lynching. In school, his teachers crushed Malcolm's aspirations to be an attorney and instead advised the gifted student to become a carpenter; he dropped out after the eighth grade.

Malcolm moved East, where he found first jobs, then crime. When he was not yet 21, Malcolm was finally arrested for burglary and sentenced to 10 years in prison.

In prison, he educated himself through correspondence courses and by reading the dictionary from A to Z in the glow of a light in the hallway. Although his schooling stopped at the eighth grade, his speeches—and you can hear them on records and read them in books—were more articulate and forceful than many I have heard on this very floor.

His struggle in prison to rehabilitate himself on his own is not only a tribute to his self-reliance, but it also suggests the enormous untapped talent—even genius—in today's black youth who now struggle in the inner cities or languish in prison.

After his release from prison, he made his way to Chicago where he entered the Black Muslim movement and changed his last name to X, signifying the African name, long erased from his family, that he would never know.

After organizing a mosque in Philadelphia, Malcolm X was sent to New York City to lead Muslim Mosque No. 7 in Harlem. In just a few years he was able to transform the movement into a national organization. As its most prominent public spokesperson, he literally put the movement on the map.

In Harlem, Malcolm X initially argued that we had to separate from society, that blacks could not hope to succeed in a society that was defying their peaceful overtures with dogs and firehoses and bombings in the night.

In 1963, after continuing disagreements with the Nation of Islam leadership, Malcolm X left the Nation of Islam and started two new organizations in Harlem: The Muslim Mosque and the Organization of Afro-American Unity.

As he said then, "I believe the best solution is still separation, with our people going back home to their own African homeland. But this is a long-range program and while it is still yet to materialize, 22 million of our people who are still here in America need better food, clothing, housing, education and jobs right now."

He began a broad campaign for black America's human rights and brought it to the international level. Malcolm realized that blacks in America were a minority, but only in a narrow sense. Indeed, there are over 100 million blacks in the Americas and over 300 million others on the African continent. When joined, these millions could indeed become a mighty force. And so Malcolm urged unity.

He patterned his organization, the OAAU, after the OAU and united the concerns of African-Americans with those of Africans throughout the world. He took his grievances to the United Nations and sought the counsel and advise of world leaders in several trips to Asia and Africa, including a pilgrimage to Mecca.

Malcolm returned from abroad with his thinking again revolutionized. He no longer opposed whites joining the black liberation movement. During his pilgrimage he realized for the first time that brotherhood could exist among all colors, where no one felt segregated, where there was no superiority and inferiority complexes.

Malcolm X aroused so much controversy—and let's admit it, fear and even hate—because he was unreservedly committed to the liberation of our people in America. He demanded that America keep its promise of democracy to all people and never let anyone, black or white, forget it.

Malcolm X was a remarkably gifted and talented leader whose righteous indignation symbolized the oppression that formed his life. His spirit will rise again, because he is worthy of being remembered and because the racism that shaped him will not let us forget.

Malcolm was a black man who lived and died in leadership to our people. He was one of us. He cried out for our needs, sustained our aspirations, insisted that we were strong when all the world had told us we were weak.

He was a black man who managed to realize a large degree of his abilities in spite of the oppressive pressures he encountered throughout his life. He was a man who acknowledged his own errors as readily as he did those of society and who tried, to his dying day, to correct them all. A man who learned to recognize the humanity of all people, even those who strove to put him and our people down.

Above all, he was a man of courage who would not—could not—wait to save our people.

As the noted African-American scholar John Henrik Clarke said, "His dream of a world where his people will walk in freedom and dignity was temporarily deferred by his assassination. The assassin killed the dreamer but not the dream. The dream is the legacy that he left us."

Mr. Speaker, I close by offering the following lines by Harlem poet Langston Hughes:

What happens to a dream deferred?
Does it dry up
like a raisin in the Sun?
Or fester like a sore-
And then run?
Does it stink like rotten meat?
Or crust and sugar over-
like a syrupy sweet?
Maybe it just sags
like a heavy load.
Or does it explode?

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this special order.

The SPEAKER pro tempore (Mr. NEAL of Massachusetts). Is there objection to the request of the gentleman from Ohio?

There was no objection.

TRIBUTE TO THE LATE HONORABLE SILVIO O. CONTE

The SPEAKER pro tempore (Mr. NEAL of Massachusetts). Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 60 minutes.

Mr. MICHEL. Mr. Speaker, Mr. JOE MOAKLEY, who is the dean of the Massachusetts delegation, and I have both requested special orders at this time, and I should like to yield at the very outset to the distinguished gentleman from Massachusetts as we begin the eulogy and special order on behalf of our dear departed colleague, SILVIO CONTE from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I thank the minority leader for yielding on this matter. I think both of us will be able to yield time back and forth until all of the Members in the Congress who are desirous of speaking on this issue will have an opportunity.

Mr. Speaker, as you know, the House of Representatives lost one of its most enduring legends 2 weeks ago. Our friend and colleague, SILVIO O. CONTE, died after a valiant 2-year struggle with cancer. SILVIO was a giant of a legislator, the personification of a fighter, and the embodiment of the term public servant.

Since 1958, SILVIO has to the best of his unlimited abilities, represented the citizens of Massachusetts' First District. He served them diligently and daily in countless ways, pressing numbers of battles on battlefronts the world over. He wore his heart on his sleeve, seeking whatever redress the Federal Government offered to improve the quality of life for his constituents—be they from Pittsfield or Amherst, Northampton or Stockbridge.

SILVIO picked up a lot of information from the people of the First District, in hardware stores, gas stations, and during the exercise of his official responsibilities. He learned firsthand of the tremendous burdens parents face in sending their children to college, of the genuine hardships escalating prices for home heating oil cause Berkshire County elderly and low-income families, and of the horrendous pressures, faced by Massachusetts residents as employment opportunities in the steel, automotive, and textile industries move south.

SIL was never one to let circumstances overwhelm him. An inveterate fighter, SIL was determined to always make the best of any situation, to turn any disadvantage to an opportunity. He created public policy from this window of opportunity perspective, seeking always to remedy short-term hardship, with effective and practical programs, and policy that cure existing deficiencies with long-term solutions.

SIL was the kind of guy who extrapolated from commonplace daily occurrences and came up with innovative, effective, and caring legislative responses, offering possible remedies to enduring problems. His creative legislative genius, symbolized today, by countless numbers of effective Federal programs like the Low Income Energy Assistance Program, and the WIC Program for high risk pregnant women and their babies, will serve as a lasting legacy, felt on a daily basis by people the Nation over.

This body has lost an asset of untold value. SIL was a character to be sure. His humor, his sense of theatrics, his inherent comic ability, are all things that lighten our load today. Those same things served him well in this body, allowing him many opportunities to drive a point home, and make sure that its impact was felt. SIL CONTE was a legislative genius, an exceptional strategist, could be partisan as hell on one day, and practically a member of the Democratic Caucus the next. But more than all of this, SIL was one of my dearest friends.

He and Corinne, Speaker O'Neill and Millie, and Evelyn and I, had the occasion to travel together, to play golf, and dine many times, in the course of our many years of friendship. For me personally, his loss will be felt on a daily basis. I'll miss the sound of his laughter bouncing off the walls of the Members' dining room, our Massachusetts delegation breakfasts in SIL'S room in the Capitol, the annual congressional baseball game in the spring, and SIL'S seasonal fashion advice, to all of us offered without charge. I'll miss SIL greatly as will this body. But SIL left us a treasure trove of memories to enjoy, and a legislative body of accomplishment Daniel Webster would envy. For all of this, we are thankful for the gift of SIL'S presence and spirit over the years.

Mr. MICHEL. I thank the distinguished gentleman for his beautiful remarks as we begin this eulogy for our late, departed friend, SILVIO CONTE.

This afternoon we had in Statuary Hall here in the U.S. Congress a formal memorial service for SILVIO. I was privileged to make remarks at that time, as I was at the funeral of SILVIO in his hometown of Pittsfield, and I said at that time that this is a time that I had hoped would never come, for like so many of our colleagues and so many of our dear friends, we all were grieved to lose one of our very dearest friends.

In my case, SILVIO and I did not know one another before he came to the Congress back in 1958, but that evertightening bond of our friendship through the years has been one of the nicest things that has ever happened to me. We had a great deal in common. We were both sons of immigrant parents and we grew up during the Depression, learned early on what work was all about. We both served overseas during World War II.

□ 1810

We both married wives named Corinne over 40 years ago and there are four great kids—as SIL would say—of both marriages.

SIL would be the first to always put emphasis on the family and the church as the really important influences in his life.

He was mighty proud of his Italian heritage and loved to use the French pronunciation of my name on the floor of this House to make the point that even as first generation Americans it was possible in this country to make it to the top in the political arena.

Yes, SIL was a politician, but in the finest sense of the word. He looked upon the office as an opportunity to serve his fellow man. He was always out there championing the cause of the little fellow, the disabled, and the destitute, as was so ably pointed out by the distinguished gentleman from Massachusetts.

But he also held that old fashioned view that if you were able bodied and sound of mind you had an obligation to work for a living and be a contributor to society.

He himself worked long and hard to become a power in the Congress, but he never let it go to his head.

He had no fancy airs. He was not a pretentious man. He really did not bother to spruce himself up all that much either, as has been legendary around here about the mismatches of his clothes. And I hope my friend, the gentleman from Massachusetts [Mr. MOAKLEY] will put in the RECORD the remarks, at the funeral, of the distinguished former Speaker of the House, Tip O'Neill, because he capsuled it so well in his remarks at that time.

He was something like a comfortable old shoe, but we all loved him. And there's no question but that his constituents in Pittsfield and western Massachusetts felt the same way as attested to by the number of times they sent him back here to the Congress, sometimes unopposed, sometimes as the nominee of both parties, and then, too, when we went to the funeral and saw the thousands of people that were in the streets and the businesses practically closed, the schools closed for the day, and as Mrs. Conte reiterated to me afterwards, some 7,000 people who came through the visitation line the night before the funeral. Now, that says something about how a Member of this House was loved and endeared by his home community.

I have some other remarks that I obviously want to include with my extension of remarks, and I will do that at this time, Mr. Speaker, so that they might all flow together, and maybe with only one conclusion or concluding remark to those that I have prepared.

I received a letter from a young lady who knows both Mr. CONTE and knows

me. She wrote me on the date of February 14 and said:

DEAR LEADER: I once read an anonymous quote that said, "Friends are stardust blown from the hand of God." In this great adventure we share on Earth, not many of us are fortunate to find friends whom we truly love and love us.

I know that Sil Conte stole part of your heart and how difficult his passing is for you. Take comfort in knowing that he is now embraced in the Lord's loving arms, and that someday you shall see one another and share a laugh and song again.

Warmest regards,

LINDA LONG.

She is a nice young lady who knows me and knew SIL CONTE, and I think capsuled it so well.

SIL's special concern on the Appropriations Committee had to do with health and education issues. He had a particular interest in our medical schools and long before there were any indications of his being a victim of cancer, he was doing everything he could to expand research activities of the National Institutes of Health to foster prevention and find a cure for all those life-threatening ills that take such a toll.

In SILVIO's case, he kept fighting back—never giving up—on the job until just a week before he passed away. That was his nature. He was a scrapper.

He would want to be remembered that way—even to the display of a bit of temper at times when there was good reason for it. Like his penchant for condemnation of governmental boondoggles.

Some say SIL was "flamboyant." I would say he was just doing what comes naturally, giving vent to his Italian heritage complete with gestures.

I might even say he was "bombastic" at times, but it was always for the purpose of dramatizing his point and believe me, he could play the House like a master.

The truth is that beneath all that bombast was a very sensitive, considerate, caring, and lovable fellow.

He loved a good time, enjoyed having funloving people around him, and when cranked up, could be the life of a party.

Even though he didn't have a voice for singing, he liked those who did and appreciated good music.

That's why it was so appropriate to have the Navy Sea Chanters sing for the service earlier today.

We all respected SILVIO for his professional talents as a lawyer and legislator.

He brought to his tasks a contagious zest, an intense gusto, an irrepressible sense of joy that reflected his view that politics is, after all, a human endeavor—and quite often a funny one.

While his recreational pursuits were officially classed as amateur, I considered him a pro when it came to hunting and fishing.

He could put us all to shame with his catch and his limit. Moreover, he loved to serve as the chef when it was time to put it on the table, and there was no one better.

Oh how we are going to miss those wild game dinners and fish fries he was responsible for.

He was a great sport fan, and enjoyed chomping a cigar while playing gin rummy or as a bridge partner of another of his old buddies, Speaker Tip O'Neill.

When SIL was managing and I was pitching, we had the winning combination to beat the Democrats at baseball 13 years in a row.

And for the record, SIL would want the Washington Post's beautiful editorial on his passing amended to read that we played "hard ball" not "soft ball."

Finally, SIL was a renowned gardener of both vegetables and flowers. We were always comparing notes and this spring, I will surely be babying those amaryllis bulbs he asked me to try, for each new bloom will remind me of 32 years of friendship with the greatest of them all.

We tried at the funeral and again here today to say in a simple homespun way that all of us and so many others loved SILVIO deeply, as his family did, and we share your sorrow and your profound loss.

But we take heart because we have beautiful memories of having shared our lives with one beautiful person, SILVIO O. CONTE.

Mr. Speaker, at this juncture, I am most happy to yield to the distinguished chairman of the Committee on Appropriations where SILVIO served for, I think, maybe all of his tenure in the Congress, and eventually as our distinguished ranking member.

Mr. WHITTEN. That is correct. It was wonderful service while he was here.

Mr. Speaker, I appreciate my friend yielding to me. I would like to point out some of the record that I know from having served on the Committee on Appropriations with him during that time, as I have with my friend, the gentleman from Illinois.

SILVIO CONTE leaves a tremendous record of service to the people of his district, State, and to the Nation. His effective efforts for many national programs, particularly education and the environment among many others, will be sorely missed.

First elected to the committee in 1959, he became ranking Republican on the Treasury-Postal Service Subcommittee in 1965. In 1970, he became ranking Republican on the Transportation Subcommittee, and in 1981, he became the ranking minority member on the Labor-HHS-Education Subcommittee, a position he retained until his death.

SILVIO was serving his 13th year as ranking Republican on the full Committee on Appropriations in the House of Representatives and with the approval of the committee, he was a member of each of the 13 subcommittees. His wide ranging interests, with the help of his staff, touched each of those subcommittees. He was active and successful in many areas: Transportation, Labor, Health and Human Services, and matters affecting the environment were the chief beneficiaries of his energy and efforts. He also really stuck to his guns in fighting what he considered excessive support of honey producers.

During this same 13-year period I have been chairman of the Appropriations Committee and a member of each subcommittee. We have worked together to have truly a bipartisan committee which, since 1945, has held the total of appropriations bills $180,800,000,000 below the recommendation of the various Presidents. Since 1959, he has been a part of that. We also served together as regents of the Smithsonian Institution.

SILVIO CONTE'S life and his success is truly a shining example of what has occurred in past years. From childhood, a member of a working and close family of fine citizens with a limited income, by reason of determination and application, with the help of the GI bill, SILVIO graduated from law school, was elected State senator, and 17 times to the Congress.

He never forgot his appreciation for the opportunities which our country provided. Truly, he will be missed but the benefits of his service here will long endure.

To his fine family we extend our sincere sympathy. We have lost a dear friend. I shall always remember and cherish our service together.

Mr. MICHEL. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts [Mr. EARLY].

Mr. EARLY. Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL] for yielding.

You know, BOB MICHEL was truly one of SILVIO CONTE'S finest and best friends, and I know how tough it has been for BOB to go through this, but SIL CONTE actually loved you, and you knew it. He had more respect for you; he respected everyone, but he had more respect for you, because he knew what you stood for, and he knew how much you cared about people, and it was just a great admiration.

I rise to pay tribute to my good friend, SILVIO CONTE, dean of the Massachusetts congressional delegation, third most senior Republican in the House of Representatives, ranking minority member on the Appropriations Committee, SILVIO CONTE exhibited a quality of statesmanship which is worthy of the highest praise.

He was an amazing character. He never allowed things to be dull in this House. From the Red Sox to the Republican ball team, he coached us in how to play hard and compete vigorously and win or lose with class. He could exert equal powers of persuasion with a pig snout or with a passionate plea for a needy cause. His clunky car spoke of the fact that SIL CONTE did no give a fig about appearances. He got to the heart of a matter, and he would use the full measure of his conviction and charm to mobilize a majority around his position. I never knew a colleague who fought harder for what he believed.

I will remember SIL CONTE for his active mind, a mind which could cut through the heavy smog of politics to advance a worthy legislative agenda. I will remember his dynamic spirit, a spirit which charged into space avoided by the weak and timid to boldly call this House to do it's duty. Most of all, I will remember his great heart, a heart which drove him to work tirelessly and compassionately in behalf of those in need.

SILVIO CONTE had an enormous impact on this House and on our Nation. We will miss his vitality, his humor, his stubborn devotion to serving the neglected and forgotten among us, his wild and wonderful zest for life.

□ 1820

From a professional standpoint, he was a mighty warrier for justice and peace, a model public servant who will forever command our respect.

From a personal perspective, I know of no one in this House for whom I have deeper appreciation and warmer affection. He was truly one of a kind.

Mr. MICHEL. Mr. Speaker, I yield to our ranking member on the Committee on Appropriations, a very good friend of SILVIO for many, many years, the gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Speaker, I thank my dear friends, the gentleman from Illinois, the Republican leader, Mr. MICHEL, if this Irishman can continue a tradition born in this Chamber several years ago. It is a great privilege for all Members who gather this evening in sadness, as friends of SIL CONTE, with this special order, and indeed we all gather here in a moment of sadness, but also in a moment when there is an opportunity to pay tribute to one of the most effective, one of the most colorful, and one of the most loved Members of this House.

Mr. Speaker, I want to say that if the good Lord's spirit gives me 150 years, I will never forget the day in Pittsfield, MA, when we saw a town stop and come together and pay tribute to the Member of the House, and we heard eulogies by the distinguished former Speaker, Tip O'Neill, a friend of SILVIO, and my dear friend from Illinois Mr. MICHEL, in the church that day that lifted all of the congregation in a moment of great sadness, and made everyone feel a community, and made everyone feel better, even at the very moment of our greatest grief.

With his passing, SIL left a remarkable record of legislative achievement, and all of his colleagues with fond memories. He is a man who obviously loved life and the job and the people of Massachusetts for his district who wisely elected him for the past 32 years. What a job he did. He left his stamp on countless pieces of legislation, and tirelessly promoted Federal programs that benefited the less fortunate members of our society—the poor, the aged, the young people. He worked in a bipartisan fashion as the senior member of the Committee on Appropriations, to draft responsible legislation, and he was never afraid to speak out alone no matter what the issue, no matter what the occasion.

He also left his mark on this House through his colorful personality. When he took to the floor all Members sure listened. Oh, we were treated to lots of times to unforgettable oratory, and we talked about his poetry and even critiqued it, but what we all heard was a man of enormous conviction, speaking out of his heart for what he believed was right. He was a committed warrior when he fought for a cause, and no matter what the issue, everyone always wanted SILVIO CONTE on their side.

SIL was also the kind of man who could brighten a room by entering it. We also experienced that all over the world. He was ready with the joke. He was ready with a good story at a stressful moment in a legislative session. SIL could be counted upon to break the ice with humor, and put partisanship aside, as can be attested to by his many friends on both sides of the aisle. SIL was always a competitor, whether in an appropriations conference or as the revered manager of the Republican baseball team, where our friend from Illinois, Mr. MICHEL, got him 13 and 0 in wins and losses.

Few Members of the House could count as many friends and admirers as SIL has. The people of Massachusetts have lost an effective champion. The people of the Nation have lost a great legislator. Members of the Committee on Appropriations will sorely miss SIL's leadership, and the Members of the Hosue will miss a powerful personality and a respected human being. We have all one thing in common: We will not forget our good friend, SILVIO CONTE, a legend in the history of the House of Representatives.

In reflecting on SIL's life, I close by paraphrasing the words from the Epistle of Paul which comes to my mind:

> You fought the good fight, you finished the course, you have kept the faith.

These magnificient words certainly apply to SIL and the way that he has lived his life every moment of it. Our love and our deep sympathy go out to SIL's wife, Corinne, and their children, John, Gayle, Michelle, and Sylvia.

Mr. MICHEL. Mr. Speaker, I am happy to yield to a member of SIL's delegation, the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Speaker, just as the passing of SILVIO CONTE was a great loss to Massachusetts, to this institution, and to our country, so did we all profit from his life.

In this House, SILVIO was a poet among pendants and a nightingale among crows. He could murder the English language while somehow flattering the victim. In debate, there isn't one of us he couldn't out-talk. He had the lungs of Thor, the wit of Lincoln, the chutzpah of Teddy Roosevelt, and the rhyming ability of Shakespeare's evil twin.

We all have televisions in our offices now. We all know to turn the volume down or off as soon as one of our distinguished colleagues is recognized to speak. Masochism has, after all, its limits. But how many times did we look up and see that SILVIO CONTE was about to speak, and—especially if we noticed that little sparkle in his eye, that little reddening in his nose, that twitch of fiendish glee around his mouth—did we turn the volume up? This is no small thing. Punching that little up arrow on the remote may be the greatest tribute we can give to a fellow Member of this institution. It is certainly the rarest.

No one could be funnier than SILVIO CONTE, but few did more serious or productive work. Whether the issue was home heating oil prices or support for the Coast Guard or offshore oil drilling on Georges Bank, SILVIO was always in the game, always fighting and if there was a way, any right and principled way to win, he would win.

Recently, I have had the opportunity, as chairman of the House Subcommittee of Fisheries and Wildife, to work with SILVIO on a range of issues that were particularly close to his heart.

In 1989, we enacted the North American Wetlands Conservation Act, the largest conservation and wetlands preservation plan in our Nation's history. Together, we worked to restore the Atlantic salmon to New England's rivers, to save the striped bass, and to expand our Nation's wildlife refuge system.

Not long ago, I said in a statement on the House floor that SILVIO CONTE was the most distinguished sportsman-legislator of modern times, an assessment with which—SILVIO told me afterwards—he fully agreed. No one fought longer or harder to protect America's open spaces and to guarantee habitat for the fisheries and wildlife resources that are a glorious part of our Nation's heritage. No one in this body made a

greater personal effort as a hunter and fisherman to enjoy that heritage. I doubt there is a fish, or duck, or goose, or elk in our country today that does not owe SILVIO CONTE a debt of gratitude, unless, of course, SILVIO had, at some point, done something sporting to one of their relatives.

SILVIO CONTE was a national treasure. He is sure to be remembered because we could not, even if we tried, ever forget him. We can no more replace him than we could bring back to life a species that has become extinct. He was one of a kind.

Yes, we mourn his passing; we begrudge his absence; we feel deeply his family's loss; and some of us, especially those of us from Massachusetts, have still other, more practical, reasons for our sorrow. But we are satisfied that although time will temper our pain, it will only burnish the record, the reputation, the accomplishments and the memories we all share of SILVIO CONTE'S time among us, of his service to this Congress, of his service to this Nation, and of his gifts of friendship, and inspiration, to us all.

Mr. MICHEL. Mr. Speaker, I want to thank the gentleman for enlarging on SILVIO'S fishing and hunting prowess, because he did love the out-of-doors, and did as much as the gentleman indicated for the environmental movement in this country and for those of our country out there who love to fish and hunt. As a matter of fact, the Secretary of State today, in his remarks at the memorial service in Statuary Hall, made special mention of the times the two of them hunted, and the good times they had together. It was my privilege to appoint SILVIO to the Migratory Bird Commission, on which he has served for so many years with such distinction.

I yield to the distinguished Delegate from the Island of Guam, the former Marine general, Mr. BLAZ.

Mr. BLAZ. Mr. Speaker, SIL CONTE was the best friend I have never known.

I have a deep admiration and am very envious of those who have known SIL CONTE well, for it is so obvious he was an extraordinary person. Sadly, I have to say I knew him only slightly and learned much about him through the eyes and expressed sentiments of our colleagues. Of course, I had met him, several times in fact, and I knew he liked me because when introduced to him, he'd always say, "Pleased to meet you."

While I suspect he knew where I was from, he did express a curious uncertainty about my background. Once when I was in the company of NORM MINETA, he asked how things were in the Japanese-American community. Still another time when he met me in the company of GEORGE GEKAS, he expressed solicitous concern for the Greek community. Still again when he came upon me conversing with ENI FALEOMAVAEGA, he inquired about the culture of American Samoa.

It seemed for a time then that SIL would never completely satisfy himself as to my ethnic background, until one day when I was in conversation with BOB DORNAN. BOB was flowing with Irish green, and I made the comment that I, too, was Irish. As in Notre Dame Irish. Overhearing that, SIL fairly bellowed, "Well, that makes you Italian! Hi, I'm SIL CONTE." So in a sense, I had to go around the world for him to find out who I was, but it was a journey well worth it.

There was another journey as well, this one to the funeral service in Pittsfield. While driving through the beautiful Berkshire Mountains, I ask BARNEY FRANK whether SIL's district was Republican or Democratic, and he said, "We don't think of it that way. We just refer to it as SIL's district."

That comment, I think, must have brought a smile to our Founding Fathers, because they saw our role here not as Republican representation, not as Democratic representation, but as the people's representative. SIL rose above partisan concerns to be the people's representative. To me that speaks volumes about our service here, our advocacy of the issues, the currency of our thoughts. On whatever side of an issue we stand, our foundation must be firmly set upon the good of the people.

As we drove through the mountains, I had a sense of déjà vu. I was struck by how familiar everything seemed as if I had been there before and knew the area intimately, and then I realized I had. I had been there through the pictures of Norman Rockwell. We all know the basic virtues those paintings extolled. They are deeply ingrained in the hearts of Americans everywhere. SIL CONTE came from Norman Rockwell country, and its values were his.

Later that day, during the offertory of the funeral Mass, I watched as his grandchild carried the hosts up to the altar. I had seen the child before and wondered for a moment where. And then I realized that I had stood behind SIL and him with my own grandchild at our swearing in. I was struck as I watched SIL raise the child's hand and then his own so they could take the oath together, and I marveled at that deeply felt show of patriotism. It's been said that SIL CONTE was plaid and stripes together, but in addition to that I'd like to add that SIL CONTE was stars and stripes forever.

So much has been said here today about SIL's character that it brings to mind Polonius's advice to his son in "Hamlet":

> This above all; to thine own self be true and it must follow as night the day, thou canst be false to any man.

SIL CONTE was true to his family, true to his church, true to his colleagues in the Congress, and true to his country. But above all else, he was true to himself.

It is said a person's worth is measured by the contributions he has made to others. Indeed, the highest accolade that can be paid to another is the simple statement, "I am a better person for having known that man or that woman." I can say with deep feelings that I am a better person for the experience, even though I hardly knew SIL CONTE.

In the military, we have an old tradition. If a certain gentleman were to join us and if this gentleman were known to have fought with distinction, it is not unusual for someone to say, "Gentlemen, please rise, so and so who fought so valiantly has joined us."

When SIL CONTE gets to heaven, someone will say, "Ladies and Gentlemen, please rise. This is SIL CONTE, who fought the good fight." Ariverdecci mio paisano, mio amico.

□ 1830

Mr. MICHEL. Mr. Speaker, I thank the gentleman for his very beautiful and eloquent eulogy.

Mr. Speaker, might I yield at this juncture to the distinguished gentleman from California [Mr. WAXMAN], noted in this House for being closely allied with the health issues in which SILVIO himself dealt with these same issues from the appropriations side, rather than the legislative side.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman very much for yielding to me.

Mr. Speaker, I want to thank Mr. MOAKLEY, Mr. MICHEL, and Mr. WHITTEN for providing this opportunity to share our thoughts on SIL CONTE, our great friend and colleague.

Over the past 2 weeks I've been thinking about what SIL meant to this House. Not in terms of his legislative accomplishments, which everyone knows about, but more about his presence. His extraordinary ability to enrich those fortunate enough to work with him. The subtle contributions of a not very subtle guy to making the institution work. His unparalled ability to make our staffs and us stop what we were doing and listen to his floor speeches. And I've realized that if any Member of this House is irreplaceable, it's SIL CONTE.

I have great memories of SIL. I can remember huddling with him on this floor, his arm thrown warmly around my shoulder in friendship, trying to figure out how to increase NIH funding. On another day in 1981, during a late night session, on this same floor, I remember him wanting to give me a different message and sending me his inimitable Italian salute. Only SIL CONTE.

SIL had an unbeatable combination of ability, determination, and irreverence. No Member was as effective, and none had a better perspective of him-

self. SIL instinctively knew what many people in politics never learn—you can enjoy yourself in a serious business. It's OK to laugh, to poke fun, to trade stories. SIL did all of that and still legislated better than any of us.

SIL may not have taken himself seriously, but no one was more concerned about the less fortunate, the environment, or solving society's most intractable problems. I had the privilege of seeing his tenacity and commitment firsthand. Whether it was family planning or creating the senior biomedical research service, SIL had an incomparable ability to keep the process moving and get results.

And when there were issues that kicked over from Congress to Congress, like clean air, you could have no better friend than SIL CONTE. In the 10 years we fought for legislation, I never really worried about losing a floor vote. It didn't matter that virtually all of American industry was on the other side, or that on some issues we didn't seem to have a great chance. I knew that with SIL on my side we would pick up at least 40 new votes just on the power of his closing speech.

When we passed the Clean Air Act last year, SIL was careful not to steal the limelight, though he deserved as much credit as anyone in this House. It was his amendment in 1987 that set the stage for last year's legislation. And it was SIL who never tired of a decade long fight for acid rain control. He knew he would succeed and he did. In the years to come, as the skies in Massachusetts and other States grow cleaner, Americans across our country will have SIL to thank.

Mr. Speaker, we can all be very proud of the honor SIL CONTE brought to this House, and we will all miss him.

□ 1840

I thank the gentleman.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman, and I am glad at this time to yield to the gentleman from New York, Mr. RAY MCGRATH.

Mr. MCGRATH. I thank the minority leader very much, and I want to thank our leader for taking out this special order to give us an opportunity to pay tribute to our friend SIL.

Mr. Speaker, today we are here to pay tribute to a colleague deeply loved by all Members of this body. SILVIO CONTE will be long hailed as one of the finest people ever to serve in these great Halls of Congress.

Not content to offer his own constituency the full benefit of his talents, SILVIO became a leader in the House, becoming a champion in doing away with Government waste and for his compassion for the downtrodden.

While he could become a stalwart Republican in the most bitter of partisan battles, his concern for good government led him to work diligently with House Democrats to achieve many compromises on many, many complex legislative issues.

His ability to stand on principle yet negotiate fairly with the opposing body, the opposing views, made SILVIO a treasured asset to this institution, who will be long remembered and sorely missed.

More important, Mr. Speaker, than his legislative skills, in my judgment, were SILVIO personal traits. I remember SILVIO as one of the most helpful people I met when I first came to this House many, many years ago.

Over those many years our friendship grew and flourished. Without a doubt he was one of the most friendly, warm, caring individuals whom I have ever known.

He accepted his leadership role in this House by being a constant source of assistance to the younger Members. Whether through legislative strategy tips or being a friend in need, SILVIO CONTE was a model for all Members to admire and emulate. I will miss SILVIO, as I know everybody will, but our memories and our love for him will keep him alive in this Chamber and certainly in our hearts forever.

God bless you, SIL.

Mr. MICHEL. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, I am happy to yield to the chairman of the Democratic Caucus, the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. I thank the distinguished minority leader.

The American public far too often, I think, gets the impression that when they see us in combat, that this House is badly divided along partisan lines. There clearly are partisan differences, but what they do not often see, unfortunately, are the bonds between almost all of us and the commitment to represent the best interests of our people who have sent us to this body, and to represent the citizens of this great Nation.

There are some extraordinary Members among us—and I might say the minority leader is one—who reach out to bring us together, who reach out to exemplify fairness and fullness of spirit. Certainly, however, SIL CONTE was one of the few who stood out in reaching across generations, as my friend from New York, Mr. MCGRATH has said, across party lines, across regional lines, across philosophic lines.

I wish that I could emulate the rage that sometimes he would feign, I think sometimes, but nevertheless express on so many different issues on which he cared so deeply, and then he would walk out that door arm-in-arm with the object of his rage, saying, "Wasn't that good fun? Tomorrow we will be together."

That is what you learn over a career as a legislator, that today's adversary may well be tomorrow's ally.

SIL CONTE built up a tremendous amount of respect in this House. No one exemplified the greatness of this institution more than SILVIO CONTE.

I would like particularly to associate myself with the remarks of the gentleman from Massachusetts [Mr. STUDDS], who I think, as the minority leader pointed out, captured the essence of SIL CONTE. And I think his example of pushing the volume button up, which so rarely we do with our colleagues—it is usually much more likely to be the other way—but with SIL CONTE we all wanted the volume button up, not because he did not put the volume up himself but because we did not want to miss a single sentence, a single witty statement, a single joke, a single pithy statement and, at times, a single cutting statement which got to the essence of what he thought was perhaps the shortcomings of his opponent's argument.

SIL CONTE was loud sometimes when he spoke, but rarely as loud, sometimes, as he dressed. In an institution peopled by those of us who wear dark suits and red ties, he stood out magnificently, outrageously, and, I thought, from time to time outlandishly; but he stood out.

SIL CONTE was the essence of that unforgettable character that all of us have spoken about. I had the privilege, as some of you know, of serving with SIL CONTE on the Appropriations Subcommittee on Labor, Health and Human Services, and Education. Many of my appropriations colleagues are here who served on both sides of the aisle.

One of the joys of being an appropriations member is that rarely is the aisle identifiable. It is there from time to time, but we work together for the benefit of our country.

SIL CONTE served as the ranking member on the Subcommittee on Labor, Health and Human Services, and Education, and it exemplified his deep concern and caring for people.

Two programs in particular: I mentioned one the other day when I spoke, the Low-Income Energy Assistance Program. It was important for his region, but it was important for people he felt had no advocate, who were at times defenseless, who were at times placed in positions of real pain because of having to make difficult decisions between purchasing energy and purchasing other essentials of life. Nobody in the Congress of the United States stood up and spoke out more strongly on behalf of that critical need, not just for senior citizens but for those who could not pay.

I will remember also his fights in the subcommittee, in the full committee, and on the floor, and indeed in conference. The minority leader remembers the fights as well. I am sure he had a few conversations out of my hearing with the President of the Unit-

ed States with respect to these programs.

And the other program, among so many that he cared about and which has been referred to—and we are building a building that will be named for SIL CONTE. It is an appropriate honor for him because what NIH is today was so much the result of his work through the decades that he served here.

But the other program was the Job Corps Program, a program to take young people, in cooperation with the private sector, and give them a skill so they could become productive and involved citizens of our country.

□ 1850

In closing my remarks, when I last spoke I said, "God bless you, SIL. We miss you, and we love you still."

Let me add to those remarks, "And we always will."

Mr. Speaker, we all felt the terrible loss this House suffered recently with the passing of our colleague and longtime friend, the Honorable SILVIO O. CONTE of Massachusetts. I want to take this time to add my thoughts on my friend SIL and his contribution to the House and the Nation.

Mr. Speaker, no one exemplified the greatness of this institution more than SILVIO CONTE. In his 32 years as a Member of this House, SILVIO CONTE was a friend and confidante to his colleagues, a passionate advocate of what he believed in, and a legislator's legislator. SIL CONTE knew that, as in any legislative body, your opponent one day can be your ally the next, and he graced the Halls of this Chamber with his strongly held beliefs, his wit, grace and charm, and his friendship.

I was honored to work with SIL CONTE as a member of the Appropriations Committee, and the Labor, Health and Human Services Subcommittee.

SIL CONTE was many things, and I will only have a brief time to recall some of what I consider the highlights.

First, of course, was his sense of humor. SIL CONTE was one of the Members who balanced humor and seriousness; who could always see the humorous side of an issue. And he certainly wasn't afraid to stand out in a crowd.

Every year, when our committee debated appropriations for the Coast Guard, for example, SIL would arrive dressed in a loud sports jacket covered with signal flags. And when asked where he got such a thing, he'd answer, "where I get all my clothes—Filene's basement."

And everyone by now has heard of his passionate arguments with the continuing subsidy for beekeeping. SIL'S arguments against what he believed was too sweet a deal caused us all to laugh while still reviewing a serious topic.

Even as ranking Republican on the committee, and one of the most senior Republicans in the House, SIL CONTE was always a bipartisan legislator. He fought for what he believed in, whatever it might have been at the time, regardless of party position. And he wasn't afraid to acknowledge the achievements all great Americans and great leaders, as he proved by his continuing devotion to the John F. Kennedy Library in Boston.

Mr. Speaker, I had occasion to disagree with SIL CONTE on issues of import to my constituents, particularly on the Beretta handgun. SIL, whose district included one competing gun manufacturer, was a worthy and difficult adversary, always prepared and well versed on the issues. But he never forgot that we were friends and colleagues, and never let political differences interfere with comity.

But, besides his humor and his charm, SIL CONTE will be remembered for the people he helped and fought for.

On the Labor-HHS Subcommittee, SIL CONTE was an untiring advocate of funding for biomedical research, for education funding for America's future, and was the key advocate for the Job Corps Training Program and the Low-Income Home Energy Assistance [LIHEAP] Program, a program which assists hundreds of thousands of Americans who might otherwise be faced with the Hobson's choice of heat or food.

SIL CONTE's compassion was clear. He was the original Republican cosponsor of the pioneering Americans With Disabilities Act in the 100th Congress, a leader in the effort to ensure basic civil rights for 43 million Americans with disabilities.

This House and this Nation will miss SILVIO CONTE deeply. The people of western Massachusetts can take heart in knowing that they had the excellent judgment to send SIL CONTE to Congress in 1958, and 16 more times. The sound of his laughter and booming voice will echo in this Chamber for a long time to come, and his warmth will be felt in our hearts as long as we live.

SIL CONTE not only loved his colleagues, he loved the people. No one with whom I have served in the quarter of a century I have been in public office more deserved the love of his colleagues, the love of his constituents, and the love and respect of the people of this country. We are all lesser people this day because of his absence. We will miss SIL CONTE. He will not soon be, if ever, replaced. He was one of America's most unforgettable characters, to whom we owe so much, and who cared so much about all of us.

God bless you, SIL; we love you still.

Mr. MICHEL. Mr. Speaker, I thank the distinguished chairman of the Democratic Caucus, the gentleman from Maryland [Mr HOYER], and it is very appropriate that we should have following his remarks the gentleman from California [Mr. LEWIS], the chairman of the Republican Conference.

Mr. LEWIS of California. Mr. Speaker, SIL CONTE will always be a man of the House. His life is a shining example—a celebration, if you will—of the best that Congress has to offer. To say the least, he will be sorely missed.

SIL was colorful—in spirit, in dress, in words, and in deeds.

He was king of the limericks, full of wit and charm and grace and style.

And, most importantly, SIL was always as good as his word.

I can see him now, making his way to this well—that look in his eye that said, "Watch out, here comes SIL,"—and delivering an impassioned plea to eliminate this or that pork barrel project.

I can see him wearing that wonderful rainbow colored sportscoat in the springtime that turned so many heads.

He is among the few Members who, over the years, caused my staff to literally drop their work to listen to what he had to say.

SIL did a masterful job at what can only be described as a thankless task. As the ranking member on Appropriations, he was fantastic at balancing the wants and needs of other Members and limited committee resources.

I learned a very valuable lesson from SIL: "Be careful what you wish for for your wish may come true." I once made the mistake of mentioning to SIL my disappointment of serving on too few conference committees. Well, SIL fixed that. The next day, he appointed me to the thankless Gramm-Rudman conference which lasted round the clock for 2 weeks. That exercise cured me of the need to serve on conference committees.

SIL and I happened to share a common interest in gardening. His specialty was homegrown tomatoes. After telling SIL how much I loved homegrown tomatoes, a bag arrived on my desk with four of his famous tomatoes—one of them carefully grown in the shape of a man's anatomy. It was truly a piece of work.

Some months later, SIL dropped off some tomato plant roots for me to plant in my garden in California.

Those plants have received a great deal of attention; their seeds have grown and prospered. And, they will remain, like his memory, a living part of this Member's memory for years to come.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman from California [Mr. LEWIS].

Mr. Speaker, I yield to the gentleman from New York [Mr. MCHUGH] who served with SILVIO on the Committee on Appropriations in the area of foreign affairs and a number of other things.

Mr. MCHUGH. Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL], my friend and the distinguished minority leader, for yielding, and it has been a pleasure to listen to all the reminiscences and tributes to SIL CONTE.

Mr. Speaker, there have been many moving tributes to SILVIO CONTE this afternoon—tributes that only begin to provide a glimpse of the great affection in which he was held and of the enormous impact for good that he had.

SIL CONTE was truly a great American and a great human being, and his death represents a profound loss—a loss to his wife, Corinne, his family, his loved ones, and his staff, to whom I extend my deepest sympathies; a loss to the people in western Massachusetts,

whom he represented so ably and energetically; to our Nation as a whole, to which he was so passionately committed; to our Committee on Appropriations, which he loved deeply and served well; and to me personally.

I am just beginning my ninth term in Congress, Mr. Speaker. SIL CONTE was just beginning his ninth term when I first took the oath of office in 1975. By that time SIL could already point to a distinguished record of service to our country and there is no reason why he should have shared his wisdom and counsel with a junior Member like me. But he did nonetheless.

As a young member of the Committee on Appropriations, I had the privilege of serving with SIL on both its Agriculture and Foreign Operations Subcommittees. Of his abiding affection for the honey bee there can be little doubt. Our sessions often buzzed with his tributes to that noble species. I remember, too, another occasion, a markup in our Foreign Operations Subcommittee.

We were in the midst of a debate about which foreign countries our subcommittee should condemn for abuses of human rights; as is so often the case with our subcommittee, the debate was heated and passionate. It appeared that we were deadlocked and that our markup would collapse. But SIL reached into his briefcase, pulled out a dart, and tossed it across the room at a map of the world that hung on the opposite wall, suggesting his own personal solution for resolving the problem. It helped redirect us to the task at hand.

I agreed with SIL's views more often than not; when we disagreed, he was a masterful foe—one who loved the battle but who used humor as a weapon to help heal any differences we may have had. Whether it was his poems on the House floor or the occasional costumes he wore, any debate involving SIL was always a lively one.

He was elected to the House of Representatives in 1958. His opponent at that time was James MacGregor Burns, a distinguished author and professor at Williams College. SIL was a State senator who had served in the Massachusetts Legislature for a number of years and many people believed that he had little chance of winning. But he won that race decisively.

Even as his congressional district grew ever larger geographically, he kept winning each succeeding contest handily. Indeed, he was nominated by both parties on three occasions and was reelected without opposition on eight occasions. His new constituents quickly came to recognize what older ones already knew—that SILVIO CONTE was a man of integrity who would represent their interests and do what was right for our Nation as well.

SIL was a Republican. But he was eager to help any President, Republican, or Democrat. His vote was critical in helping President Kennedy to break the power of the conservative coalition that controlled the Rules Committee and was blocking consideration of the young President's program.

In 1986 SIL reflected on that decision:

> In those days, young Congressmen kept their mouths shut and did what they were told to do. Taking a stand on this particular issue—voting my conscience—would cost dearly.

SIL voted his conscience nonetheless.

SIL was also an institutional loyalist, one not afraid to take on any administration that challenged the constitutional prerogatives of Congress. Nor was he shy about defending the jurisdiction of the Committee on Appropriations when other committees in this House challenged it.

He was a man of the House with many friends in the Senate, friends he consistently outmaneuvered on innumerable occasions in our conferences with the other body.

SIL was a man deeply committed to the sick, the poor, the disadvantaged, and the elderly, whether in our own country or abroad. He told a Boston College audience in 1986 that most of the decisions he made "come straight from the heart," and his heart was truly a loving one.

His legacy will live on in the many programs that he developed and nurtured to help the less affluent members of our Nation and of the global community more broadly. The Low-Income Heating and Energy Assistance Program was a special favorite of SIL's, but he initiated and sustained many others as well.

He loved the Red Sox and tomatoes—he loved his 1970 Pontiac GTO, hunting and fishing, and the Berkshires. He marched with Martin Luther King in Selma because he abhorred racial bigotry. He had little use for ideologs and was booed off the podium at the 1964 Republican Presidential Convention when he had the courage to condemn the extremism of the John Birch Society.

SILVIO CONTE was truly an extraordinary public servant with a special blend of personal qualities. And, though he is no longer with us, we will be better people and more effective representatives for having had the privilege and joy of serving with him.

SIL, we love you and miss you. But each of us will try to work a little harder to make up for the loss our Nation has suffered.

□ 1900

Mr. MICHEL. Mr. Speaker, I thank the gentleman, particularly for his reference to when SILVIO was first elected in 1958. That was not exactly a year of sweep for Republicans. As a matter of fact, it was the first year my freshman class was running for reelection. We lost half our Members. On the Republican side we lost 47 seats while SILVIO CONTE was winning his first election to this House of Representatives. That attests again to his ability for garnering those votes from among the masses of western Massachusetts.

Mr. Speaker, I yield to my good friend, the gentleman from Ohio, Mr. RALPH REGULA, who served for so many years with SILVIO on the Appropriations Committee.

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding

The gentleman mentioned the masses, and I cannot help but remember, when we went through the city of Pittsfield, the enormous number of people who were standing outside. It was a day off in that community. It was really remarkable to see the great outpouring of public warmth for their own, SILVIO CONTE.

Mr. Speaker, I rise today to honor a friend, a colleague, and a man who was truly one of a kind.

To say that SILVIO CONTE will be missed is an understatement. To say that he is irreplaceable is probably not off the mark. Walking over here I thought—something is missing—SILVIO and his electric cart with the joyful toot that expressed his love of life. For those of us who knew and worked with SIL over much of his long and distinguished career, he will never be forgotten. For some of our colleagues new to this body I am sorry you will not have the opportunity to experience the wit, the vitality, the character that was SILVIO CONTE.

When he walked onto the floor you never knew whether he would light it up with his colorful wardrobe or his clever words, or both.

SILVIO not only had the ability to entertain us, he was a skilled legislator as well. He took care not only of the people in his district, but through his role on the Appropriations Committee he made a lasting contribution to many sectors of the country.

As an example of SILVIO's caring for others, one of his last efforts as leader of the minority Republicans was to work hard to meet the desires and skills of each minority Member in subcommittee assignments.

He was an avid outdoorsman and cared deeply for our America's rich natural heritage. There are probably few fish and wildlife refuges in this country that do not owe something to SILVIO.

A friend to the birds and the ducks, SILVIO was also a great humanitarian and cared particularly for the less fortunate. He championed increased funding for grants to States for low income weatherization assistance, low income home energy assistance, and similar programs to aid the needy.

SILVIO always marched to the beat of a different drummer and didn't hesitate to take on the administration when he disagreed with them. At the same time he represented our party

and our Republican Presidents well in his role as the Republican leader on the Appropriations Committee.

When most of us leave here there is almost always an able replacement waiting in the wings. In SILVIO's case, I suspect this body will never be graced with someone of his style, his grace, and certainly no one with his colorful character, again.

As the George Michael Cohan song says "Always Leave Them Laughing When You Say Goodbye." Memories of SIL will never fail to bring a smile to the face and a tear to the eyes of all of us who were privileged to know and love him.

Mr. MICHEL. Mr. Speaker, I thank the gentleman from Ohio [Mr. REGULA] for his contribution.

A TRIBUTE TO THE LATE HONORABLE SILVIO O. CONTE OF MASSACHUSETTS

The SPEAKER pro tempore (Mr. NEAL of Massachusetts). Under a previous order of the House, the gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield, first of all, to the gentleman from Massachusetts [Mr. ATKINS], a dear friend of the late SILVIO CONTE.

Mr. ATKINS. Mr. Speaker, I thank my colleague, the dean of the Massachusetts delegation, for yielding.

Mr. Speaker, today we celebrate the life of SILVIO CONTE, a life poured out in loving service. Indeed, there was nothing measured about SILVIO CONTE, not in his friendships, not in his issues, not in his relationship with anything that he did. SILVIO, whenever you saw him, always seemed to be bursting at the seams with an excitement, a love of life, and a passion to do something and to serve. And indeed he, because of those passions, has become, I believe, one of the individuals who, when they look back on the history of this Congress and this era, will truly define us and define all that was best of this institution. I believe he will be looked upon as somebody who has defined the kind of things that we should be doing.

I was privileged to serve as a Member from Massachusetts, and SILVIO really knew no partisan divisions. When I came in as a freshman Representative, he threw his arm around me the way he could and welcomed me in the Congress in a way that I knew he meant it.

Time and time again, when there were projects, when there were concerns for the State of Massachusetts, concerns for people who needed the assistance of government, concerns about protecting the environment and the great wilderness of Alaska, when there were those concerns on our subcommittee of the Committee on Interior and Insular Affairs, SILVIO was there. He was there to help me and guide me, sometimes shoving me in the right direction and giving me advice as he could do so well.

We will miss him. He served and loved and defined this institution in a way that has enriched all of us.

There were millions of people in Massachusetts who knew him well, and there were so many who turned out at his funeral in Pittsfield, people from all over the State. And how SIL would have loved to have witnessed that, because it so perfectly defined him. He represented everybody, including all those persons who become so disenfranchised from our Government, and the one thing they understood was that SILVIO CONTE was their connection with the Federal Government. And as we drove through the streets of Pittsfield, we saw all those handwritten signs: "Pittsfield, Massachusetts, proud home of Silvio Conte."

□ 1910

There are so many people in this country who have benefited from his work in health research and low-income energy assistance, and so many other different programs. SILVIO CONTE's loss is all of our loss, but we also, through his life, have become enriched and improved.

I would just say thank you to SILVIO. We will miss you.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker, I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, I rise today in honor of SILVIO CONTE, a man whose extraordinary contributions to Congress and this country shall endure forever.

For 32 years, SILVIO CONTE was dedicated not only to the people of the First District of Massachusetts but to Americans everywhere. These years of dedication are a glowing tribute to his love for this country. His work on behalf of education, conservation, and transportation has improved the quality of life for all Americans.

However, more importantly, his compassion, hard work, and good humor improved the life of every individual he met. In the Congress, his personal attributes allowed him to transcend party politics and earn the respect of Members on both sides of the political spectrum. The Congress will not be as effective, nor as colorful, without him.

So today, I salute SILVIO CONTE and what he stood for: dedication and service to the people, with a smile for everyone along the way. This memory will continue to be an inspiration to all of us.

Shakespeare, who had a word for almost everything, may have had the future SILVIO CONTE in mind when he said, "He was a man, take him for all in all, I shall not look upon his like again."

Mr. MOAKLEY. Mr. Speaker, at this time I would like to bring to the microphone another friend of SILVIO CONTE, the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on February 8 America lost one of our finest Members of Congress, SILVIO CONTE. For those of us who served with SIL on the Appropriations Committee, he was our ranking member, mentor, and friend.

He was also our role model for what a Member of Congress should be. Much to the discomfiture of his staff, SILVIO was on the job early and worked at full speed ahead until late at night. The rigors of the budget summit were just another day to him. He was an example of what hard work and uncompromising principles could accomplish for all Americans.

The last several years brought health problems to my good friend. A bout with cancer was faced and fought. Unfortunately, there was a recurrence and subsequently the battle was lost. We will all never forget how SIL could change the disability of knee problems to a new identity as the House's motorized Member. We will certainly miss seeing his cart with flags flying either rolling through the halls or recharging on an extension cord.

I will miss my colleague on the Appropriations Committee. With his usual diligence to detail and insatiable appetite for work, he would appear at almost any committee hearing to inject his wit and wisdom, knowing intimately the budgetary demands of each agency within the Federal Government. I relied on him many times for his leadership and knowledge.

While most would rest on their laurels, take time to relax, and ease the burdens of their pain, SILVIO CONTE drove on. He had a mission to perform on behalf of his little people. That is why he maintained his role as ranking member of the Labor—Health and Human Services—Education Subcommittee. This is the one subcommittee where the people's personal interests are met.

SILVIO CONTE never slowed down. His last battle with deteriorating health reminds me of a Dylan Thomas poem I like so well:

Do not go gentle into that good night. Rage!
Rage against the dying of the light.

SIL raged until the last light, and I am sure that he has found the night very gentle indeed.

Farewell, my good friend. We will miss you. America will miss you.

Mr. MOAKLEY. I thank the gentleman from New Mexico.

Mr. Speaker, SIL CONTE and I had much in common. SIL and I served in the Massachusetts Legislature at the same time, he in the senate, and I in the house.

SIL used to get down to Filene's basement at least twice a week. Filene's basement was a place where you have automatic markdowns on suits and sports jackets.

SIL was very close with the dollar. They took quite a few markdowns before SIL bought them. So some of them really were green in color, probably from mildew.

But some of those coats and jackets that he bought back in the 1950's, he was still wearing in the Congress not too long ago. With SIL'S passing I am sure that many television repairmen will not be getting the calls to have the color fixed on sets as they used to have.

But I remember playing gin with Sil. He was a very highly competitive fellow, whether it be gin or on the golf course or legislatively. He had a very good night this night, and I had a terrible night, not that I am a good gin player.

The next day, Speaker O'Neill called up about something, and he says, "Where did you go last night?" I said, "Well, I was at Eastward Ho, playing gin with SIL CONTE. He said, "You were playing gin with SIL CONTE? He is the world's worst gin player." I said, "Not any more he isn't." But he was really a legislator's legislator.

He had a heart bigger than himself. It was alluded to here that just being in that funeral procession and seeing the people saluting, the young children waving the flags, the cars parked along the road with their lights on and the signs on the store windows, "We love you, SIL CONTE." I said to somebody, "This is an entourage and a reception on the side of the roads that is fit for a President." When you really thought about it he was the president of Pittsfield. He was their Federal connection.

It is a very democratic district, if you look at the demographics. But SIL CONTE won that district on sheer personality and hard work. Every time there was a Federal project that could be brought into Pittsfield, in that First Congressional District of Massachusetts, SIL made sure that he had a swing at the bat and many times he was successful. So there are many of us that will think about things and your eyes will fill with some of the things that SIL had done and if you walked into his office, I think he has had every baseball player's autographed picture on the wall, from Ty Cobb, baseballs signed by the greats. Carl Yastrzemski was a visitor to his office many times. It is a funny thing. Carl would come down to talk politics, and SIL wanted to talk baseball. So that was quite a conversation.

□ 1920

But the things that SIL has done, both here on the floor, in committee, socially, he has lived life to its fullest. And 2 weeks before he died, he was out fishing with his son in a cold river that most people would not go out on their best day of health. And SIL was ready.

Mr. Speaker, at this time I would like to bring to the microphone a dear friend of SIL CONTE's, the gentleman from New York, the Honorable BILL GREEN.

Mr. GREEN of New York. Mr. Speaker, I thank the distinguished dean of the Massachusetts delegation for yielding. As we both mourn the death of our friend, SILVIO CONTE, but also recall the joys that he brought to so many of us, many have commented on SILVIO's wit, on his colorful speeches here in the well of the House and in our Appropriations Committee, and I shall certainly remember all of those.

But I also remember him for some other things. First, as has been mentioned, a remarkable record of legislative accomplishments. Second, the fact that he really could stay on top of the work of 13 appropriation subcommittees, and I know that his staff sometimes felt that he was pushing them a little bit, and that they were working harder than a lot of other staffs around the Hill, and that was probably true. But SIL really took the responsibility as ranking minority member of the Appropriations Committee very seriously, and he always was on top of what was going on.

And of course, I shall also remember that back of that was SIL's encyclopedic knowledge of the Federal Government. It was just remarkable how much he knew of the laws for which we were appropriating funds, how much he knew of the history of all of these programs and all of the agencies. What a wealth of experience he brought to his work as ranking minority member and to whatever other issues interested him.

But finally, most of all, I shall remember his personal kindnesses to me, because as the gentleman from Ohio. [Mr. REGULA] mentioned earlier in this special order, SILVIO really was concerned that his Republican colleagues on the Appropriations Committee have the opportunity to use their talents to the fullest, and he say to it when I was a freshman on the Appropriations Committee, having been a former HUD regional administrator, that I got to be ranking Republican on the HUD-Independent Agencies Subcommittee, and that certainly has made my 10½ years on the Appropriations Committee a lot more valuable to me, and I hope a lot more valuable to those I serve than they otherwise would have been. And it was the fact that SILVO would really go out of his way to help his colleagues that I think on top of everything else really crowned an extraordinary career here in the House of Representatives.

We shall all miss him very, very deeply.

Mr. MOAKLEY. I thank the gentleman.

Mr. Speaker, I yield to the gentlewoman from New Jersey, the Honorable MARGE ROUKEMA.

Mrs. ROUKEMA. Mr. Speaker, I thank the gentleman.

I want to speak here tonight both as a Republican and as one from New Jersey. I want to express here the deep reverence we in New Jersey have for SILVIO CONTE. As our former colleague from New Jersey, Congresswoman Millicent Fenwick, used to say after observing SILVIO in one of his unique performances on the floor on one of the particularly thorny issues he was dealing with, she used to say in her patrician way, "SILVIO is such a treasure to our party."

Millicent was only half right. SILVIO is a national treasure, and we are all the poorer for his passing.

SILVIO became my friend my very first year in Congress. And I believe he befriended everyone, as we have heard from many people here tonight. I certainly appreciated his friendship, his good counsel and his sage advice. There is none whose friendship I treasured more in this House.

I quickly learned when I was first elected about the magic of the television camera, because that magic had made national stars out of some of our Members, and certainly SILVIO was one of those. I found that as I was campaigning for my first reelection, people would come up to me and ask, "Do you know that man from Massachusetts," and they might get his name right or they might not, but I knew who they were speaking of. They would tell me in one form or another how much they were attracted to him, they respected him and they loved him. They loved the fact that he was dramatic. They loved the fact that he could be understood and they would invariably say to me, "He's a man that speaks his mind. He speaks in plain English, and we appreciate that. And he tells the truth."

But most of all, they loved the fact that in those stormy days of cutting budgets, and how well those of us who have been here for a decade remember, SILVIO was always there championing the voiceless, whether it was students who needed help, or the senior citizens who needed assistance, help assistance, Older Americans Act assistance, whatever, SILVIO was always there.

As a consequence of his fame, I invited him to come to my district to campaign for me. You should have seen the reception he got. We went to senior citizen centers, to senior houses, to all of the colleges in the district, and the students and the faculties loved him, and the senior citizens loved him because they knew he was genuine and he was working for them.

It was not, as my Republican colleagues can attest, it was not that SILVIO was not committed to cutting waste, fraud and abuse out of big government. He certainly was as much as

any of us. But SILVIO knew how to get his priorities straight, and he could distinguish between the safety net for the helpless and the hopeless and the waste, fraud and abuse that feeds bureacracies and pork barrel politics and abusive special interests. He understood that. And because SILVIO was the voice of the voiceless, the waste was cut and the safety net was protected.

This compassion he exhibited was tangible evidence, in my opinion, of his convictions about the meaning of America. To this son of Italian immigrants, he reflected the values of his Italian heritage, and he fused those values with what being an American meant to him. He valued family above all, and education, and health, and hard work, and upward mobility. And since he had benefited from the generosity of the American experience, he dedicated his work therefore, in Congress to helping those others who are in need of enjoying those same benefits.

He has brought a smile to all of our faces as we have reminisced here tonight. But Mr. Speaker, I am afraid they broke the mold when they created SILVIO. God has him now and we will miss him terribly. But there will never be another SILVIO.

Mr. MOAKLEY. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding and rise to commend the life and memory of the gentleman from Massachusetts, our friend, SILVIO CONTE.

I knew SIL for 14 years, during which he held my unqualified admiration. This was not just the respect deservedly accorded a senior Member; it was the respect earned when one meets a caring and dedicated man of honor. SIL CONTE was not just my senior. He was my friend, my guide on the Appropriations Committee, my fellow fisherman and golfing partner—though I do have to add my suspicion that the primary reason he enjoyed golfing with me was that I was the only Member he could beat on the greens.

SIL CONTE was a gregarious and kindhearted leader who always stood ready to assist a colleague in need. Though a man of immense power, he was never one to let pretension overcome his concern for others or his own enjoyment of life to its fullest. Last year, he was my guest for a weekend fundraiser in New Orleans. How typical that after the event, with a whole city in front of him, SIL opted to go fishing for speckled trout in southeast Louisiana. How evern more typical that SIL would stumble across a cajun who had a close mutual friend.

SIL has departed us now, and these halls are a sadder place for it. Yet we also know that this is a far better Chamber for his having been here.

Mr. Speaker, there is in this Chamber an onging dynamic. We are each a part of it and we each enrich it through our hard work and our pursuit of justice. That work is slow, as Madison and Jefferson meant it to be. The tangled intricacies inherent in our democracy argue against quick action.

□ 1930

At times, this sclerosis becomes frustrating. We feel a stagnancy surrounding us for lack of action, and in some cases we may even become dispirited. We need not be. About 125 years ago, with our country in ruins—sundered by a 4-year Civil War—an American statesman, who I dare say was from the South, one Robert E. Lee, viewed the Nation and remarked:

> The march of Providence is so slow and our desires so impatient—the work of progress is so immense and our means of aiding it so feeble—the life of humanity is so long—that of the individual so brief—that we often see only the ebb of advancing ways and are thus discouraged. It is history that teaches us to hope.

The history of this Chamber is the history of individuals, and few stand out as remarkably as SIL CONTE. His commitment to American democracy, in all its wondrous facets and even its shortcomings, was exceeded only by his commitment to his family and to God.

To my fellow Members, I say that we have lost an institution within this institution. To his lovely wife, Corinne, I say that you can take the greatest of pride in your husband. I know that he loved you deeply, and I know how much he loved this Congress.

Goodbye SIL. Though you may have left us in body, you will never leave us in spirit.

Mr. MOAKLEY. Mr. Speaker, I yield to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I thank the distinguished chairman of the Committee on Rules.

Mr. Speaker, I only wish that I had the pleasure of knowing the gentleman from Massachusetts [Mr. CONTE] as long as the chairman of the Committee on Rules has.

I first met him 2 years ago when I came here as a freshman, and as with so many other freshmen, he welcomed me warmly, but I said to him, "SIL, I knew you 15 years before I met you," because my father served in this body with him. The stories used to come back, especially when Congressman CONTE would come up to upstate New York to hunt in the fall after election, late November every year, and the stories would come back about this colorful, fun-loving, storytelling gentleman from Massachusetts. The stories grew, I am sure, far beyond the initial proportions of the story, but he loved to hunt. He loved to fish. He loved baseball. He loved cigars. He loved to tell stories. He loved to debate. He loved politics.

I said to myself, "That is the perfect man. That is my kind of man." And he told stories about his hunting dogs, his beloved Brittany spaniels that nobody ever believed, but everybody loved the stories, and as he would hunt with one, he would tell you stories about the one that he had before.

What is so great about this country, a man whose parents were Italian became the epitome of the Massachusetts yankee, stubbornly independent, tough minded, funloving, strong, a tremendous character.

This past fall I missed an opportunity to hunt with SIL. We went up to his favorite place up in Victor, NY, at the Wilmots, and Colleen had fixed pheasant cacciatore for lunch. SIL could not make it, because he was undergoing some treatment at the time, and the plans were all in place for him to come, but he just could not make it. I regret that he could not, because I am sure that the hunt and the lunch and the stories after would have added tremendous texture to the entire day.

As a member of the Committee on Agriculture, I felt the sting of his diatribes against the honey program on an annual basis and, indeed, joined in with the Members seated on the floor of the House when he went on to rant and rave and rage about the horrors of this terrible expenditure of Federal money. He would say, "Do you know how bad it is?" And everybody would say, "No, how bad is it, SIL?" He would say, "It is so bad," and he would go on, and everybody would laugh and enjoy it. He would make his point, but he would make it with humor.

If we only could remember that that sort of debate is the kind of debate that makes people think a little bit about their own positions, maybe take a look at the other guy's position, and learn a little bit about it in the debate.

SIL CONTE was a great guy. I feel honored to have known him. I will miss him along with all of you very, very much.

Mr. MOAKLEY. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. NEAL], who occupies the Second Congressional District that abuts the district that was once served by SIL CONTE.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Members of this body, I thank everyone for the opportunity to address the House ever so briefly on the skillful maneuvering that I witnessed from Congressman CONTE over the course of what was very close to a lifetime.

Having grown up in the shadows of SIL CONTE and EDDIE BOLAND and knowing that those two ranked as two of the three most powerful Members of this Congress, our area of Massachusetts was well represented for a long time.

Last week I took to the well of this House to offer testimony to the remarkable job that Congressman CONTE did for the people of western Massachusetts for more than 32 years. Tonight I just wanted to briefly share an anecdote that I think again is ample testimony to the manner in which he treated, and the respect that he had for, this institution.

I had accepted an invitation to speak in Holyoke, MA, where my wife is from. Holyoke is about 8 minutes from Springfield, and it is about 5 minutes from my home. I accepted an invitation from a veterans' group to speak on Memorial Day, and after having accepted that invitation to go to Holyoke, I went and delivered what I thought was a pretty good speech.

I shortly thereafter asked Congressman CONTE to speak to a group of business leaders that were coming down from my congressional district, and I got, frankly, a very terse letter from Congressman CONTE in which he said he was only too glad to speak to this group of business leaders, because he would never dream or think of going to one's congressional district or speaking to a group from another congressional district without having had a proper invitation. A member of my staff said, "I think you have a problem with Mr. CONTE."

I went over to Mr. CONTE who was sitting right in that last chair where that young lady is about to sit, and I said to him, "SIL, I received this letter, and I would like an interpretation of what it is what you think about it." He said at that time, "Well, I am not pleased with the idea of you being up in Holyoke on Memorial Day." I said, "Well, I understand that fully now." And he said, "That only means two things." He said, "First of all, the people asked, 'What are you doing in my congressional district.' And the second thing they asked is why am I not there at that event."

I apologized profusely and suggested that it would never happen again under any circumstances, and he was very grateful for the apology.

The business group came to Washington. He came into the room and spoke of why they had great wisdom in sending me to Congress and hoped that they would send me here for a long time. So I understand fully his lesson to me had been made in that usual skillful manner.

At the same time, he went out of his way to do me a great turn, so it was a lesson well learned. I hope that over the course of a career here I will be able to demonstrate the same respect for this institution that SILVIO CONTE had.

I would just close by saying that SILVIO CONTE came from a day and age when one did not apologize for being a skillful legislator, when one spoke of that in the terms of the honor that it deserves, and I think that SILVIO CONTE's ability to generate enormous Federal dollars for western Massachusetts will serve as a test for all of us in public life from that area for many years to come.

Mr. NEAL. Mr. Speaker, it is my honor to rise along with so many of my colleagues to pay tribute to a good friend. SILVIO CONTE was an institution to this House and to the Massachusetts congressional delegation. The more than 32 years he served as a Member of Congress are a shining example of what public service and representative government should be.

SILVIO wasn't a pretentious man. He was a man who enjoyed fishing and hunting in the great outdoors as much as working in this Chamber. SILVIO was the son of Italian immigrant parents and a native of Pittsfield. He had strong roots in western Massachusetts and truly cared about the betterment of the area.

Perhaps what SILVIO enjoyed most of all was spending time at home with his family and wife Corinne, and walking the streets of Pittsfield or Northampton or other towns in his district meeting with the people who he represented in Congress. SILVIO enjoyed hearing constituents' concerns and then coming to Washington to take action on their requests. He truly served the people he represented.

Many of my colleagues in this Chamber can recall stories about SILVIO's accomplishments over the years, or about projects that they worked on with SILVIO. I have many similar memories.

Although I served only one term in Congress with SILVIO, by geography we shared numerous concerns. One of those concerns that comes to mind is the protection of the Connecticut River. When anyone in western Massachusetts goes to the Connecticut River valley and sees the salmon project, or various clean water treatment facilities, they see proof of SILVIO's dedication to the area. He was a nature lover, and saw to it that the district he represented remained a beautiful and pleasant place for families to live.

SILVIO CONTE will always be remembered for his unique sense of humor. SILVIO always had a catchy story, poem or song concerning the issue at hand. He made complicated issues understandable to the general public. He helped people understand the budget, defense issues, and education financing. He never lost sight of the fact that there are all types of people in the world, and he represented all of them. In this regard, he was indeed a most unique public servant.

What made SILVIO CONTE such an asset to this Congress was his pride in being here. The thrill of meeting new people never grew old for SILVIO. The countless photos that lined the walls of his congressional office are just one example of how eager he was to meet people. It never dawned on SILVIO that many of these people in those photos were just as excited to meet him.

SILVIO was a proud man who was thrilled to serve in this legislative body. In good times and bad, SILVIO CONTE kept his spirits high, serving the people in his district with confidence and commitment. He made our work fun with his zest for life.

I think the best way to illustrate what the people in SILVIO's district think about his legacy is to include for the RECORD editorials and commentary from some of the local papers in his district as part of this tribute. These tributes from Pittsfield, Northampton, Greenfield, Westfield, Holyoke, and Springfield come from the hearts of the people who knew him best.

There will never be another Congressman like SILVIO CONTE. His sense of honor, commitment, and personality were unique and refreshing. He added spice to this chamber, and even though he has only been away from the House of Representatives for a short time, already, he is missed tremendously.

[From the Springfield (MA) Advocate]

A NIGHT AT REMO'S

(By Al Giordano)

After making the pilgrimage to All Soul's Church in the Lakewood section of Pittsfield last Monday night to pay respects to the late Silvio Conte. I stopped in to see Remo DelGallo. Mayor of Pittsfield from 1965 to '67, and chair of the City Democratic Committee for 24 years. Remo holds court these days in his cozy bar, in the shadow of the glaring lights of the massive General Electric metropolis around which so much of this city has been built.

Long tables were packed with aging men smoking cigarettes, nursing beers, making conversation and playing cards. It was pitch night at Remo's. Bertha DelGallo was stirring pots in the kitchen while the wafting aroma of tomato sauce warmed me as I ventured in from the sub-zero cold.

Remo kindly got up from his pitch game to talk with me. "How much time do you want?"

"Five minutes," I said, lying.

"It's a big loss," said Remo. "To me over and above everything else you could say about the man, Sil was brought up in this area and he always remembered that. He was a humble person. He had compassion. He would always stop in. When Yaz came to town for the Legends of Baseball event, he got Carl to come here. He would bring his son John in when he was visiting from San Jose, California. It's that accessibility we're going to miss. You could always pick up the phone and call him."

"He was a modest liver," remembered Remo. "He never put on airs, other than the fact that he was an environmentalist, an avid bird hunter. Sil was a fun-loving guy, but he was very serious about issues. Yes, he was a Republican but on the big issues he voted his district, his constituency.

"When he first ran for State Senate around 1949 or '50, he was a Democrat who ran as a Republican. The Democratic party that was in power at the time refused him a position. He ran as a dark horse. We were so proud of him, all of us in the Lakewood area. So many Democrats just loved Sil.

"When he first ran for the Senate, the big issue was the by-pass around the town. He called it 'pork-barrel legislation.' Decades later he was still using the same line. The by-pass was the key issue then. It's still an issue now.

"He ran for Congress against James McGregor Burns, the smartest political scientist in Western Massachusetts, not just anybody. We were Democrats, but we worked for Sil. I was a precinct worker in Holyoke. Red Foley, a local bar owner, worked Westfield. We distributed literature. We were at the polls. We had a presence, it makes a big difference.

"Sil was a very competitive guy. He held his fishing derbies. He was in charge of the annual baseball game in Congress between the Democrats and the Republicans. I think the Republicans won about 17 out of 25 games. He loved the Red Sox. He had a bocci alley in his yard. He had a set of bocci balls in a velvet-lined suitcase, which he only used on special occasions. I think it was given to him by the Northampton Democratic Committee. When other guys came over he'd use the old balls. He played to win. He didn't like to lose. I beat him very rarely.

"He made his staff work as hard as he did. If Sil gave a reflection at a funeral, he would enter it into the Congressional Record and send it to the family. He added a dimension to politics: compassion, joy, dedication. He would talk to people instead of at people."

"I'm reminded of a story," said Remo, "that Donnie Sheran told me."

"You mean 'Bones'?" I replied, remembering one of Remo's perennial delegates to State Democratic Conventions.

"You remember him! Well, it went something like this. He got to the gates of heaven and Saint Peter reached out his hand and said, 'Hi Sil, I heard a great deal about you.'"

I asked Remo what advice he had for those running to replace Silvio. "They can use him as a role model," answered Remo. "He never left anything to chance. Poppy Doyle, Bob Wiener ran against him. It didn't matter who it was. You had to work. He ran on stickers on the Democratic side twice to get rid of nuisance candidates. He wouldn't do it halfway. He always out-worked and out-organized his opponents.

"If you campaign the way this guy campaigned, you can't help but be successful. If anyone ever told me that they had written him a letter and didn't get a response, I just told them they were lying. That never happened. Have fun as you go along with it, but also be very serious on the issues. He always gave his full commitment.

"Look at the flag issue. Sil was a flag waver. But he felt strongly about free speech too. He went to the American Legion to say he wouldn't support a law against flag burning! Think it's easy. We ought to try it sometime."

[From the Springfield (MA) Advocate]

SILVIO CONTE DEAD AT 69

(By Al Giordano)

The Advocate mourns the death of U.S. Rep. Silvio Conte, 69, who represented Western Mass. in Congress for the last 32 years. Conte, an independent and often liberal Republican, cast one of his final votes in opposition to launching the Gulf war.

Conte was a giant among his peers in politics. Few politicians would have the courage, as he did in 1990, to oppose a constitutional amendment against flag desecration, then appear at an American Legion convention to explain to the group why he did not support their number-one legislative priority. It was at an American Legion convention more than 20 years ago that Conte announced his opposition to the Vienam war. Yet, as a fighter for the cause of taking care of veterans, Conte retained the support and respect of veterans organizations.

In the late 1960s, Conte emerged as one of the first environmentalists in Congress when he fought a successful battle against the massive Dickey-Lincoln hydro-electric project in Maine, which would have flooded 89,000 acres of New England forest. He brought Atlantic salmon back to the Connecticut River. He lent his name to support various anti-nuclear and environmental referenda. His greatest pleasure was fishing in the lakes and streams that surround his Berkshire mountain home.

Conte was a colorful representative with a sense of humor and a penchant for writing poetry. "I do get excited. I do get mad," he told the Berkshire Eagle in 1988. "We Italians by nature are a very emotional people. But I don't stay mad. Goddamn it, when I walk back up the aisle to my seat, it's all over."

Late last year, Conte fought tears as he explained to fellow Republicans that "I am fighting for my life" in a closed-door caucus. He underwent surgery in 1987 for prostate cancer. Early this year, his cancer progressed rapidly. On Feb. 1, he had an operation to remove a blood clot near his brain, and required additional surgery on Feb. 5.

News of his death on Feb. 8 spread instantly through late night phone calls and the 11:00 p.m. news. Thousands of citizens whom Conte had helped mourned him at St. Joseph's church in Pittsfield on Wednesday. Even in the days before his death, politicians, mostly state legislators or executives, were maniacally making phone calls to line up support to run for the seat. The law requires that a special election will be held this year.

Next week, this newspaper will remember Conte and his legacy, and begin comprehensive coverage of the race to fill his shoes. Among those considering a run for the seat, the Advocate has learned that five have already made the decision to run: State Sen. John Olver, former Dukakis transportation commissioner Jane Garvey, and former State Rep. James Collins, all Democrats of Amherst: Rep. Chris Hodgkins (D-Lee) and former Rep. Stephen Pierce (R-Westfield).

Others considering a run are State Representatives Daniel Bosely (D-North Adams), Carmen Buell (D-Greenfield), Shannon O'Brien (D-Easthampton), Stanley Rosenberg (D-Amherst); former Rep. Sherwood Guernsey (D-Williamstown); Berkshire county Sheriff Carmen Massimiano (D-Pittsfield), Hampshire county Registrar of Probate and Democrat Robert Celusniak, former Republican State Sen. Peter Webber, former Dukakis aide Gary Shepard and State Sen. Martin Dunn (D-Holyoke). None have any foreign policy experience, and there is much speculation that other individuals will yet test the waters for a run. Most party activists interviewed said they will remain uncommitted until it is clear exactly who is running.

Silvio would have urged us to take it all with a sense of humor. If there is a heaven, we can be sure, Silvio Conte is probably there, negotiating with the powers-that-be to bring some divine project into First Congressional District. Saluto di, Commendatore Conte.

[From the Holyoke (MA) Transcript-Telegram, Feb. 11, 1991]

GOODBYE, SIL CONTE

There's a big hole now in the place that Silvio Conte filled. Western Massachusetts took him for granted as a benefactor, thinking he would go on forever. His loss is inconceivable.

Sil Conte was a little like the 500-pound gorilla on Capitol Hill who could do almost whatever he wanted because of the power he wielded on the committee that passed out the money. He was a congressman, though, who never forgot how he got there. Even in what we now realize were the final years of his life, as he battled with cancer he went to bat for a popular pharmacist from his district who came under fire from federal authorities for unwittingly filling false prescriptions for drugs.

Conte searched for ways to find an organ donor for a week-old Holyoke baby born with a deformed heart. He interceded in behalf of neighbors of Westover Air Force Base to oppose night flights. He got a half-million-dollar grant for a medical office to serve poor people in the Flats; and money to battle infant mortality in Holyoke, to feed the city's elderly, to keep its soup kitchens open. He fought Jack Kemp, the head of Housing and Urban Development over a $440,000 grant to revitalize Holyoke's downtown and won. He wrote Gov. Dukakis to beg him to reconsider closing the Holyoke Soldiers' Home.

He was a remarkable man.

Conte looked the part of the cigar-chomping back-room deal maker, but he surprised his constituents and his fellow Republicans with his stands: against the Gulf war, against a constitutional amendment that would have banned flag-burning against aid to Contra rebels in Nicaragua and against Reagan, despite heavy pressure from Massachusetts Republicans to renounce his attacks on the president.

He couldn't resist a parade or an antic. He called himself "Silvio O'Conte" and wore a big top hat for the Holyoke Saint Patrick's Parade. He promoted a cockroach trap made in West Springfield by covering himself with plastic roaches.

Walt Whitman would have loved Conte, with all his contradictions. He was a Republican from a Democratic state, with more years on the Hill than even the scion of the Bay State's ruling clan, Sen. Edward M. Kennedy. The Audubon Society once called him "a rare and endangered species: a Republican environmentalist." He posed in a pig's snout to protest pork-barrel spending in Congress, yet Kennedy called him "the king of pork." He voted against abortion, but voted for money for family planning, An avid hunter and back-slapping good old boy, he crusaded for funds for AIDS research. A third-generation machinist from Pittsfield, he earned his bachelor's degree and finished two years of law school in just four years, all on the GI Bill; and for ever after he took care of higher education, with federal grants that, among other things, helped the University of Massachusetts in Amherst to earn the distinction as the nation's top center for polymer studies.

It is a fitting tribute to Conte that a research center in Maryland, among the many institutions for which he did so much, will bear his name. Western Massachusetts owes Conte just as great a tribute, and even greater. He gave it a lot more than money. He protected it, befriended it, devoted his life to it.

The announcement of his death by his congressional staff ended: "The staff simply wishes to express our love for a great man."

So do we.

[From the Northampton (MA) Daily Hampshire Gazette]

SILVIO O. CONTE, A RARE INDIVIDUAL

There is much that can be written and said about Congressman Silvio O. Conte, who died Friday at age 69.

He was a rare individual, gifted with a sense of humor, and possessing political skills that thrust him into national prominence on the House Appropriations Committee.

A Republican serving a predominantly Democratic district, Conte was dean of the

Massachusetts Congressional delegation not only because of his tenure and legislative clout but also for the respect he earned from his colleagues.

As Sen. Edward M. Kennedy put it: "The secret of his success was that he took the issue seriously, but he never took himself too seriously."

President Bush offered this tribute: "For over three decades, Congressman Conte served his state and his nation with flair, skill and unmatched dedication. "Silvio Conte touched our lives and the lives of many others with his humor, warmth and decency."

In his 32 years of representing Western Massachusetts in Congress, Conte was an outspoken advocate for the poor, and annually argued passionately for expenditures for health and education.

It was through the G.I. Bill that Conte attended college and law school and he became a champion of higher education funding.

Conte offered more than political rhetoric to these causes. His legislative skills and years of experience allowed him to take care of his district and the commonwealth. He made the federal government work on behalf of the people.

Perhaps most notable about Sil Conte, however, was his courage. He always voted his conscience.

In the late 1960s Conte was an early critic of the Vietnam War, and he called for a halt to the bombing of North Vietnam, a decision that was not popular with veterans groups in his district.

Last summer, when some members of Congress were jumping on the flag desecration band wagon—many because they faced reelection—Conte stood up for free expression and joined the majority in defeating the flag bill.

Last month, he was one of three Republicans to vote against the resolution supporting war with Iraq. Conte wanted to give sanctions more time.

The scramble to fill the First Congressional District seat has begun. A special election will choose a new congressman, but it will not fill the void in the House of Representatives created by the passing of Silvio Conte.

[From the Greenfield Recorder]

SILVIO CONTE

For more than three decades Silvio Conte was Franklin County's voice in Washington, a job he performed well and one that will be greatly missed.

To those outside this corner of Massachusetts, the Pittsfield Republican was a powerful member of Congress. Rep. Conte regularly made bureaucracy perform and got action from the highest government officials.

That picture is accurate, but only as far as it goes. Rep. Conte was not simply a powerful politician; he was an admired and respected man who acted in accordance with what he felt was best for his district.

Often that meant disagreeing with fellow Republicans in government. No Republican voted in opposition to his own party's president with greater frequency than Rep. Conte. Just last month, he was one of only three Republicans to oppose the resolution authorizing President Bush to go to war with Iraq.

And yet, after learning of his death, President Bush was quick to offer kind and warm words of remembrance for Rep. Conte.

The president was not alone. On both sides of the political aisle, in Washington and here in Franklin County, Rep. Conte is being remembered as a man who worked hard, remembered his roots and never took himself as seriously as he did the needs of the district.

Part of what Rep. Conte leaves behind can be seen and touched: the Mill Street Apartment building, the I-91 industrial park, the senior center at the Weldon. And, it's no exaggeration to say that without Rep. Conte's efforts there would be no anadromous fish laboratory in Turners Falls and no Polymer research center at the University of Massachusetts in Amherst.

Another part of what he leaves behind is a cleaner environment. Rep. Conte's efforts on behalf of the outdoors earned him accolades from sports groups and respect of environmentalists.

Remembering their campaigns together, Walter Kostanski, a longtime Conte friend, supporter and colleague in the state Legislature in the 1950s, noted that when Rep. Conte won election to his first term in 1958 he pledged to work toward safeguarding natural resources and be "dedicated to service to his constituency."

For 33 years, Rep. Silvio Conte kept that promise. He will be missed.

[From the Westfield News]

CONTE REMEMBERED FOR HIS WIT, CONCERN

(By George O'Brien)

WESTFIELD.—Steven Pierce has a word to describe the late Silvio O. Conte—remarkable.

He used the word several times when asked Sunday about the 17-term U.S. representative who died Friday night, and his recollections of him.

Pierce and other Westfield area friends and acquaintances remembered Conte for his wit, his candor, his power and his support. But mostly they remembered him as a man who rose to great heights, but never forgot those who gave him the ladder—the constituents of a district as large as it is complex.

For Todd Lever of Southwick, a staff assistant in Conte's Pittsfield office, today will not be a routine day at the office—far from it.

Lever said the staff in Pittsfield would likely spend the day completing funeral arrangements and helping family members in any way they could, sobering duties for a staff that was confident that Conte would bounce back from the brain surgery he underwent last week.

Lever, who is looking to launch his own career in politics as he seeks a selectmen's seat this spring, said Conte "was a great man. He did a lot for western Massachusetts, and for the country as a whole."

Pierce, who is mentioned as one of those who may seek Conte's seat in the upcoming special election, didn't want to talk about that on Sunday.

"Like thousands of other people across the state, I've lost a personal friend and a great congressman," he said. "I'm very saddened by this."

Pierce said he last saw Conte three weeks ago, when the state's recently appointed Secretary of Communities and Development met with him in Washington to discuss such matters as fuel assistance and federal housing legislation.

"He was his typical self," Pierce said, "he was jovial but was also concerned for his constituents . . . that concern was always there.

"He was amazing to watch over the years," Pierce said, "here was a man, a great statesman and a powerful leader, a man who dealt with presidents and foreign leaders . . . and yet he never lost touch with the people of Westfield and Southwick and Pittsfield.

"He was remarkable."

Lever said it may be some time before area residents come to understand the extent of Conte's impact on the region.

"I hope people may someday get some idea of how he affected this area," he said, noting that residents may not be aware of Conte's role in securing funds for many of the buildings and other projects in the area.

"It was a great experience," Lever said of his work with Conte. "I couldn't ask to work for a better person."

Conte developed close friendships with many in the Westfield area. William Boisseau, Sr. remembers that Conte became good friends with his father, then a Farm Bureau employee, and came to Westfield for the 60th wedding anniversary of Boisseau's parents.

"He was a great guy." Boisseau said. "He was well liked by the people of Westfield."

Mr. MOAKLEY. Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the chairman very much for yielding.

Mr. Speaker, I am thankful for the opportunity to talk a little bit about SIL.

□ 1940

I knew SIL as a fellow legislator, and one whom I greatly admired, but I also knew SIL as a fellow outdoorsman, a guy who absolutely loved America. He loved the America that exists beyond the asphalt pavement, and all of the great construction works we involve ourselves in in this Congress.

It is interesting that SIL, as a guy who delivered a lot of money to his district and to other districts around the country, and a lot of Federal dollars to build great projects, really I think he more greatly loved outdoor America, than that was mandated. I think he loved that, that was what God made a little better. He loved the early morning, the Sun coming up, he loved to be out in the woods, ready with his shotgun, rifle, or fishing tackle, or beloved dogs, or his buddies. He loved the evening. He loved the dew on the grass, the crackle of leaves, especially in the fall, and he loved everything that was God made in the outdoors. SIL was a guy who delighted in the cackle of a rooster pheasant when it takes off. If anyone is not a hunter, maybe they cannot appreciate that, but it makes a person believe there is a God, because God had to have made rooster pheasants especially for hunters, because it is absolutely an explosion, and unnerves a hunter, and is difficult to shoot. If a person does shoot, and they are SIL CONTE, they know 50 places to get that pheasant cooked up, so it is a gourmet's delight. He did that many, many times. He loved the stump of a whitetail buck, and regularly attended the various hunting areas in the East, and introduced me to some of those great areas. He loved the elegance of a great winged teal or mallard duck or black ducks, wildlife which he greatly

respected. He did a great deal to further the tradition of the legislator, who helped to renew these very important resources, outdoor America.

He worked hard to have the kind of America where a plumber or a construction worker or a person, any person, who carried a lunch bucket and did not necessarily know a lot of land owners, could find a place to hunt and fish and lose himself in the outdoors. That is a very important asset in these United States, to have places where people can get away from their bosses, and get away from the strife and the pressure of life in the civilized society, and get out where there are no people, and think and meditate, and maybe bring a little balance to their lives.

SIL CONTE was a guy who really worked on American conservation in the great tradition of Theodore Roosevelt. He worked hard and was a real instrument in keeping our waterfowl population high, in the tradition of Ducks Unlimited, and many, many leaders in the U.S. Congress in the House and the other body and in the administration who, during the 1920's, the 1930's, the 1940's, and the 1950's, when our waterfowl was facing periods of extinction, would work building a partnership between the private sector and the public sector to see to it that we brought our great populations of waterfowl back, and not only created places for them to survive and to nest and to propagate, but also for thousands of other waterfowl species and wildlife species.

SIL CONTE was a conservationist. He was a conservationist in the finest tradition of American conservationists, and he did it because he absolutely loved the outdoors. However, as a son of a working man, I think SIL also liked the idea that every American should be able to have a place to go and enjoy himself in the outdoors. Many people today, many working people throughout this great country who want to take a little time off, or maybe go out in the afternoon after work, and have a chance to shoot a pheasant, or a duck, or take a hike, or take their son fishing, can thank SIL CONTE for all that he did to husband these important natural resources.

One other thing I liked about SIL is that SIL was irreverent at exactly the right times. If anyone watched SIL watching the baseball game, and I remember during the budget process when the Republicans were all closeted over in the leader's office and we were banging around the alternate proposals, and we had reworked, retread the same ground many, many times, and we reworked the same issues many, many times, and we were kind of going round and round. SIL turned on the ballgame. He had a real sense of priorities. Our own deliberations and statements of self-importance would be interrupted by SIL's shouts, cheers, and his boos in watching these baseball games that to him were more important than political posturing, or in some cases, this merry-go-round of legislation which we sometimes make a lot of noise and do not produce a lot of substance.

I have often thought SIL booed Congress sometimes in the same way that he would boo ball players, and I think it gave Members a sense of balance, and it gave Members a sense of perspective to have SIL CONTE stride down the aisle and tell Members that maybe we were all making a terrible mistake, and we were not as special as we all thought we were. SIL gave so much to this institution, and is one of those very special people. Many, many Members come into this House, many wonderful excellent people, and every now and then there is somebody who stands out, who when we are thinking about something or we have a little time to ourselves, and your mind strays back to Congress, Members will see one or two figures doing things that caught their attention at the time. SIL CONTE was one of those people. I will always see SIL with his boisterous life, his love of life, his enjoyment, just being alive in America, and his wonderful sense of balance and knowledge of exactly where he was in God's world.

So SIL CONTE, for your giving, providing, and enjoying, I think one of America's assets, our sense of humor and our laughter, and for bringing so much character to the House floor, God bless you, and may this Chamber and Members of this Chamber remember SIL CONTE and follow in his tradition for many years to come.

I want to thank the gentleman from Massachusetts [Mr. MOAKLEY], his dear friend, as well as the Speaker for letting me come down to say a few words.

Mr. MOAKLEY. Mr. Speaker, I think the gentleman hit it on the head: SIL CONTE was irreverent about everything but religion. He was a family man, a churchman, and he had the ability to laugh at himself. I think that is why he enjoyed life so much, because he knew we could take everything serious, but not yourself.

I think the gentleman well illustrated in the midst of the budget negotiations, when people were ready to kill, he would just flip on the baseball game and say, "Let's cool it down for a while."

Mr. HUNTER. If the gentleman will yield, and I did not want to take too much time, but the gentleman is exactly right. SIL CONTE had that great quality of being able, and I think that quality is humor, and balance and irreverence, allowed him to enter into the toughest of debates and enter into debates in which we were absolutely going at each other's throats. Yet, he could bring the House back to a state of comity and a state in which Members respected each other and reestablished old friendships, almost as soon as the smoke had died from the previous debate.

I remember walking in a restaurant one time, over in Arlington someplace, and I heard roars of laughter from a back room. I walked in and there was SIL with his family and probably two or three others, presiding over a great, wonderful, Italian meal and enjoying life. I remember at the time it reminded me that there are other things besides our troubles on the House floor and the issues that percolate up and catch our attention from day to day. It is a great life. It is a wonderful life and a wonderful country. SIL never forgot it.

Mr. MOAKLEY. As alluded to earlier. SIL CONTE, on many occasions, got the Republican and Democratic nomination, he was unopposed. He ran against himself, and I remember talking to a Democratic State chairman who said that they had a full house at the Democratic meeting in his town, and they were talking about some of the local problems. As a Republican, SIL CONTE walked in, everybody stood up and cheered. To them, SIL CONTE was not a Republican. He was not a Democrat. He was SIL CONTE. He was the fellow that worked for us. He was the fellow that was always there. If everyone ever saw SIL CONTE marching in a parade, they would think he got elected the day before he marched on that parade. He marched in every parade like it was his first parade, going from side to side, shaking hands. The energy that he had and the way that he greeted people, burnout was not a word in SIL CONTE's vocabulary.

He did so many things when he really physically, should not have done them. That was SIL CONTE. He fought the good fight. He loved life. He played hard. He laughed hard. I am sure that he is entertaining some of our people upstairs somewhere.

I yield to the gentleman from California [Mr. MINETA].

□ 1950

Mr. MINETA. Mr. Speaker, I rise this evening with a mixture of sadness and joy in tribute to my good friend and colleague SILVIO CONTE.

The sadness we feel, Mr. Speaker, is all too obvious.

The passing of SILVIO CONTE on February 8 leaves his family, his constituents, the State of Massachusetts, and this House, with a loss of a man who cannot be replaced.

But our sadness cannot diminish the joys of remembering our colleague as we do today, and as we will in the years to come.

For this opportunity to recall our memories I would like to thank the distinguished minority leader, Mr. MICHEL, and the equally distinguished chairman of the Rules Committee, Mr. MOAKLEY, for requesting this time and

inviting all House Members to participate.

SILVIO CONTE will always have a special place in the heart of this Chamber because SILVIO lived his life to the credit of the House and all that this Chamber represents.

SILVIO relished his roots. He never forgot his humble beginnings. His constitutents in the First District of Massachusetts, in turn, never had any doubt that SILVIO was in Washington as one of them, as their representative.

Throughout his 32 years in the House, SILVIO CONTE spoke up for fairness and justice. He not only believed in and lived the American Dream: He worked to make that dream a reality for every American.

He championed working Americans by pleading for sanity in the way Congress spends hard-earned taxpayer dollars.

He challenged proposed cuts in student aid, programs to feed the elderly and poor, and the failure to create a national energy policy.

For 17 years, I had the privilege of serving with SIL in this House but for the last 12 years, I had the personal good fortune to work with SILVIO CONTE as a fellow Regent of the Smithsonian Institution.

No one I know, myself included, looked to the Smithsonian with more awe and wonder than did SILVIO.

To SILVIO, the Smithsonian was more than merely the Nation's attic: It was the living legacy of the United States.

SILVIO knew that to build a better future meant understanding the marvels of the world that give us a perspective of who and what we are as human beings.

The Smithsonian is that, and very much more. The Board of Regents will be the poorer for losing SILVIO CONTE as a member.

Taken together, SILVIO'S interests and achievements were the marks of a man who used his office for a purpose larger than the concerns of any one congressional district.

SILVIO simply believed that government and national institutions can be a force for a greater good in the United States, and he lived his life as a public official to shape that good as best he could.

Part of what helped make SILVIO such an outstanding and successful figure in the House was the balance he kept in his personal life.

Very simply, SILVIO CONTE never forgot how to have fun—even in the face of his own declining health.

The roar of his outrage at ineffectual policies was matched only by the roar of his self-deprecating humor, or his often poetic joy at the prospect of winning years for the Boston Red Sox.

Mr. Speaker, I feel a special honor for having served in this House with SILVIO CONTE. With all the demands of this high office, SILVIO maintained an energetic balance as a human being.

We all benefited from his example, from the honor he did to his office and this Chamber.

We will all miss his reverence for his fellow Americans, and for the boundless irreverence he directed at the pomposities in our world.

Mr. Speaker, I join with my colleagues in extending our condolences to SILVIO'S wife, Corinne, and family. In fact, his son John, lived in San Jose and was a constituent of mine and for several Christmases had the great privilege and enjoyment of taking packages from SILVIO and Corinne to John, his family, and especially his two grandsons in San Jose he loved so much.

SILVIO CONTE'S long and distinguished career as a public servant was an inspiration to us all.

I will miss his friendship, but never forget the friend.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman very much.

Mr. Speaker, I yield to the honorable gentleman from New Jersey [Mr. RINALDO].

Mr. RINALDO. Mr. Speaker, there is no greater tribute to our colleague and friend, SILVIO CONTE, than the outpouring of affection and respect we have seen since his passing.

His funeral, the memorial service held earlier today in the Capitol, and the special order in which so many Members are participating now, attest to the fact that SILVIO was not just a Member of Congress. He was a special person, with many gifts.

The greatest among them was his love of life. For all those who denigrate politics and who like to criticize Congress, SILVIO supplied the perfect answer.

This institution is about people, about ideals, about commitment and integrity. SILVIO had them all.

He compiled one of the longest, most distinguished careers of service in the history of this institution.

And, like almost everything else he did, he did it against the grain and he did it with gusto.

He was a Republican in a Democratic seat and Democratic State.

He was an independent voice against the conventional wisdom.

He was a flamboyant orator in an institution where speeches can be long and dull.

And there is one thing many people overlook about SILVIO'S speeches.

People frequently cite his colorfulness.

But they often forget that they were effective. Just as he was.

He knew how to make a point, and he knew how to make it powerfully.

And all along, he enjoyed the respect and good will of his colleagues, on both sides of the aisle.

And of that—his personality, his compassion, his energy, his friendships and his talent—are testimony to the kind of person SILVIO was.

When the Elizabethan poet Ben Jonson passed away, they placed a now-famous line on his tombstone: "O Rare Ben Jonson."

They could do the same for SILVIO, for he was rare.

He had commitment and integrity.

He had energy, vigor, and a love of people, just as he loved his Boston Red Sox.

He was a friend.

And he also loved a good cigar.

I first met SILVIO 19 years ago when I was campaigning for my first term in Congress. Probably one of the first Members of Congress from another State I ever had the pleasure of meeting, and someone had given me a cigar. I refused it, saying, "Oh, I don't smoke."

And SILVIO hit me in the side and he said, "Take the cigar."

I took the cigar and I gave it to him.

From 1972 when I was campaigning until when he passed away, whenever anyone gave me a cigar, I gave it to SILVIO CONTE.

We became good friends over the years. We enjoyed a good meal together. We enjoyed talking together.

He was most of all, a warm human being and a distinguished colleague, and I will never forget that.

Mr. Speaker, I will miss SILVIO, his companionship, his sense of humor and his dedication to this institution.

I want to extend my deepest sympathies to his wife, Corinne, and to his family, and want to thank them for sharing him with us and with his constituents for so many years.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman.

Mr. Speaker, at the church there were many, many eulogies and they were all outstanding. One of the eulogies was given by former Speaker Thomas P. O'Neill, and I will include the remarks of the Honorable Thomas P. O'Neill, as well as the remarks of Edward P. Boland.

REMARKS OF THOMAS P. O'NEILL, JR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES, ST. JOSPEH'S CHURCH, PITTSFIELD, MA, FEBRUARY 13, 1991

We are joined together today to honor the memory of a man who was one of my best friends and a true friend of Pittsfield, the first district, Massachusetts, and all of America.

My heart goes out to you Corinne, and to you Gayle, Michelle, John, and Sylvia and your children. Over the past 40 years I knew your husband, your father, and your grandfather, and I saw the tremendous love he had for you. Millie and I offer our sincerest feelings of support at this moment of sadness.

Of course, sadness is not what we think about when we think about Silvio Conte. I asked someone what they saw when they thought about him. The answer was: "Plaids and stripes * * * together!" Colorful fellow.

What I think about, when I think of Sil, is the love of life. Sil certainly did love life. He loved Congress, Boston College, and the Red Sox. He loved to play golf, play cards, fish, and hunt wild game. And he loved all these things with an emotion that surpassed the most ardent enthusiast. It may have been his Mediterranean heritage showing through but when he played anything, it was with gusto and exuberance.

This love of life of his had an extra dimension. He wanted everyone else to enjoy life too. To enthuse you and then to enlarge the circle of others to enjoy life, too.

That is what I remember most about Sil. When he did things it was to include people, to make their lives better, to improve his Nation and his community, to provide people with the necessities of life and the fun of life.

When Congress played its annual baseball game, it was Sil who was the organizer and manager.

When Boston College needed help, it was Sil who took the lead, inside and outside the Appropriations Committee.

When we traveled, it was Sil who organized the skits and the parties at the end of the trip.

When his hunting larder grew great, it was Sil who gave a party for the Members of Congress, the staff, and his other friends.

When he worked on legislation on the Hill, it was to bring a better life to people here at home and those in the rest of the country.

His great work often escaped recognition because much of it was done behind closed doors. Some of it I would like to share with you.

There was the issue of low income energy assistance. A program for the Northeast at first, to help the poor face a crisis in rapidly rising fuel costs, it became a national program. Sil never let up increasing the program. Every year for the past 10, the budget request would go up, Sil would increase it, the Senate would lower it, and Sil would increase it again in the conference committee. The Appropriations Committee tells me this program amounted to $3.5 billion over the past decade. Think of how many needy people were helped by that.

There was the issue of biomedical research. Sil got involved in something called "The Decade of the Brain" at the National Institutes of Health. He added $15 million to the budget last year for research into neurological disease.

There was the issue of aid to students who seek higher education but do not have the means to do so. The son of immigrant parents, Sil always remembered the opportunity given to him to advance. He wanted everyone else to have the same chance. Just last year, he added $75 million to aid the poorest students attending college.

Many didn't know the role Sil played at the Smithsonian where he was a regent. When the Budget of that great institution was up, he was its protector. A skeptic about some of the projects, like everything else, he scrutinized it closely, but when he got the right answers he was supportive of projects that would enlarge the love of life for others. Once, when the head of the national zoo, which is run by the Smithsonian, was asking for $150,000 for preserving the giant pandas from China, Sil asked him to justify the program. The zoo director replied, "You can Zerox a Michelangelo, but only God can make a Panda." He got Sil's support. By looking out for the Smithsonian, he brought love of life to the 28 million people who visit the great museum every year.

Little is known, too, of Sil's great work to help alleviate poverty in Africa. Some years ago, he and a couple of other Congressmen took a month-long tour of that continent. It left an indelible mark on him, and he spent much time and effort in defending and improving the World Bank and the United Nations Development Program.

Remembering the suffering and misery in those African countries, he knew that encouraging these institutions was a low-cost way to attack the root causes of poverty there. He was a strong supporter of UNICEF, too, in the crucial junctures in the appropriations process. In all these efforts, he was trying to extend his own love of life to others.

We in the other party, of course, admired Sil for his courageous stands for programs designed to help people. At last year's budget summit, he and his staff were repeatedly admonished to stop exempting the oil import fee from the list of taxes being considered. And he constantly did battle with those beancounters from the Office of Management and Budget—"the young slashers" he called them.

Sil loved and respected the process of legislation, too. He hated the so-called "continuing resolution," the catchall measure we pass when we can't pass the appropriations bill and time is running out. He called it "a substitute for thinking," but would go along with it as a last resort to make sure Government employees got paid.

Sil worked hard to fashion legislation so it could run the gauntlet and avoid a veto. Especially at the very end of the consideration of an appropriations bill, when mischief was brewing with some last minute effort to sabotage the bill, he would take personal control of what we call the "motion to recommit" to insure passage of the bill that had been worked on for many weeks.

So many other projects bear his imprint: The cleanup of the Connecticut River to make it safe for salmon to spawn; the Patriot Missile; the polymer research center at the University of Massachusetts; the research funds for the Occupational Health and Safety Administration; and, of course, I could go on and on.

Many of you gathered here today worked with him on these projects I mention and shared satisfaction when they succeeded. I am sure you all agree that working with Sil left you a better person. His enthusiasm, desire, and sense of mission affected you that way.

Sil had many virtues: Love, compassion, integrity, friendship, emotion, and a wonderful and spirited sense of humor.

But the one I will remember him for was his fierce desire to give back. A lot of what he did gave him personal satisfaction. But Sil brought the phrase "helping others" to a new plateau, outside himself. He gave back in ways that cannot be counted. In enlarging that love of life to others, Sil set a standard for all of us.

Corinne—the suppers at your home—the bridge games—the friendship.

Corinne, John, Gayle, Michelle, Sylvia, that friendship will always remain.

The bells—parlance of the Congress, five bells, final adjournment.

Five bells have rung. Sil. Til we meet again, may God hold you in the bosom of his heart.

REMARKS OF FORMER REPRESENTATIVE EDWARD P. BOLAND

Mr. BOLAND. I appreciate the kindness of the dean of the Massachusetts delegation, Congressman Joe Moakley, which allows me to participate in this way in the House's tribute to my friend, Silvio Conte.

I was privileged to represent the Second Congressional District of Massachusetts in the House of Representatives for 36 years. For 30 of those years, Sil Conte represented the First District. Together, our districts included all of the cities and towns of Western Massachusetts. We quickly realized that we could accomplish far more for the people of our area by coordinating our efforts, and I am proud to say that we forged a relationship that allowed us to work as true partners. On occasions too numerous to recall, one or the other of us would suggest a joint approach on an issue of special importance to Western Massachusetts, or request the aid of the other on a particular matter. I do not believe that the personal and working relationships between Members from adjoining districts could have been closer than the ones Sil and I enjoyed.

Although I could cite dozens of examples, I think that the work we did together to renew the Connecticut River mattered most to Sil. When Sil came to Congress, the entire length of the river from Vermont to Connecticut was literally an open sewer. The banks of the once-beautiful waterway no longer attracted people seeking recreation, and the contaminated, murky waters could barely sustain fish and other forms of aquatic life. Sil had a tremendous sense of what the Connecticut had been, and could be again. For three decades, in an effort that I was happy to join, he pushed for programs and funds that could bring life back to the river. The sewage treatment plants, flood control dams, wilderness preserves, the Atlantic salmon program, boating areas and every fishing hole along the Connecticut, offer testament to the success of that effort. Today, the river is once again a vital, beautiful resource for millions of people in the Northeast. Silvio's frequent expressions of love for the outdoors were more than just words, and the Connecticut River is evidence beyond doubt of the validity of his claim to be a conservationist and an environmentalist.

Silvio Conte was much more, however, than a Congressman focused only on parochial interests. Although he was well known for his flamboyant speeches on the House floor, he developed a great interest in national and international affairs. His early opposition to the war in Vietnam was but one example of his taking a courageous and principled stand even if to do so meant moving away from the majority of his party. I was proud to have him on my side as well in the effort to end the violence, and promote democracy, in Central America.

Although his district was primarily rural, Sil joined me as sponsor of vital legislation to provide housing to the residents of our inner cities. Health care was his passion, and he made sure that our national efforts to find cures for the diseases which afflict society were adequately funded. Those without enough to eat in Africa had a champion in Sil Conte, as did poor children in our own country who needed the assistance of government to ensure access to eductional opportunities.

Sil worked hard to translate the goal of equal justice under law into a reality for all Americans. When a Massachusetts minister, the Reverend James Reeb was murdered in Alabama in the early 1960's, John McCormack sent Sil and I to Selma as part of an effort to underscore the support of Congress for the cause of civil rights. We marched together in that troubled community and dan-

gerous time and when we returned, Sil spoke out forcefully on the House floor to debunk the notion that those who had assembled peacefully to protest were somehow responsible for the violent outbursts of people trying to stem the tide of change. Sil never waivered in his commitment to civil rights and through his words and votes was a leader on that important issue.

Sil Conte was my friend, and as my wife, Mary, and I stood in line at his wake I was struck by the fact that he had been able to instill that sense of friendship in hundreds of people. He had a joy for living that made people want to be in his company. The exuberance with which he threw himself into his work was contagious, and the sense of decency which characterized him enobled whatever he undertook. He was truly unique and those of us privileged to know him will miss him very much indeed.

Sil's family was his strong foundation. His wife, Corinne, was a source of constant strength and support on whom he greatly relied. Among my fondest memories of service in Congress are those involving a trip or event in which Corinne and Sil Conte participated. To Corinne and the Conte children—John, Michelle, Gayle, and Sylvia go not only my deepest sympathies but my thanks as well for having shared this remarkable person with us for so many years.

Mr. MICHEL. Mr. Speaker, as we bring this special order to a conclusion I just want to say that all our staff around here in the Capitol wanted it to be known that they loved SILVIO CONTE, too.

All of us join in expressing our profound sorrow to Corinne, Michelle, Sylvia, John, Gayle, and the grandchildren.

Mr. NATCHER. Mr. Speaker, during my tenure in the Congress, I have served with about 2,000 Members. None were more dedicated than SILVIO CONTE, and none were more courageous. None ever worked any harder than SILVIO CONTE, and none, at times during general debate on a very controversial issue could get any more excited and apparently real mad, but within a matter of a very few minutes, he would be back to his usual kind manner again.

I recall the day he was elected a member of the Appropriations Committee, and at that time there were a great number of his side with considerably more seniority. As time passed, he advanced and at the time of his death, he was the ranking minority Member on our committee. Serving on all 13 subcommittees, along with the chairman of the full committee, he was always diligent and interested in the outcome of that particular bill. He loved people and was a true believer in the maxim that if you take care of the health of your people and educate your children, you will continue living in the strongest country in the world. He further believed, and sincerely, Mr. Speaker, that we have reached the time when education should not have to compete for funds with national defense, the trade deficit and drugs. He believed that if our money was well spent in our school systems, and if the families of the children in the schools were more active and assisted the school authorities considerably more, we would have a better educated citizenry.

He loved his family. He was a giant at the center of national power, but at all times he remained a modest man. He was a good man who served his country well. He always kept the common touch, and as a man he could be compared to the giant sturdy oak that grows on the hillsides in the Commonwealth of Massachusetts. He was a fighter for social justice and was a legislator for the common people he knew so well. His concept of public trust was without parallel and never did he fail to speak out against any proposal that was not sound or not in the best interest of our country. In every position he held, either private or public, he achieved distinction. His character, his achievements, and his faithful service will be an inspiration to generations yet to come.

SILVIO CONTE was good for the Commonwealth of Massachusetts and for the United States of America.

I deem it a great privilege and an honor to have been a friend of SILVIO CONTE. I have lost a true friend and this country has lost a great statesman.

To his lovely wife and family, I extend deepest sympathy in their bereavement.

Mr. DINGELL. Mr. Speaker, I cannot think of an individual in this Chamber who possessed the rare mixture of kidding and kindness, of humor and humility, of sharp wit and soft heart. He was the type of man I trusted to fight beside in the trenches and respected as a foe on the legislative battlefield. He had the courage of his convictions and the conviction of a saint. But most important of all, he was, and will always be remembered as, a good friend.

SILVIO left an impressive record relating to health, education, environmental, and veterans issues. Even though SILVIO was officially from the "other side of the aisle" I, as well as most of my colleagues, only thought of our friend as on the best side of the people, on the right side of humanity.

SILVIO and I shared a common love—the rugged outdoors and the pursuit of hunting. SILVIO spent years trying to save our Nation's wetlands from the destruction of overdevelopment and to make it possible for nature lovers, birdwatchers, and hunters alike to avail themselves of our country's bountiful natural resources.

I served with SILVIO for many years as a member of the Migratory Bird Conservation Commission—which recommends and approves wetland resources for inclusion in the Wildlife Refuge System. For 26 years on the Commission, his fierce defense of these fragile resources and—as the ranking Republican member of the Appropriations Committee—his dogged determination to protect these resources without driving the Nation into debt was the major backbone of its work.

Before he died, SILVIO CONTE introduced H.R. 794 to establish the Connecticut River as a unit of the National Wildlife Refuge. At the most recent Commission meeting, on February 26, I proposed a resolution that because of exemplary service on the Migratory Bird Conservation Commission, and because of his contribution in Congress to preserving our natural resources, that legislation was enacted into law as the "Silvio O. Conte National Fish and Wildlife Refuge."

I would like to share the text of my resolution with my colleagues in honor of our good friend, SILVIO:

MIGRATORY BIRD CONSERVATION COMMISSION RESOLUTION

Whereas, The Honorable SILVIO O. CONTE, Representative from Massachusetts served with honor and distinction on the Migratory Bird Conservation Commission for twenty-six years commencing on February 1, 1965, and continuing until his death on February 8, 1991, and

Whereas, Mr. CONTE'S utmost concern for the protection and enhancement of the Nation's migratory bird resources directly contributed to the establishment of 80 new national wildlife refuges that provide a gift of over one million acres of wild lands and waterfowl habitat for present and future generations, and

Whereas, Mr. CONTE crafted numerous pieces of legislation to protect and improve our environment including the landmark North American Wetlands Conservation Act of 1989, which he coauthored and which provides up to $25 million annually for wetland and waterfowl habitat preservation and restoration, thereby expanding the role of the Migratory Bird Conservation Commission, and

Whereas, Mr. CONTE championed congressional funding of the Anadromous Fish Conservation Act thereby effecting Federal leadership in the propagation, conservation, and restoration of sea-run fishes including the Atlantic salmon in which he had an especially keen interest: Now, therefore, be it

Resolved, that this Commission on its own behalf and on behalf of the Nation's people expresses its deepest sorrow at the loss of Mr. CONTE, fellow colleague, statesman, and consummate conservationist, and

Be it further Resolved, that Mr. CONTE'S contributions to the work of this Commission and to the conservation of the Nation's natural resources be memorialized in a new haven for wildlife and fish along his beloved Connecticut River that when established will bear the name Silvio O. Conte National Fish and Wildlife Refuge.

Mr. YATES. Mr. Speaker, SILVIO CONTE was a dear, dear friend of mine and I mourn his loss. This House and the Nation have lost a legislator and statesman of the highest caliber. I will miss him terribly.

SILVIO loved this House and the art of legislation. He was an absolute master of the process and he accomplished so very much for this country and the people of his district.

I can think of no one for whom I had higher respect and greater admiration. I think all of us who knew SILVIO CONTE recognized that rare talent, dedication, and zest for life and work that he displayed during all of his years here.

We worked together on the Appropriations Committee in bipartisan harmony on many, many issues and no matter how complex the issue or legislative situation, SIL could always find a way to accomplish the task and he had a genius for making it enjoyable and even fun. He was a joy to work with and I loved him for it.

SIL was a natural. There is a movie about baseball called "The Natural" starring Robert Redford as its star. SIL CONTE could just as easily have been the star because he loved baseball and he surely was a natural. There was nothing devious or cunning about him. He was open and above board in all his dealings. You knew where he stood on everything.

He enjoyed the Appropriations Subcommittee on the Interior Department of which I am chairman. He was very much the outdoors-

man. He loved to hunt and fish and he was devoted not only to preserving our magnificent natural resources but to restoring them. The people of New England particularly owe him a debt which can never be repaid because he was responsible for cleaning up its rivers. Maybe it was because he liked to fish in those waters. He knew them well and he took the lead in procuring Federal funds to clean them up.

SIL was such a wonderful friend and colleague. He was a raconteur extraordinaire—his stories were funny, sad, warm, and touching. He was tough and gentle and a most solid human being. SILVIO stood for ideas, integrity, and principles and he was without doubt the most effective advocate of my experience.

When Addie and I were together with SILVIO and Corrine, it was always fun and memorable. I'll never see another duck stamp, nor hear a duck call, nor see a red convertible, nor play another game of golf without thinking of SIL CONTE. What a man he was.

To Corinne and her family, our loving sympathy. SILVIO will be remembered in the House for many, many years.

Mrs. MORELLA. Mr. Speaker, I served with SILVIO CONTE in this House for 4 years, although I was gifted with his friendship for a quarter of a century. I always felt a special kinship with SIL; we shared a common heritage, a similar political philosophy, and a common home State, Massachusetts—not to mention the fact that, as a longtime resident of Bethesda, SIL was one of my favorite constituents.

His career in this body spanned over 3 decades, while his friends and admirers spanned the Nation and the ideological spectrum. He commanded the respect of his peers like few members of this body had before him; and he loved and cared for his constituency and his country with a singular and steadfast devotion.

Above all, SIL was a tremendously passionate legislator. He pursued each cause with relentless energy and unswerving commitment. Even the most mundane of issues would catch his attention, raise his ire, and stir him to action. He got things done because he meant business; and when SIL CONTE meant business, this body stood up and took notice. By the sheer force of his character, he always commanded the eyes and ears—and, more importantly, the heart—of this institution.

SILVIO CONTE's contribution to the House of Representatives was as all-encompassing as it was distinguished. His legislative hand touched every facet of this Chamber's work; he was a champion of ethics in government, a champion of the elderly, a champion of the poor.

Indeed, the people's House will not be the same without SIL CONTE. He gifted us with his humor, moved us with his passion, and inspired us with his fiery patriotism. Every President since Dwight Eisenhower called SIL CONTE a friend. I, too, was fortunate enough to call SIL a friend, and I will miss him deeply.

Mr. BROOKS. Mr. Speaker, I want to take this opportunity to join my colleagues in expressing our deep sadness and sense of loss at the passing of our beloved friend, Congressman SILVIO CONTE. I extend my heartfelt sympathy to his wife, Corinne, and his four children.

The people of Massachusetts' First Congressional District have lost an outstanding Representative in Congress. SILVIO's colleagues in this House have lost a close friend who could always be counted on to offer good advice and the hand of friendship in difficult times.

It was my distinct privilege to serve with Congressman CONTE from January 1959 until his death this year. The people of Pittsfield, MA can be proud of the 32-year period of service he established and the fine representation he gave to his district, his State, and his country. They could not have had a stronger advocate here in Washington, and they were fortunate to have him represent their interests on public issues with such energy and dedication.

All of us will miss his many contributions to our joint legislative efforts. His work set a high standard of excellence for others to follow. Congressman SILVIO CONTE was a friend of mine for over 30 years and I will miss both his warm friendship and wise counsel.

Mr. QUILLEN. Mr. Speaker, it is with a great deal of sadness that I join with my colleagues in remembrance of my close and personal friend, SIL CONTE. He was one of the most colorful and senior Members of the House, and I, like many others in this body and across the country, will truly miss him.

The son of Italian immigrants and himself a former factory worker, SIL rose from his humble beginnings to become one of our country's most powerful men. For all that he became, however, he was never one to take himself too seriously. No one enjoyed and loved life more than SIL. I can still recall seeing him wear a mismatched suit of stripes and plaids and also the time he wore a pig's mask on the House floor to protest wasting Federal funds.

He had been the ranking Republican member of the Appropriations Committee since 1979 and used his considerable influence on the committee to bring a better life to people by championing such social programs as biomedical research, mental health, special education and care for the handicapped. He was also a leading advocate of programs to help the elderly and low-income pay their fuel bills.

As a politician, SILVIO CONTE defied political labels, often receiving both the Republican and Democratic nominations in his district. I admired him for having the courage to stand up for what he believed in, even if it meant opposing the President or his own party.

My condolences go to his wife and children.

Mr. MILLER of Ohio. Mr. Speaker, I want to add my comments to those paying appropriate tribute to our dear friend and colleague SIL CONTE. I commend those who have sought the time for this special occasion in the House SIL served so well.

It is difficult for me—and I am sure for others, as well—to believe, or accept, his passing. It seems like only yesterday, or at the most, the day before, that he joined his House colleagues in the Chamber to debate legislation or engage in a discussion involving an issue before Congress and of importance to the Nation. Few in the history of this distinguished Chamber can be called "a force." But SILVIO CONTE was exactly that: a force for the people of the First District of Massachusetts, a force for good laws and sound fiscal policy, a force for the preservation of the freedom and liberties we cherish in this great country. He was an effective force for moving legislation forward and the bureaucracy along in the interest of the American people.

It goes without saying that I valued his leadership and his friendship in the House Appropriations Committee. His astute observations on a bill—particularly those before our Committee—were worth more in common sense than all the dollars the bills sought to spend or invest. I sought his wise advice and supported his sound reasoning on countless occasions, knowing that his priorities were, likewise, sound and his concern genuine. He will be greatly missed in this Chamber. We all know that. He may be gone but he will not be forgotten. We all learned something important from SIL: we learned that you can disagree without being disagreeable and that you can make your point without pointing fingers. Always engaging, always well prepared, you could count on SIL to do the right thing—to keep the Republic sound and the future bright. Candor, compassion and commitment, traits which he so amply embodied, are, perhaps, the most fitting legacy he leaves behind.

Mr. DONNELLY. Mr. Speaker, I want to commend the distinguished chairman of the Rules Committee, Mr. MOAKLEY, for bringing this resolution to the floor today in honor of our late colleague and friend, SILVIO CONTE.

Mr. Speaker, the First Congressional District of Massachusetts, the people of that State, this institution, and this Nation suffered a deep and enduring loss when SIL CONTE died on February 8. He was a brilliant politician, a statesman, and a tireless champion of the less fortunate in our society.

The secret to his genius as a politician was that you couldn't label him. A Republican, he opposed Presidents Eisenhower, Nixon, Ford, Reagan, and Bush by levels higher than many Members on my side of the aisle. But he was a conservative when it came to wasteful Government spending, and you couldn't miss his bellowing voice from the well of the House. He opposed "pork barrel" spending—when it wasn't targeted toward western Massachusetts. He was loved by his constituents for all that he did for them and was enormously effective on their behalf.

He was a tireless champion for his district, but was never parochial. As a leader in this institution, he could rise above politics. He wrote the first appropriation for AIDS research. A reporter asked him once during the "anti-tax" days of the budget summit if a tax increase was necessary to reduce the deficit. "Of course it is!" he said. He wasn't afraid to take unpopular positions when he felt that they were right.

He believed that Government had a responsibility to the less fortunate of our society because of the opportunities that he had. As a boy, he went through the vocational program at Pittsfield High School and was trained to be a factory worker at the local G.E. plant. His father dissuaded him from going on to college and law school, but World War II changed that. After his service in the Seabees, he took advantage of the G.I. bill and went on to Boston College and B.C. law. He was elected to the State Senate and then this body. He never forgot that those who would come behind him

might also need a helping hand from Government, but that everyone had an obligation to our Nation to work to their fullest potential.

Last Wednesday, he was buried in the Berkshire Hills of western Massachusetts. As a tribute to the man that he was, his funeral was attended by nearly 100 Members of Congress, the Vice President, political leaders from the State of Massachusetts, and hundreds of his friends. He was eulogized by former Speaker O'Neill and Republican leader Michel. Thousands of people lined the streets in Pittsfield to pay their respects to the man who had been their Congressman for 32 years.

Mr. Speaker, this institution will miss SILVIO CONTE. To his family: his wife, Corinne; his children Michelle, John, Sylvia, and Gayle; to his sisters Betty, Sylvia, and Angie; we share in your loss. Your husband, father and brother will be missed.

Finally, Mr. Speaker, in conclusion, I insert an article from Roll Call newspaper about SIL in the RECORD at this point:

WHAT SILVIO CONTE TAUGHT ME ABOUT CONGRESS AND LIFE

(By Thomas R. Barker)

In the fall of 1982, Rep. Silvio Conte (R-Mass) was touring his district and stopped into a restaurant for dinner. Shortly after he arrived, a waitress ran excitedly to his table. "The White House is calling!" she said.

Conte took the call. It was President Reagan, who had decided to veto a supplemental appropriations bill on the grounds that it exceeded his budget request—despite the fact that it contained funds which Reagan had himself requested for his Caribbean Basin Initiative and despite the fact that it contained funds for Conte's low-income energy assistance program and student aid.

"I'm going to veto it, Sil," Reagan said. "I hope I can count on your vote."

"Well, you can't!" roared Conte. "Veto the damn bill if you want, but I'll fight you every step of the way."

The House overrode the veto—with Republican Silvio Conte leading the charge against an enormously popular president of his own party.

Some people said that vote stopped the Reagan Revolution in its tracks. I don't know about that. I do know that the story demonstrates how much this institution and this nation are going to miss Silvio Conte: as a politician, as a leader, as a man. . . .

AS A POLITICIAN

Silvio Conte was a politician who defied political labels. A Republican, he voted against Presidents Nixon, Ford, Reagan, and Bush more consistently than any other member of his party.

As a freshman Congressman, he attacked President Eisenhower's attempts to impose an oil import fee. On most social issues, he was a wild-eyed liberal, but he could become a raging conservative when he felt that federal funds were being wasted. Once, he wore a pig mask on the floor to protest "pork barrel" spending; I was assigned the task of purchasing the pig mask.

During the six years that I worked for him, he taught me much about politics. In 1985, I tried to get him to vote for an enormously controversial amendment that was destined for failure but that I felt was "good policy."

I showed him a speech I had written for him; he looked at me and said, "You can't get in trouble for what you don't say." The amendment went down by voice vote, as he knew it would. "I don't know what I'd do without this staff of mine," he bellowed, his voice dripping with sarcasm. "I'd be lost without 'em."

He was right, of course. Staff is staff and Members are Members, and the most important political lesson I learned from Conte was that it's best to let the politicians make the political decisions.

In 1987, Speaker Wright got a lot of credit for challenging President Reagan with a plant-closing notification bill. The political groupies must have gotten endless hours of enjoyable cocktail hour chatter over the Speaker's successful attempt to pass the bill.

What the groupies ignored was that two years earlier, Conte had authored an identical bill, which was defeated on the floor—and many of the same Members who voted against Conte's bill were now loudly trumpeting their support for Speaker Wright.

Conte understood what was happening. He understood politics and political necessity as well as anyone I've ever known. He loved politics as it was, with all of its imperfections, and had little patience with the good government crowd and political scientists who would perfect something that wasn't really meant to be perfected—understood, indeed, that politics isn't a science at all; it's an art.

AS A LEADER

When he had to, he could rise above politics. He recognized, for example, that so much of the Gramm-Rudman-Hollings law was craven posturing. Even though the law carried big political benefits for its supporters, Conte became the only Republican to join the ultimately successful suit to have the original act declared unconstitutional. After Congress "fixed" the constitutional infirmity, Conte still voted against it.

In the early 1980s, before any politician would dare mention the name of a disease that was killing homosexuals and drug addicts, Conte and Rep. Bill Natcher (D-Ky) wrote the first appropriation for AIDS research.

There was no political advantage in that amendment. Conte simply understood intuitively that sometimes, if you vote with your heart, heads will surely follow.

AS A MAN

In some respects, his funeral was an uplifting experience; each eulogist spoke of Mr. Conte's enjoyment of living.

Referring to Jack Kennedy, President Reagan once said "he seemed to grasp from the beginning that life is one fast-moving train and that you have to jump aboard and hold on to your hat and relish the sweep of the wind as it rushes by. You have to enjoy the journey; it's unthankful not to." Those words, too, so well described Silvio Conte.

As a poor boy in Pittsfield, Mass., he stole coal from the train tracks near his home to heat the family's house. He went through the vocational program at Pittsfield High School, but then went to college and law school on the GI bill. He was an immigrant's son and factory worker who rose to become one of the most powerful men in America. He was a living, shining testament to the American dream.

For all that he became, he never took himself too seriously and loved to make fun of those who did.

Wearing one of his mismatched suits in the office, he bellowed: "Thirty bucks for this suit! Can you believe it?" Barbara Bush once informed him that quail should be eaten with a fork at a State dinner, not one's hands.

He could meet with the President on a Saturday at Camp David and within an hour, be instructing me on the proper way to garden his tomato plants: "You've got to get those weeds by the roots!"

In 1985, Conte, Speaker Tip O'Neal (D-Mass), Ways and Means Chairman Dan Rostenkowski (D-Ill), and Minority Leader Bob Michel (R-Ill) comprised the first Congressional delegation to meet with General Secretary Gorbachev.

I watched Conte's house and dogs while he was overseas, and when he returned he didn't think too much of my questions about the new Soviet leader. He was far more interested in learning how his dogs were.

In a New York Times interview in 1985, he said that the problem with Congress was the Members and staffers who took themselves too seriously. "These people," he said, "miss the fun of it all."

And I think that's how I'll always remember him: never missing "the fun of it all."

Mr. Conte, it was an honor and a joy to be your employee and your friend. You used your talents well to build a better world for all of mankind.

Mr. FASCELL. Mr. Speaker, I rise to pay tribute to our late colleague and dear friend, SILVIO CONTE. We were not only fortunate to have known and worked with this special person, we were blessed to have had the opportunity. He practiced personal politics, but he never made politics personal. He took his work very seriously, but he never took himself seriously.

You always looked forward to your next conversation with him because he was so full of life and good will. He literally celebrated it each day. Today, we are celebrating the life of a good friend and distinguished public servant. I remember he once described an appropriations bill that he believed contained no thorns, just beautiful roses. SILVIO CONTE was beautiful roses. He was my friend and helped me in many ways during his legislative career. I shall always be grateful for his sensitivity and his help.

Three of SILVIO's many loves were legislating, gardening, and the Boston Red Sox. Early in each year, SILVIO's thoughts were focused on addressing the problems of our Nation, growing the biggest tomatoes possible, and bringing the Red Sox to that elusive World Series title. SILVIO was responsible for some great legislation; he also grew some great tomatoes; but the one thing he could not control, the Red Sox, never came through for him. If you asked SILVIO, the legislation could have been better, the tomatoes could have been better, and the Red Sox could have been better. As the warm weather gave way to the cold weather, SILVIO was always thinking about next year and what it would bring.

He attacked pork projects with the best of them, while ensuring that his district and his State got its fair share which, according to former Speaker Tip O'Neill, was about 50 percent. It would, however, be inaccurate to imply that his district and Massachusetts were the only beneficiaries of his years of service. His commitment to programs to help working and middle-class Americans made a difference all over the Nation; his commitment to promoting our values via foreign policy made a difference abroad; and his willingness to serve as a mediator of disputes in the Congress made a difference to this institution.

As manager of the Republican congressional baseball team, he compiled a 17–7–1

record, but, as tough as he was on the ball field, we know he was even tougher around here. We all looked forward to SILVIO's speeches; very few looked foward to being his opponent. SILVIO never set out to embarrass anyone during a debate; he just set out to win on the merits of his argument and strength of his cause. Whether it was to improve the opportunities available for young people or to reduce subsidies to farmers, he would attack the opposition with humor and the fire of his convictions. He was not afraid to make a joke, but he always let you know that he was serious about what he believed in.

He would, at the tensest moment of a debate, loosen people up with a poem, a prop or a quip, but he always added substance to the proceedings. In the days and months to come, we will face some very difficult decisions and we will miss SILVIO for his ability to put things in perspective.

I feel fortunate to have served with SILVIO CONTE for so many years. I was blessed to have him as a friend and will miss him. Jeanne-Marie and I extend our sympathy to his wife, Corinne, and his family.

Mr. SPENCE. Mr. Speaker, there are many ways to commemorate the wonderful, active life of our dear friend, SIL CONTE, but in looking back on my association with him, I like to think of a comparison with Theodore Roosevelt. I say this because in many respects the two of them had remarkably similar lives. Both enjoyed the outdoors and fought tenaciously for the preservation of our Nation's natural resources. In fact, SIL was never happier than when he was fishing or duck hunting. This too, as we know from our American history, Teddy Roosevelt, like SIL CONTE, was often at odds with his own political party. But SIL CONTE's maverick stands only endeared him to his constituency, which returned him to this body like clockwork every 2 years.

Mr. Speaker, it was my great pleasure to play in a few of the congressional baseball games under the Republican banner with SIL CONTE as manager. While Republicans were in a minority the entire time that SIL served in the House, he still achieved an enviable wonlost record against our Democrat colleagues. In fact, I'm convinced that SIL CONTE would have made an outstanding major league baseball manager had he chosen this line of work. He knew the game of baseball like few others, and I only wish that his beloved Boston Red Sox could have won a World Series during his lifetime. As many of us know, this was one of his fondest dreams. But SIL was always philosophical about the Red Sox and besides, he had the Boston Celtics and their great records as consolation. Along these lines I fondly remember a tremendous reception that SIL and some other Members of the Massachusetts congressional delegation put on for the great Boston Red Sox player, Carl Yastrzemski, several years ago. For SIL the whole event was nothing short of heaven itself.

Mr. Speaker, as we all know, SIL had an incredible sense of humor which sometimes would take some getting used to. In truth, he could ruffle some feathers, and not necessarily the feathers from his long association and involvement with Ducks Unlimited. Many of us remember some of his tirades right here on the House floor, but he was a man without guile or one to hold a grudge. He fought for what he believed, and after the fight he was the first to extend the hand of friendship to an adversary. The world needs more people with this wonderful trait.

I am going to miss SIL CONTE terribly. He had a flair and enthusiasm rarely seen these days. He truly left his mark on this institution, and indeed, on the entire Nation. His stentorian voice still rings and reverberates in the Halls of Congress like another New Englander of old, Daniel Webster. His attire, especially some of his sportcoats and ties will never be duplicated. In summation, he was an individual to the core, and his individuality endeared him to us all. Thank God for such individuals, because they made this country the greatest nation on earth. To his dear wife, Corinne, and their four children I extend my deepest sympathy on their great loss, a loss which is felt by countless numbers of Americans.

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to the memory of a great man who was a champion for education, the environment and the poor and who above all other things was a great friend.

The Honorable SILVIO O. CONTE has left a legacy that will be hard to match by any person, Republican or Democrat. He was a man who chose to look to his conscience when making decisions and setting his agenda, rather than riding the political tides of Congress. Both the Republicans and Democrats in his First District of Massachusetts recognized his nonpartisan nature. CONTE served for more than 30 years in a overwhelmingly Democratic district and on three occasions he was nominated by both parties for reelection.

He devoted his life to public service and to the people of Massachusetts. The dean of the States delegation, he began his political career in the statehouse, but it wasn't long before he moved to Washington and a seat in the House of Representatives. CONTE, as one of the most respected members of this body, moved up through the ranks and since 1979 served as ranking minority member of the powerful House Appropriations Committee.

CONTE never hesitated to use his power and influence to help the powerless people of society. As the son of immigrants, he knew firsthand the doors that could be opened through education. Having attained his college degree with the help of the GI bill, he fought to ensure the same opportunity for others. CONTE played a major role in preserving Pell and SEOG grant programs. He also established the Silvio O. Conte Foundation, that sends deserving and qualified students of limited means, from his district, to college. CONTE has been heralded as the "education congressman" by President George Bush and he received 26 honorary degrees and six presidential medals from colleges and universities for his work in higher education.

CONTE was also known for his outspoken support of home heating assistance programs. Last fall, as a member of the Budget Summit, he singlehandedly fought off efforts to impose a tax on home heating oil. CONTE was one of the original architects of the low income home energy assistance program in the late 1970's. He also successfully fought proposals to add an oil import fee, a fight he has waged since coming to Congress in 1959.

His concern for victims of oppression here and abroad was one of the cornerstones of CONTE'S personality. From the day he took part in the march on Selma, AL, with Dr. Martin Luther King to his work on the emergency aid package for Ethiopia in 1985, and most recently with his championship of AIDS research, he has followed his conscience with concrete actions.

CONTE, once again took what I feel was a enormously courageous stand by voting to give sanctions a chance to solve the current crisis in the Middle East. He once again displayed his commitment to putting his conscience above other considerations, when making decisions that could effect the lives of others.

Despite the serious nature of the causes he advocated, he always managed to bring humor and a fresh perspective to the debate. CONTE was known for his ability to shake the rafters with the stridency of his rhetoric in offering an amendment, and he had the ability to use humorous poetry or even wild stunts to make a point. His reputation for being an enjoyable effective speaker caused many Members of Congress and most of my staff to pause whenever he took the well.

For 25 years, until 1988, CONTE coached the Republican Congressional baseball team, which plays an annual game to raise funds for charity. Many members, including myself, looked forward to his colorful recap of the game the following day on the House floor. In the tradition of the "Casey At The Bat", CONTE helped us relive those moments of great athletic triumph and defeat, in a new light.

Doubles to the left of them
Singles to the right of them
Triples far behind them
Volleyed and careened
Bonior's bat could feel the heat

Russo's strength was in his feet
With great pop flies by Alan Wheat
Dems, they sought the victory
From the mighty team
It would have to be hard won
From the great fourteen

How could their great glory fade?
O, the errors that they made
A tie was unforeseen
Honor true the charge they made
Honor true our Might Brigade
Noble, great fourteen

Representative SILVIO O. CONTE.
JULY 28, 1983.

The glory of SILVIO O. CONTE will never fade in the halls and meeting rooms of this institution because his honor is unquestionable and his friends and adversaries all agree that he was indeed a noble soul.

Mr. GILMAN. Mr. Speaker, I am saddened to join with our colleagues in paying tribute to an outstanding legislator and a fine friend. Although we have all participated in these tributes to our fallen colleagues before, rarely has such a pall of sadness fallen over this Chamber. SILVIO CONTE was taken from us all too prematurely. The niche he carved for himself in this body was so unique due to his lust for life that it is almost inconceivable to realize he is gone.

SILVIO CONTE was a product of western Massachusetts, the land in which he was born and which he loved his entire life. Born and raised in Pittsfield, SIL CONTE called that his-

toric New England town his home for his entire life. After distinguished service with the Seabees in the South Pacific during World War II, SIL returned to his home state of Massachusetts to attend Boston College. He was first elected to the Massachusetts State Senate at the age of 29. From that early age on, SIL worked hard to serve his constituency well. He was a dedicated legislator who was moved up to Congress by the electorate in 1958.

Those of us who served in the House at any time during SIL CONTE's 33 year tenure were touched by the humanity of the man. He was a genuinely caring individual, who was not afraid to speak out out against perceived injustices and in favor of legislation to benefit the people.

SIL CONTE was ranking Republican on the House Appropriations Committee. In that position, he wielded unusual power. But SIL was unique in that he was not interested in power for power's sake. He always lent an ear to any of us who had a cause to espouse, and all of us on both sides of the aisle knew he would be fair and thorough.

Mr. Speaker, those of us who represent the mid-Hudson valley of New York considered SILVIO CONTE an honorary Member of our congressional caucus, because he always represented that portion of Massachusetts that borders New York State. Representing a constituency that came to within a few miles of the Hudson River, SIL shared many of our same concerns and goals. In working with him, we found that State boundaries meant as little to SIL CONTE as did political differences.

And yet we in this Chamber all knew that SIL CONTE would be the first to stand up to what he thought was wrong. Who can ever forget the incident in 1983 when Congressman CONTE wore a "Miss Piggy" mask to a press conference to call attention to what he considered to be pork-barrel spending.

And who can ever forget the time a controversial appropriations bill included large increases from some of Representative CONTE's favorite causes: Increased maternal and child health programs, increased research into the diseases that plague humankind, and funding to provide more opportunities for college educations for our young people? "I do not think there were any thorns here, just beautiful roses," SIL CONTE told us in this Chamber. He had such a colorful way of expressing those causes he espoused that all of us could not help but be attracted to his leadership.

SIL was a colorful character who added much to the House. He was our conscience and he was our inspiration. He will be sorely missed.

Mr. Speaker, I join with our colleagues in extending deepest sympathy to SIL's widow Corinne, to their four children, and to the constituents of Massachusett's First Congressional District, who all deeply feel this loss.

Mr. Speaker, I ask to have printed in the RECORD the excellent and inspiring eulogy delivered at SIL's funeral last week by Father William L. George, S.J., of Georgetown University:

HOMILY FOR CONGRESSMAN SILVIO O. CONTE

(By the Reverend Bill George, S.J.)

What is death? It is an insult—the stupidest, ugliest thing that can happen to a human being. Instinctively, a Christian's reaction is to deny it outright. Questions for all of us to consider:

(1) What does it mean for a human to die?

(2) What did it mean for Christ to die?

(3) What should it mean for a Christian like Sil Conte to die?

(1) Death is no mere flight of a ghost-like soul or just a biological event. Any animal—a cow, a chicken, a farm animal, are all to some degree somewhat replaceable. It, however—the death of a human being—is what Martin Buber called a tragedy for us all—an insult!

What was Silvio O. Conte? Autumn leaves; opera; music; venison; soup; soccer; pasta; football; Boston College; Alaska; salmon; Eastern Shore; Rochester; Texas; trips to China and the Holy Land; geese and ducks; the trout derby; the sounds and the smells of his Berkshires. His laugh—his touch!

Sil was not just someone, but this pulsating flame of a human being, a unique son of God; bursting, wanting to do it all! All of that died with him. Little wonder he did not want to die.

If you doubt that he was a son of the Berkshires, ask yourself: why did they don their white tux this morning?

(2) Ask yourself—what did it mean for Christ to die? Theologians are still trying to answer that one.

His death, too, was unique. He was the God-man. That meant that he suffered not less, but more, more brutally because he had a sensitivity no person could rival. He knew he would die, he had to die, he was ready to die, and he wanted to die. Jesus wanted to die because his redemptive mission wouldn't be accomplished unless he did. That is why at the Last Supper "He took bread * * * This is my body * * * which is to be given up for you." With his death, death would cease to be the enemy. On Calvary, death was given fresh new meaning. "I live and you will live" i.e,. I have life so that you will live.

When Jesus was consoling Martha at his friend Lazarus' death, she responded that she knew he would rise again on the last day. But Jesus corrected her; told her that "Whoever lives and believes in him shall never die".

(3) I have really, already, answered my third question—what should it mean for a christian to die? In death Christ can transform the person into the fullness of life. When Christ cried, "Father, into your hands I commend my spirit", it wasn't resignation to death, but a death-defying cry that "I have life". I perform my death, and choose life. Death is very personal, and those of us with Sil that last week and moments knew his will. He chose death—chose to go through death to life.

I am not saying that he was enthusiastic about death; no one is. But be ready: don't surrender, but give a Godly "thy will be done."

Sil Conte had many loves; the Church; his country (as manifested by his Seabee service during World War II); Congress (where he always did what was right, motivated by concern for the little guy and the underdog. Sil followed Jesus' teaching in Matthew: "I tell you that if you do these things for one of my least brothers, you have done it for me"); his many friends (including Presidents and the poor—Sil was never alone); and his family.

Sil Conte had a list of requirements for his best friends; (a) as good a shot as he was, he would not admit it; (b) all game was his; and (c) no bad language or business talk when hunting or fishing.

It was an honor and a joy to serve as your priest, Sil. You have kept the faith.

Enjoy the rewards of the good steward. You used your talents well for all of God's children.

Mr. ROYBAL. Mr. Speaker, I rise to honor our longtime friend and colleague, SILVIO CONTE, who passed away on February 8.

I have known SILVIO since I was elected to the House of Representatives in 1962. In the 28 years we served together, I have seen few members who were as universally admired by members of both parties as our colleague from Massachusetts. As his fellow member on the Labor-HHS-Education Subcommittee, I constantly saw him fight to protect funding for those he saw as the most disadvantaged in our society. Yet SILVIO was never shy in speaking out against programs he felt were wasting the taxpayers' dollars. We have all seen him on the House floor attacking programs he felt were unnecessary with an even-handed combination of humor and indignation.

Mr. Speaker, in his long tenure in Congress, SILVIO CONTE earned the respect and affection of his colleagues on both sides of the aisle. His fairness and sense of humor will be cherished and remembered fondly by all who served with him.

Mr. GALLEGLY. Mr. Speaker, I am proud to join today in honoring the memory of a great Member of this House, the late SIL CONTE.

I didn't have the privilege of working with SIL for nearly long enough, but I quickly came to respect and admire him for his beliefs, his love of life and his family, and his deep reverence for this institution.

SIL was a representative in the truest sense of the word. Although he didn't always see eye to eye with all his colleagues on our side of the aisle, SIL always remembered the people of the First District of Massachusetts, who overwhelmingly reelected him every year since he was first sent to Washington, DC, in 1958.

SIL CONTE always championed the programs and the causes dear to western Massachusetts, but he also looked out for the taxpayer with his ceaseless determination to root out government boondoggles and waste. And perhaps most importantly, SIL was always able to do so with a charm and wit that is too often lacking in this Chamber. As has been said of him, SIL always took his work seriously, but he never took himself seriously.

Both as a champion baseball player and as an impromptu poet, SIL could ease tensions and build fellowship during hectic periods. So in the spirit of SIL, I'd like to offer the following rhyme:

I think we shall never see
Another Member like Sil Conte.
His suits at time were a bit off-base,
But his heart was always in the right place.

God bless you, SIL, and thank you for enriching us for so long. You will be missed.

Mr. CRANE. Mr. Speaker, this Chamber will forever be a bit dimmer now that we have lost the glow of the wit and the light of the smile of friendship of our colleague, SIL CONTE. I consider myself fortunate to have known this wonderful friend for over 20 years of the more than 30 years he served here in the House of Representatives.

Citizens of the First Congressional District of Massachusetts may rest assured that he fought valiantly to represent them.

And he wore his power with graciousness as he served as the ranking Republican member of the House Appropriations Committee. At the same time, he did his best while holding down this powerful post to lead fights against pork barrel projects even when it meant confronting friends.

As was his style, he would combine humor with seriousness in his struggle against "pork." We will long remember his wonderful moment when he wore his "Miss Piggy" mask to portray the waste of taxpayer dollars for certain government projects.

SIL carried his good will and cheer under a baseball cap as well as here in the Chamber. He was known to all as the leader for so many years of the Republican House Members baseball team as he racked up an impressive winning record—aided very often by the pitching of his Illinois colleague and good friend, BOB MICHEL.

Before he took the oath as a Member of Congress, SIL had already served his country in the military. In World War II, he wore the uniform of a Seabee in the Southwest Pacific.

Few Members have been as well liked—and will be as long remembered by his colleagues—as SIL CONTE.

We wish to convey our sympathies to his lovely wife, Corinne, and his four children.

Mr. ORTON. Mr. Speaker, I was deeply saddened by the news of SILVIO CONTE's death.

I am a new Member of the House, and SILVIO was one of the most senior, but I have good reasons to know how great a loss this institution has suffered.

This winter, Congressman-elect of both parties were lectured to, briefed and counseled in the fundamentals of this—the world's greatest—legislative body. We met with leaders of the House, with scholars and experts—but the memory of this time I shall cherish most is the dinner hosted by SILVIO CONTE.

We were, of course all flattered to meet with one of the great figures of this House. But I was particularly struck by his tremendous warmth and wisdom, his great heart, and his keen sense of fairness and justice absent partisan consideration.

Although I spent a very short time here as SILVIO's colleague, I know we have lost a standard bearer for the kind of values to which we must aspire.

To many Members here, SIL CONTE was also a great friend. I am deeply sorry that I will miss that special opportunity.

Mr. Speaker, I want to extend my most sincere condolences to SILVIO's wife, Corinne, and to their children. They are in my prayers.

Mr. LEHMAN of Florida. Mr. Speaker, I rise to join our colleagues from Massachusetts in paying tribute to the late Hon. SILVIO O. CONTE, whose loss we all mourn.

Perhaps I should begin with an anecdote. In December 1972, shortly after my first election to the House, I went to Cape Canaveral to view a space shot. I was sitting in the bleachers waiting for the launch when I heard a voice behind me talking of a forthcoming hunting trip to Texas. The enthusiasm and vitality, the warmth of that voice stirred me so much that I turned around and said hello to SILVIO CONTE for the first time.

The zest for life that was so moving then remained a constant quality with SIL; even in the last days, even with bad reports, SIL still had a ready laugh and a joke, and his eyes still sparkled.

The word "unique" is badly overused these days, but perhaps we should retire it in memory of SILVIO CONTE—along with his baseball shirt. No House Member in my memory has combined hard work and seriousness of purpose with the humor that disarms and yields victories without enemies. What a guy!

Serving with SILVIO on the Transportation Subcommittee, on the full Appropriations Committee, and in the House itself has been a rare privilege. I will miss him, as we all will, and Joan and I send our warmest condolences to Corinne and the family.

Mr. SENSENBRENNER. Mr. Speaker, Henry Clay once said, "Of all the properties which belong to honorable men, not one is so highly prized as that of character." The House of Representatives recently lost one of its Members who truly personified character.

SILVIO CONTE admirably served the First District of Massachusetts for 32 years. In a time when many Members are ensnared in the trap of providing pork barrel projects to their constituency with no regard to the impact of this spending on the rest of the Nation, SILVIO demonstrated the delicate balance of the needs of his constituents in light of the needs of the Nation. In doing so, he received the respect and admiration of his colleagues and all those who crossed his path.

One of the characteristics I respected most about SILVIO was the principles to which he adhered. He never shied away from a fight and was never afraid to let us know when he objected to the business before the House. He was confrontational, but he was also a gentleman. One always left a fight admiring and respecting him more—whether you agreed with him or not.

I join my colleagues in expressing my sincere sorrow in the recent loss of our friend. He will be greatly missed, but certainly never forgotten by those who had the great privilege of serving with him.

Mr. GALLO. Mr. Speaker, I rise to express my deep sadness over the loss of one of the country's most loyal and honorable servants—SILVIO CONTE of Massachusetts.

For the 6 years I have been in Congress, I was fortunate to have served all those years with SIL CONTE, first on the Small Business Committee and then on the Appropriations Committee.

During that time, we shared a pride in our heritage, a love of the sport of baseball, and most important, we shared a strong belief in the value of working within the political process to get things done.

There was never a job, an issue, a person or a need that was too big or too small for SIL CONTE's full attention.

As the ranking Republican on the House Appropriations Committee, SIL was an ardent supporter of programs for the most needy people and for the priorities of the country as a whole. Whether it was funding for people who couldn't afford to heat their homes in the winter or participating in the budget summit, SIL gave it his all.

As a member on the Small Business Committee, SIL took time from his major work on appropriations to listen to the men and women working to keep America strong. If SIL felt that the voice of the working person wasn't being heard around here, he was sure to remind us.

SIL was as comfortable with Presidents as he was with the man or woman on the street—and he was respected and loved by both.

Mr. Speaker, I will miss SILVIO CONTE and this House just doesn't feel the same without him. But SIL set a standard for public service we won't forget—to always remember where we came from, never lose our devotion to what is important, and to keep our sense of humor even at the toughest times.

Mr. MAZZOLI. Mr. Speaker, I rise today to pay tribute to a former colleague and a dear friend, SILVIO "SIL" CONTE of Massachusetts, who died on February 8 after a courageous struggle.

It would be a gross understatement, Mr. Speaker, to say that SIL CONTE was one of the popular Members of this House of Representatives. He was a true "people" person as his constituents from the Berkshires of western Massachusetts will attest.

In fact, SIL CONTE represented Massachusetts' First Congressional District for over 30 years. As a Republican in a heavily Democratic Commonwealth, SIL CONTE earned the trust, respect, and admiration of his constituents as well as of his colleagues in Congress from both sides of the aisle. His commitment and sensitivity to social issues and the pursuit of a better life for all Americans were the guiding stars of his long and productive career.

SIL CONTE was a first-generation American. His parents were immigrants from Italy who settled in Pittsfield, MA, where SIL was born and attended school.

SIL served with the Seabees during World War II in the Pacific theater. At war's end, SIL returned to Massachusetts where he earned his law degree from Boston College.

SIL CONTE'S life in public service began in 1951 when he was elected to the Massachusetts State Senate. He served in the Senate until 1958 when he ran successfully for the U.S. House of Representatives. At the time of his unfortunate death, SIL was the third most senior House Republican, and the ranking member of the Appropriations Committee.

On the personal side, SIL CONTE would always inject life, humor and verve into committee hearings and floor debate. SIL was also a rabid baseball fan, donning the colors of his beloved Boston Red Sox when the Republican Congressional baseball team took the field for its annual outing against congressional Democrats.

Mr. Speaker, SILVIO CONTE was one of the most esteemed Members of the House of Representatives. He will be deeply missed by me, the people of western Massachusetts, the Congress, and by all Americans. I extend my sympathies and condolences to his family and friends.

Mr. WOLF. Mr. Speaker, I join my colleagues today in paying tribute to our friend and colleague, SILVIO CONTE, and want to thank Chairman WHITTEN, Chairman MOAKLEY, and Minority Leader MICHEL for organizing these special orders to give us the opportunity

to share some of our memories of the late SIL CONTE.

SIL CONTE was a character. He loved life. He loved to make us laugh. It's been said that while he took his service of 32 years as the representative of Massachusetts' First District very seriously, he never took himself seriously. He could see the humorous side of life. Whether it was reciting one of his famous poems authored for those special occasions when his beloved Red Sox or Republican baseball teams were victorious, or wearing a pig snout to make a point about pork barrel spending, or showing off his taste in clothes with those plaid sportcoats, or driving proudly around town in "the Judge," that car he loved so much, he made us smile. And in so doing SIL CONTE showed us that we, too, could take ourselves a little less seriously, see the lighter side of life, and still effectively represent our constituents.

SIL CONTE also was a loyal friend and family man. He stood true to his friends and loved his family. He was a proud husband, father and grandfather and took time to nurture his family relationships and his friendships. The overflowing crowds at his annual birthday parties attest to the many people whose lives he touched and who could call him a friend.

He also was a man of contrasts. He could bellow with indignation on the House floor at the lack of funding for programs to assist low-income families pay their fuel bills, fight with compassion for programs to help the poor women and children of this Nation as ranking member of the Labor, HHS Appropriations Subcommittee, take on a President of his own party when he believed the cause was just, and then spend hours tending to his vegetable and flower gardens.

I was proud to serve with SIL CONTE on the Appropriations Committee. He had a rare political genius that commanded respect across the aisle and when he gave his word, he was always true to it.

There have been men and women of greatness who have stood above the crowd as they passed through this House in the more than 200 years of its existence. SIL CONTE was one of those. A rare man, a legend in this Congress whose service here will not soon be forgotten or duplicated.

My sympathy goes to his wife Corinne, with whom he shared a deep and abiding love for over 40 years, and to his four children and his grandchildren. We share in their profound loss.

Mr. OWENS of New York. Mr. Speaker, I join my colleagues in paying tribute to the great contributions our late colleague Representative SILVIO CONTE made to this body and this Nation.

Though we belonged to different political parties, it was not unusual for us to find ourselves on the same side in many legislative battles, particularly on issues of social justice, health care, services for children, and education. Representative CONTE distinguished himself throughout his many years of service in this body as a plain-spoken, effective advocate for investing fully and adequately in the much-neglected social infrastructure of our Nation. His loss will be deeply felt.

As the first librarian elected to Congress, I wanted to highlight, in particular, Representative CONTE's important work in supporting the Nation's libraries. His active and consistent support of the Library Services and Construction Act at a time when it was under attack by the Reagan administration was critical to preserving this essential Federal investment in libraries and lifetime learning.

Ms. Eileen Cooke, the director of the American Library Association Washington office, paid special homage to this great friend of libraries in a recent letter to me. I commend her comments to my colleagues:

AMERICAN LIBRARY ASSOCIATION,
Washington, DC, February 25, 1991.

Hon. MAJOR R. OWENS,
Room 114, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE OWENS: I understand there will soon be a special order in the House during which Members of Congress will pay their respects to the late Rep. Silvio Conte. As a good friend of libraries, as an Honorary Member of the American Library Association, and as the only librarian in Congress, I would like to ask you to insert this letter in the CONGRESSIONAL RECORD as a tribute to Rep. Conte.

The Honorable Silvio Conte, Republican Member of Congress from the 1st district of Massachusetts for 32 years, was a longtime supporter of libraries. As a child of immigrant parents, and a typically American success story himself, he recognized and saluted the library as an essential part of our educational system and a community self-help institution.

As the ranking minority member of the House Appropriations Committee, as well as of its Labor, Health and Human Services, and Education Appropriations Subcommittee, he recognized the federal role in stimulating the improvement of library services in the United States.

With good-natured determination, he was instrumental in keeping the federal role alive through years of zero budgets requests for library programs. His most recent success was to initiate and shepherd through in FY 1991 the first time funding for the Library Services and Construction Act title V program under which public libraries receive assistance to acquire materials in foreign languages.

Rep. Conte's support for libraries was widely known. He had received special recognition from the Massachusetts Library Association, and he was scheduled to receive an award in April from the Friends of Libraries, U.S.A.

ALA will remember Rep. Conte with true affection and appreciation, and views his passing with sorrow. We enjoyed working with Rep. Conte and his staff. He was so full of life that it's impossible to think of him without smiling. I'm sure he would want it that way.

Thank you for bringing this letter to the attention of your colleagues.

Sincerely,

EILEEN D. COOKE,
Director, ALA Washington Office.

Mr. VANDER JAGT. Mr. Speaker, it is with profound sadness that I join with my colleagues today in saying goodbye to our dear friend, SILVIO O. CONTE, a courageous leader, whose outstanding public service will long be remembered by his many friends and admirers in the U.S. Congress and throughout this country.

This body is only as great as its individual contributors and in SILVIO CONTE, we found a most valuable asset, a man worthy of respect and admiration, a man who inspired us all in his dedication to his fellowman and the public good. His service meant a great deal to all of us, and most particularly to the people who knew him best, the people of the First District of Massachusetts. Simply put, he did a tremendous job. And he did that job with renowned wit and good humor.

While others held back, SILVIO was quick to stand up against waste and unnecessary spending, underlining, oftentimes in humor to vividly bring home his point, that each taxpayer's dollar was valuable and that he intended our Government to be held accountable for each and every expenditure. He was a constant source of inspiration to those of us determined to bring spending under control, and his leadership will be missed.

Mr. Speaker, I join with all my colleagues today in sending our most profound condolences to Corinne Conte and the entire Conte family. Thank you for sharing this very special man with us and the American people. His distinguished public service is worthy of our utmost respect and recognition. I shall always remember him and I shall always be so grateful that our paths crossed. He and his work, his personality, his character made me a better individual and a better Member. By far one of SIL'S greatest attributes was that he never forgot from whence he came. He possessed and exercised the finest and most basic family values. I am honored and proud to have known him.

Mr. YATRON. Mr. Speaker, several weeks ago, the Congress and the Nation lost one of our greatest leaders with the passing of SILVIO CONTE. Mr. CONTE'S career as a public servant spanned a period of 40 years, and his tireless and selfless efforts in serving the Nation are an inspiration to us all.

It is said that altruism is a gift that exists in each and every one of us. However, this gift is fully developed in only a few among us. I believe that SILVIO CONTE personified the ideal of altruism and his lifetime of public service has established a standard by which all others will be measured. I will always remember SILVIO CONTE'S impassioned pleas on behalf of those in need. Indeed, his unrelenting efforts have made the lives of many better and brighter. In addition, while upholding his responsibilities with such devotion and seriousness, SILVIO CONTE also managed to bring to the House a rare ability to alleviate bipartisan tension through a unique sense of humor and wit.

It is with a heavy heart that I bid farewell to my distinguished colleague from Massachusetts, and with admiration and respect that I reflect on SILVIO CONTE and his many accomplishments. SILVIO CONTE'S presence will be greatly missed, but his memory will long be remembered.

Mr. FORD of Michigan. I join today with every Member of the House of Representatives in mourning the loss of our distinguished colleague, SILVIO O. CONTE. With his passing, the Congress and the Nation have lost a dedicated and effective legislator who cared deeply about his country and who spent his entire adult life in service to it.

The son of Italian immigrants, SILVIO CONTE grew up in a working class neighborhood in

Pittsfield, MA. He served in the Navy during the Second World War and later attended law school on the GI bill.

While serving in the Massachusetts State senate, SILVIO authored the first ever law to extend health insurance to State and municipal employees. When he was elected to the U.S. House of Representatives in 1958, he continued to dedicate himself to the advancement of those without political or economic influence, and later used his position as ranking minority member of the Appropriations Committee toward this end.

Despite the powerful position to which he rose, SILVIO CONTE never forgot his working class roots. From the earliest days of his four decades in public service, he was a staunch champion of the average man and woman. It was no wonder then, that SILVIO was the first Republican to support the plant closing bill. He not only cosponsored it, he came to me and offered to help write it. No one was prouder when the bill finally became law in 1988.

SILVIO CONTE'S courage and compassion was respected on both sides of the aisle and both sides of the Capitol. His brave opposition to the Vietnam war and the bombing of Cambodia, his dedication to health care, education, and fiscal restraint, are a lasting credit to this institution. Commitment to the ideals he believed in, very often in the face of great opposition, were the hallmark of SILVIO CONTE.

Most of all, SILVIO CONTE was dedicated to the art of legislative compromise. A fierce partisan, Congressman CONTE never allowed his pride in his party to stand in the way of progress for his constituents and his cause. Whether it was bringing together regional differences over a measure to provide fuel assistance to the poor, or authoring compromise language on a controversial abortion bill, SILVIO CONTE never lost sight of the needs and attitudes of the people of the First District of Massachusetts.

SILVIO CONTE was a man of remarkable warmth and personality. Rarely has a Representative been as beloved by all Members, North and South, Republican and Democrat, conservative and liberal, alike. The force of his presence, the passion and wit of his debate, his penchant for poetry and love of baseball made him an irresistible character whose mark on this institution will not soon be forgotten. Over our many years in the House together, when the hectic legislative schedule permitted, I was fortunate to spend some time hunting, fishing, and playing golf with SILVIO CONTE. It was through these informal encounters that we were able to build a friendship that I will always view with fond memories.

Many Members have a favorite SILVIO CONTE story which highlights his incredible sense of humor of fiery oratory. Some will recall his Miss Piggy mask, his battle over bees and subsidies for nuts, or his now-famous pantomime speech from the well of the House, but my favorite SILVIO CONTE anecdote reveals a man whose dedication and caring knew no limit or party affiliation. Once, when confronted with a difficult vote on a controversial appropriations bill aimed at helping the homeless, SILVIO was seen heatedly discussing the measure on the telephone with White House officials. After slamming down the receiver, SILVIO announced, "The administration is opposed. But I wasn't listening too carefully and I might have gotten it wrong." With a laugh he walked out and voted for the appropriation.

Mr. Speaker, SILVIO CONTE was an outstanding individual and an able legislator. I am thankful for this opportunity to pay tribute to a man whom I am proud to have called a friend and colleague. I and the entire Congress will remember many things about SILVIO CONTE, but above all, Mr. Speaker, his warmth and caring will be what I remember—and miss—the most.

Mr. HORTON. Mr. Speaker, today, I join my colleagues in the House in paying tribute to SILVIO CONTE, a man who is one of the greatest Americans ever to serve in Congress. There is just so much I could say about SIL, my good friend, that it's hard to know where to begin. But let me say this—Speaker O'Neill was right the other day when he said that sadness is not what comes to mind when you think of SIL CONTE. SIL had the rare ability to make any room he entered bustle. Always with a flair for the dramatic and the flamboyant, SIL's antics are legendary to all who knew him. None of us will ever forget his wearing a pig mask to protest pork-barrel politics or his whimsical quips about the size of the congressional garage staff and the Capitol Hill Police Force.

As jovial and merry as SIL could be and as much fun as he clearly derived from serving in Congress, SIL was equally dedicated and firm in his convictions when it came to fulfilling his role as a representative of the people. SIL's politics are every bit as legendary as was his humor and good natured personality.

As the ranking Republican on the Appropriation Subcommittee on Labor Health and Human Services, and Education, there have been few Members of Congress as committed to health and social-service programs as SILVIO CONTE. His dedication to the ideals of social responsibility were so great, in fact, that he gave up his seniority on other subcommittees to simply get on the Labor, HHS, and Education Subcommittee in 1971. And as the ranking Republican on the Appropriations Committee, SIL often assumed the role of the compromiser—balancing the interests of Massachusetts's First District as well as the interests of the United States with increasing budgetary constraints.

One program on which SIL and I closely worked was the development of the National Technical Institute for the Deaf, 1 of 9 colleges of the Rochester Institute for Technology. SIL was a constant supporter of NTID and its mission to offer deaf students education in the setting of a larger postsecondary institution for hearing students. He played a chief role in establishing the Micro Electronic Engineering Center, the only undergraduate program of its type in the Nation. SIL also was instrumental in developing the Imaging Science Center at RIT, the only institution of higher education in America that offers a Ph.D. in imaging science. For his dedication to the enhancement of education for hearing impaired students, RIT awarded SIL an honorary doctorate in 1989. The thousands of successful deaf businessmen, engineers, and other professionals who receive their education at RIT and NTID will serve as a living memorial to the convictions and compassion of SILVIO CONTE.

But what stands out above all of SIL's legislative achievements—and this is not to minimize his achievements, as during my 29 years in Congress, I have known few Members who took their job as seriously as SIL did—was SIL's wonderful personality. I can recall, just a few weeks before his death and shortly before he was to go to Canada for treatment, a large group of us were riding a crowded subway to the Capitol when I spotted SIL standing alone waiting for the subway. I was glad to see SIL looking well and, as we all know, SIL had the type of personality that makes you want to do this type of thing. As I said, the train was crowded, so I was standing, and I called over to him, "SILVIO!" And then I simply began to applaud my longtime friend. And, of course, SIL waved and shouted back, and before I knew it, the whole train of Members were standing and applauding SIL as he waited for the subway. There are few men or women who have ever served in Congress that could have that type of effect on their colleagues—SILVIO CONTE was one of those very rare individuals.

My wife Nancy and I would like to express our condolences to SIL's wife Corinne, his four children, and his family. Our heartfelt thoughts and prayers are with you all.

The death of a man of the stature of SILVIO CONTE, who combined political convictions, a sense of social responsibility, and an ebullient personality is a tremendous loss for the people of Massachusetts' First District, the State of Massachusetts, and the United States. I know we will all miss SIL, his cart with its flags waving, his poems, his cigar, and his sense of humor. And we will also miss his leadership, which is irreplaceable. I am quite confident that when the political history of our era is written, SILVIO CONTE will go down as one of the greatest representatives of the people. He will be missed.

Mr. HUTTO. Mr. Speaker, I rise today to remember and pay tribute to my friend, colleague, and fellow public servant, SILVIO CONTE. Those of us who have come to know SILVIO CONTE during the years, know that SILVO would like to be remembered as a representative of the people; accessible and driven to making life better for the people of his district and Nation. A noble man, a statesman, who with his passion and humor, constantly reminded his colleagues that we are accountable to our Nation's citizens and that we are here to serve them. Who can forget the times when he came to this very podium and vigorously fought to either support or object to programs based on what he thought was the best interest of the Nation.

Yes, SILVIO was a fighter. He fought because he was a man of conviction. A man who rejected the trappings of public office. A man who remembered his Italian-American roots in Pittsfield, MA. A man who was convinced that he could make a positive contribution to our Nation. And let the record show that he made incredible contributions to our Nation in his 32 years in Congress. Certainly, as the ranking minority member of the House Appropriations Committee, his fingerprints were on many of the important social programs funded by Congress. But SILVIO was much more than a public servant. He was a

family man, and a man who had a deep faith in God. Also, SILVIO was a man of humor.

I still remember quite fondly the annual congressional baseball game that both SILVIO and I were involved in several years ago. It was September 1980 and I was a freshman in Congress, still adapting to my new environment and role in the House. I was playing first base when Pete McCloskey, a rather large ex-marine who was a Republican candidate for President in 1972, came to the plate. Pete hit this soft blooper down the first base line and I dashed in to catch the ball. I saw stars as Pete's knee caught my chin. The next thing I remember is SILVIO bent over me as I lay in pain on the field. It wasn't funny then, but it was the subject of much humor later. It was a broken jaw and I went through a campaign with my jaw wired shut. I won and SILVIO liked to joke that I had started a trend in national politics.

The House of Representatives will miss SILVIO tremendously. The people of Massachusetts will miss SILVIO. The Nation will miss SILVIO. Nancy and I want to extend our deepest sympathy to the Conte family. Our thoughts and prayers are with you during this time of great sorrow.

Mr. WELDON. Mr. Speaker, the passing of Representative SILVIO CONTE will leave a void in the Congress that will be impossible to fill. His urbanity, wit and dedication to the precepts of sound government combined to make him one of our Nation's respected leaders. We all mourn his loss.

In one way or another, he touched each of us. Not only as Members of Congress, but as citizens. He worked tirelessly to make America a better place to live. Every one of us could make a long list of his great contributions to this country. I would like to make special mention of two of them. These are not always the issues that make the front page of the paper or the evening news, but are vitally important.

A dedicated environmentalist, SIL CONTE used his position on the Appropriations Committee and the Migratory Bird Conservation Commission to protect environmental resources around the globe. From Antarctica to the United States National Wildlife Refuge System, his tireless work has led the preservation of some of the world's most important wildlife habitats.

I would be remiss if I failed to mention SILS' commitment to fire and life safety. As the ranking member of the Appropriations Committee, he helped oppose continual efforts to eliminate Federal fire programs. He worked with me on legislation to help reduce America's tragic record of fire loss. I know that the thousands of fire service professionals in western Massachusetts join us in honoring the legacy of a great man.

Above all, SILVIO CONTE was a man of compassion, warmth, and vision. His death has left a void in this Chamber which will be difficult to fill.

Mr. FISH. Mr. Speaker, I commend and thank the gentleman from Illinois [Mr. MICHEL] and the gentleman from Massachusetts [Mr. MOAKLEY] for organizing this special order.

America lost a national treasure when SILVIO O. CONTE of Massachusetts died February 8. For 32 years he graced this House serving his district and his country. I will remember his courage, his sense of humor, his compassion and his determination to improve the quality of life for all Americans. So highly regarded was this Republican by his predominantly Democratic constituents that they returned him to this body 16 times by large margins.

It would take days to name all of CONTE'S legislative achievements. Each year the appropriations for the Departments of Labor, Health and Human Services, and Education reflected his priorities. A few individual measures stand out: Legislation to help the poor pay heating bills; sponsoring the first program to research AIDS; legislation to create AMTRAK to preserve passenger train travel. Whenever there was a battle to be fought on behalf of the least among us: The poor, the sick, the elderly, our youth or minorities, you could be sure SILVIO would be on the front lines leading the fight with obvious relish. Millions of our citizens who never knew this man owe much to his deep concern for them.

SILVIO CONTE followed his conscience. He was not afraid to challenge Presidents when he considered it necessary, including those from his own party. But he also knew when it was time to close ranks for the good of the country. He opposed the recent congressional resolution authorizing use of force in the Persian Gulf, but when it passed, he stated: "It is time for our Nation to unite. I am behind the President 100 percent from this day on."

We all have fond memories of SILVIO CONTE: His donning a pig mask on the House floor to denounce pork barrel spending; rallying his teammates as manager on the G.O.P. Congressional Baseball Team; and reading his own poetry in the well of this House. His every appearance in the House Chamber was electric; his enthusiasm infectious; his laughter disarming.

I remember him as a close friend, a principled colleague, often when to be principled meant being fearless. SILVIO O. CONTE ranks with those whom history will remember as congressional giants.

We, his colleagues, extend our deepest sympathy to SILVIO'S wife Corinne, his four children and six grandchildren. As we share their loss we thank them for sharing his life with us and with the Nation.

Mr. SCHULZE. Mr. Speaker, with strong emotion I rise today to pay tribute to my colleague and friend, SILVIO CONTE, who has passed on. We will miss him on the floor of the Congress. And I will miss him most remembering times when we spent many pleasant hours hunting and enjoying the outdoors. One can learn much about a person in those quiet hours in the woods, waiting. What I learned of SIL will always remain with me—he was a great man, a great orator, a great statesman, and public servant.

Most of you know SIL best here on the floor of Congress, where he was known for his strident rhetoric. Yes, SIL was strident, because he only fought for causes in which he believed strongly. SIL wasn't afraid to tackle a cause because it might result in controversy. SILVIO held his seat in Congress for 41 years, not because he read polls to decide how to vote, but because he voted his principles. And if SIL couldn't find legislation that met his ideals, he introduced it, and worked hard to see that it got passed.

SILVIO CONTE was a free spirit, as comfortable with poetry as he was with humor. He was as much at home on an athletic field as he was in the Halls of Congress. For 25 years, SIL coached such notables as George Bush and Jerry Ford in the art of baseball for the Republican Congressional Baseball Team. He brought that untamed energy with which we are all so familiar to the baseball diamond. He also merged his love of sports with his ideals through his support of the National Youth Sports Program. This program funds summer camps for minority and disadvantaged youth. SIL, along with President Ronald Reagan, selflessly promoted the program.

I believe all Americans have a special reverence for the children of immigrants who combine hard work with the many opportunities offered by this country to achieve success. SIL did that. He graduated from Pittsfield High School's vocational program, then went to work as a machinist at the local General Electric plant. After serving in the Seabees during World War II in the South Pacific, he used the GI bill to attend Boston College and its law school. Rather than take his degree into the world for monetary gain, SIL believed in giving back to this country in which he had been given so much. He said that his parents had instilled in him a fierce desire to contribute something of value to this great Nation. Through his service, in the military and in Congress, he gave back tenfold.

SILVIO CONTE was a familiar sight on the streets of Washington, driving his red convertible which his staffers called The Judge, wearing a straw hat and smoking those big cigars. He was one of a kind. He was one of the best. I am proud that SIL CONTE called me friend. He will be missed. His wife, Corinne, and four children can be proud to know how much SILVIO CONTE was beloved by his peers and constituents.

Mr. PANETTA. Mr. Speaker, I want to join my colleagues in paying tribute to a great and good man, SILVIO CONTE. I can't think of anyone whose loss could mean more to this institution and to the people who have the privilege of serving in it.

SILVIO CONTE had so many fine qualities as a human being and as a Member of Congress, it's hard to list them all.

I think I would start with his sense of loyalty. He was loyal to his family, loyal to his constituents, loyal to his party, and loyal to his President. I would add that he was fiercely loyal to this institution. He defended it from abuses of all kinds, as he saw them, whether by a President of either party, the Senate, the press, or Members, or leadership on either side of the aisle right here in this Chamber.

He recognized that, for all its faults, the House of Representatives is the first and last bastion of American democracy, and he protected it as though it were his child.

The second quality we all admired about SIL CONTE was his compassion. No one wanted to do more for the most vulnerable in our society—the sick, the needy, the elderly, and the children. He used his position on the Appropriations Committee to accomplish those goals, and he also used it to lash out against

what he considered wasteful spending that took needed funds away from those goals.

A third quality we all remember was his skill as a legislator. SILVIO CONTE was not shy about talking. But he was not just a talker, he followed through. He had strong ideas and loved his party, but he was no ideologue or mindless partisan. He worked with Members and worked with administrations to accomplish what he believed in. He was bipartisan when that was necessary and a tough partisan when that was required. And he usually got what he wanted.

Finally, you can't talk about SILVIO CONTE without talking about his sense of humor. No one else could make a serious point and have as much fun doing it. A Conte speech in full throttle was a sight to behold, and woe to his opponents, who were likely to be skewered by the wit that he wielded like a sword.

And of course, when the Congress was unable to do its work and found itself in session at all hours of the day and night, we could always count on a poem, often an epic, that cast a critical but affectionate light on our efforts.

It is hard to imagine the U.S. House of Representatives without this particular gentleman from Massachusetts. The place just is not the same without him. His personality was unique, his legislative role so significant.

Mr. Speaker, my wife Sylvia and I want to extend our sympathy to SIL's family. They have a lot to be proud of, and we hope their memories and the support they can count on here in his second home will carry them through this difficult time.

Mr. KENNEDY. Mr. Speaker, I am grateful for the opportunity to pay tribute to a fellow colleague from Massachusetts today.

Congressman SILVIO CONTE was a man who so elusively defied the labels that are so quickly branded on politicians. He gracefully walked the tightrope between liberalism and Republicanism, between partisan politics and independent thought, between social compassion and fiscal conservatism, between persuasive anger and disarming humor.

He was a true Lincoln Republican, standing for the poor and powerless—and being a fiscal conservative to boot. SILVIO fought his battles with a passion and a tenacity that all of us admired. His sympathies were with the little guy, not the big money interests.

How many poor families will be cold next winter because SIL is gone?

How many college students will remain at home next year because SIL is gone?

How many mothers' and childrens' health care will suffer because SIL is gone?

He was the conscience of the poor in the Republican Party. He was the backstop that all the injured of this country could make their last appeal to.

In short, SIL was there with a smile and a scream, with a kind touch and a compassionate soul. This institution will be a little less friendly, a little colder, without SIL's presence.

Mr. PORTER. Mr. Speaker, this Congress, the people of Massachusetts, and indeed all the people of our Nation lost one of America's most beloved elected officials when our friend and colleague SILVIO CONTE died earlier this month. His forceful presence and unique personality touched each of us, and we will miss him more than words can say.

SIL was one of the few Members of this body who can truly be called a legend. In an institution which we refer to as "the people's House," he was the very embodiment of the indomitable popular spirit which is so much a part of the American character. The huge gathering that attended his memorial service—nearly 1,200 people, including the Vice President, members of the cabinet, and over 100 current and former Members of Congress—is one indication of the high esteem in which he was held by everyone who was privileged to know and work with him.

There will be countless and eloquent tributes to SIL, and with good reason—he was widely admired and respected on both sides of the aisle. As someone who served with him, and under his leadership, on the House Appropriations Committee, I would like to add just a few thoughts about my friend and colleague and those things I appreciated most about him.

Throughout his long and distinguished career, SIL set standards for the rest of us to admire. He understood how to wield political power, yet never flaunted it; he held positions of prominence, yet never took himself too seriously. He always reminded us of why we were here. Whenever the House resorted to posturing and bombast, you could count on SIL's irreverent and engaging wit to challenge the nonsense and bring Members back to reality.

All of us who knew and worked with SIL will always cherish his warmth, his wonderful sense of humor, and the way he inspired us. His career is a touchstone for all those who dedicate themselves to responsive, caring government.

Mrs. MINK. Mr. Speaker, I would like to take a moment to remember Representative SILVIO O. CONTE, someone who was counted a respected colleague and loyal friend by virtually everyone who has ever served with him in this body. It is with great sorrow that we mourn the passing of a great and trusted friend, but with feelings of warmth and pleasure as we remember his kindness, jovial ways, and true dedication to the people he served, the U.S. House of Representatives, and the Nation.

I had the privilege to serve with SILVIO for 12 years in my previous tenure in Congress, and was excited to renew that friendship as I came back to the Congress last year. Though SILVIO served across the aisle from me, I can remember many a time, when we worked for the same side, working for the people of our districts, to make life better for them and their children. That is really what SILVIO was all about—giving of himself, his time and efforts to do what he truly believed what was right for our country.

There were many things I admired about SILVIO, but the thing that comes to mind most often, was his courage to stand up for what he believed and to put the needs and interest of his constituency above himself. Whether it was housing, education, health care or looking out for the needs of the poor, the elderly or the children of our Nation, SILVIO was there to champion their cause. Just earlier this year his courage and dedication was portrayed in his ability to stand up against his party and the President to vote against the Persian Gulf Resolution authorizing the use of force in the region.

In life there are many gifts, but none as meaningful as friendship. SILVIO, was the kind of person who could take this gift and spread it to all he met. I was lucky enough to receive his friendship, and it is a gift I will remember all of my life. This Nation has lost a great deal with SILVIO CONTE'S death, but it has gained so very much from his life. It is my great hope that his work will live on for many years to come.

Mr. STOKES. Mr. Speaker, I want to thank my colleague, the gentleman from Massachusetts, Mr. MOAKLEY, and the minority leader, Mr. MICHEL, for reserving this time to pay tribute to our colleague and good friend, SILVIO O. CONTE. We mourn the passing of SILVIO; the distinguished dean of the Massachusetts delegation, an outstanding legislator, and a committed and dedicated individual.

I am sure that everyone who has come to pay homage to our colleague feels a great sense of loss. There is a void in this House which will take a long time to fill. I will miss SILVIO CONTE. He was a man I admired; a man I respected; and a man I was proud to serve with in the Congress.

For over three decades, SILVIO O. CONTE represented the First Congressional District of Massachusetts in this body. He came to Congress in 1959, after winning a close election against a well known college professor, James McGregor Burns, who enjoyed the support of then-Senator John F. Kennedy. SILVIO won reelection time after time with ease, and he never had any serious opposition. He came to the House with 8 years experience in the Massachusetts State senate, where he distinguished himself on education, labor and budgetary issues.

When he arrived in Congress, Silvio secured a seat on the Appropriations Committee. He achieved the distinction of becoming the ranking minority member on the full committee, and the ranking minority member on the Labor-Health and Human Services-Education Subcommittee. In addition, he served as a member of the Transportation and Legislative Branch Subcommittees, and as an ex-officio member on the 10 remaining appropriations subcommittees.

Mr. Speaker, I was privileged to serve on the full Appropriations Committee and the Labor-Health and Human Services-Education Subcommittee with SILVIO O. CONTE. It was in this capacity that I came to know SIL; to respect him; and to admire him greatly.

SILVIO CONTE was an outspoken advocate of additional funding for higher education. He played an instrumental role in preserving the Pell Grant, TRIO an SEOG programs, and he was a strong supporter of programs ensuring educational opportunity for all.

Over the years, I had the opportunity to work closely with SIL on numerous special projects involving the education community. Just last year, he fought to increase funding for the supplemental educational grant program; expand funding for FIPSE; and add nearly $100 million in funding for the TRIO program to help disadvantaged students. Earlier this year, SIL introduced the Postsecondary Recognition, Innovation, Deregulation, and Excellence Act of 1991, or PRIDE. SIL was

proud to sponsor this important legislation which includes provisions aimed at boosting our Nation's TRIO programs. SILVIO was a special friend and with his passing, the education community has lost a great champion.

SILVIO was also a strong supporter of funding for health care initiatives. He supported medical research, mental health, and funding for the care of the handicapped.

Mr. Speaker, on February 13, nearly 100 Members of this body gathered in Pittsfield, MA, to attend the funeral Mass for SILVIO O. CONTE. This, however, is only fitting for our colleague whose popularity and magnetism won him countless friends on both sides of the aisle. His ability to garner friends and build coalitions on both sides of the aisle was his trademark—and a legacy to this body.

Mr. Speaker, the one aspect of SIL's character that will always stand out in my mind was his great courage. Just 1 week prior to his death he had revealed to his Republican colleagues that he was very ill. That evening, however, he hosted a reception for the new Mayor of Washington, DC, Sharon Pratt Dixon. On that evening you would have never known that he was ill. He was his same flamboyant, charismatic self, ever gracious and friendly. That was SIL, a special guy.

Mr. Speaker, I am proud to have counted among my friends and colleagues a man such as SILVIO O. CONTE. I will miss him greatly and I hope that it is some comfort to his wife, Corinne, and his family, that so many others in this Chamber share that emotion.

Mrs. MEYERS of Kansas. Mr. Speaker, I first met SIL CONTE long before I came to Congress. Back in 1976, we were both at the Republican Convention in Kansas City.

In our brief encounter that lasted only a few days that August 1976, I was impressed by this man's ability to bring about consensus. He was able to break tension and disagreement with his humor and common sense, moving everyone toward the common good.

It was hard, if not impossible, not to like SIL. His charm and humor were irrepressible, and that wonderful smile of his lit up the darkest of moods.

And he loved a wager just as much as the next guy or, in this particular case, woman. In my first year here, the Kansas City Royals were in the World Series. He did not think the Royals could pull it off. Well, this was one of the few times that SIL was wrong, and I got a nice lunch out of our wager.

We were all concerned about SIL's health during the last couple years, probably as much as he was. But he showed no self-pity. Instead, as he drove that cart with all those flags proudly waving, we all knew that SIL exhibited a spirit and courage that most of us can only dream about.

SIL had the gift for prose and eloquence. Whenever he was in this well, we all knew that we were going to be entertained with words of wisdom and wit. None of us will ever forget his gift for poetry when it came to pork barrel spending and the budget.

While I am sure SIL would like me to remember him in my own poetic way, I think it would be more fitting to remember him for the great man he was with the words of Henry Wadsworth Longfellow:

Were a star quenched on high,
For ages would its light,
Still travelling downward from the sky,
Shine on our mortal sight.

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies,
Upon the paths of men.

SIL, we will miss you and remember you always. Goodbye, dear friend.

Mrs. COLLINS of Illinois. Mr. Speaker, earlier this month, we lost a dear friend, distinguished colleague and true humanitarian when SILVIO CONTE passed away. It is not often that a Member of this body inspires both the sincere affection and admiration of colleagues on both sides of the aisle. But SIL CONTE was loved—and will be missed—because he cared more about people than politics. Not that his party's philosophy wasn't important to him—it was. But more important were making decisions and effecting policy as guided by his heart and his conscience. In this day of cookie-cutter politicians, sound bites and positions dictated by the latest opinion polls, SIL CONTE was a refreshing throwback, one of the last of a vanishing breed in the House.

SIL CONTE left behind many friends and warm memories. We will miss his drive, his poetry, his passion, and his fighting spirit. This spirit was never more in evidence as he valiantly battled the only foe that could bring him down, cancer. And we'll never forget his tirades on the House floor against what he felt were inappropriate spending measures. I and others of my colleagues may have, from time to time, differed with SIL, but it was never taken personally on either side. If a Member of this body can press his or her case with strong conviction and reasoned argument but not offend their adversary, then they are more than a politician, they are a statesman. SIL CONTE was a statesman.

For years, SIL coached the Republican baseball team to more victories over our team of Democrats than I care to remember. And even though he got tremendous joy out of winning, we bore him no ill will because his happiness was in the spirit of good-natured competition and fun.

SIL cared deeply for his family, his dear wife Corinne, their four children, and six grandchildren. To his credit, that family spirit extended to his staff as well. How much? Bernadette McAuliffe, his personal secretary, was with him for 21 years and 7 months. You don't stay around that long if you're not appreciated and treated well. While no one else on the staff has quite that record of longevity, many others did enjoy long tenures with the Congressman from the First District of Massachusetts. I've even heard that many Appropriations Committee associate staff have fond memories of him as well.

SIL we'll miss you. But as we get deeper into the appropriations cycle, we know you'll be up there watching us and probably railing about some provision or another in one of the spending bills. I only wish you were still here among us and not with St. Peter.

Mr. SCHEUER. Mr. Speaker, SILVIO CONTE was a man whose history was steeped in the liberal tradition of deep, personal commitment to the care of humankind. But it also a history built around a belief in fiscal conservatism. SILVIO believed in a government that cared for the young, the impoverished, and the disadvantaged. He also made a personal campaign to keep the Federal Government's hands out of the taxpayer's pocket.

This may seem like a set of contradictions, but it is not. SILVIO was way ahead of his time in knowing that we can afford to care for our own without going broke doing it.

SILVIO CONTE was a man of immense good humor and took joy in every minute life had to offer. His spirit, intelligence, and dedication were the embodiment of what Congress is supposed to be.

SILVIO CONTE was a devoted family man who was fiercely proud of his Italian-American heritage. His ability to get along with virtually everyone only enhanced his abilities as a legislator, and he was just as likely to be working side by side with Democrats as he was with Republicans.

Mr. Speaker, the country has lost a true leader, the Congress has lost a gifted colleague, and we have all lost a true friend. Emily and I both feel a deep sympathy for Corinne Conte and her family, but we also share her joy in having raised her children with one of America's originals, a truly remarkable man.

Mrs. VUCANOVICH. Mr. Speaker, on February 8, 1991, the American public lost more than a valued legislator and the U.S. Congress lost more than a respected colleague, we lost a cherished friend.

SILVIO CONTE was truly a man among men. He brought integrity, honor, and humor to an institution so needing of these qualities. SILVIO CONTE had heart, and he demonstrated this time after time through his actions both on and off the House floor.

I consider myself very fortunate to have had the privilege of serving with Mr. CONTE, and greatly appreciate the faith he had in my abilities as a legislator. Just 1 month before his death, SIL supported my appointment to the House Appropriations Committee. In ill health, he made me feel welcome as a new member and an integral part of the committee. He firmly believed that we here in Washington can make a difference. I for one am going to do my best not to let him down.

His fervor and zeal for life helped form his political agenda, and he took on that agenda with the same enthusiasm with which he embraced life. CONTE'S success lay in his humanitarian concern, he truly cared about the welfare of his fellow man.

I am reminiscent of the time SIL took a shot at many of his fellow colleagues whom he thought were being frivolous in their spending, which SIL felt was not in the best interest of the country. He presented his stance with a humor that took the edge off of the accusation. He made many of us laugh when he showed up on the House floor in a pig's mask to complain about pork-barrel politics and the practice of Members trying to secure special benefits for their constituents. Humor was his asset, SIL loved to make people laugh.

But SIL couldn't bring a smile to anyone's face the day he told us at a meeting of Republican members of the Appropriations Committee that the treatment for his progressive cancer was not working. He was such an optimist, always upbeat. That day he was not too

optimistic, that day SIL could not make us laugh—we could only cry.

A superb legislator, an honorable man, a loyal friend—he will be missed.

Mr. MURTHA. Mr. Speaker, I was deeply saddened by the recent death of Congressman SILVIO CONTE. Throughout his distinguished life, SILVIO was a man of commitment—commitment to his country, commitment to duty, and commitment to the Congress he loved so much.

In 1979 when SILVIO became the ranking minority of the full Appropriations Committee, he also became an ex-officio member of the Defense Appropriations Subcommittee. The condition of our Armed Forces at that time was mediocre—planes couldn't fly because of the lack of spare parts, a high percentage of recruits were not high school graduates, morale of the troops was at rock bottom, and the Soviets were expanding their empire into Afghanistan and other areas of the world.

When SILVIO ended his service in Congress, America was standing tall in the world. Morale of the troops was excellent, spare parts for aircraft were ample, and the effectiveness of the military was dramatized in the Persian Gulf.

Believe me, it was no coincidence that SILVIO CONTE served as an ex-officio member of the Defense Subcommittee and Massachusetts was one of the top States in the Nation in terms of per capita expenditure of defense funds among the various States.

Every aspect of SILVIO CONTE'S life was a commitment to duty—his duty in World War II, his duty in the Massachusetts State Senate, and his duty in the Congress where he so ably represented his constituents and his country.

Duty was not something that SILVIO CONTE consciously thought about. Duty was in the fiber of his soul. Duty was the most natural thing in the world to him. To SILVIO CONTE, duty was simply a way of life.

I have lost a true friend and this country has lost a great statesman. To his lovely wife and family, I extend my sincere condolences. They can take comfort in the knowledge that in his many years in Congress, SILVIO left his mark on the Congress and the Nation. He will be greatly missed in this Chamber.

Mr. GUNDERSON. Mr. Speaker, as we gather today to remember our colleague and friend, SILVIO CONTE, many of his best traits come to mind; his honesty, integrity and candor, his sharp wit and sense of humor, and most importantly his commitment to public service.

PERSIAN GULF

One of SIL's last remarks on the House floor was directed at the Persian Gulf crisis, and at Saddam Hussein in particular. I sat with SIL on the House floor on January 30 when he formulated his thoughts. As demonstration of SILVIO's unique ability to cut through the bluff of politics to speak directly to important issues, let me quote his comments:

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

The 1923 Geneva treaty, signed by Iraq, explicitly prohibits the use of chemical weapons and poisonous gas as a means of waging warfare. And for years, Saddam Hussein has used chemical weapons against Iran.

The 1949 Geneva protocols demand the humane treatment of prisoners of war. Yet, Saddam has gone out of his way to mistreat our prisoners of war and brutally parade their bruised bodies before the world.

In 1972, Iraq participated in and signed an international agreement which called for the prohibition of the "development, production, or stockpiling of biological weapons." And each nation which signed the treaty promised to destroy any biological weapons in their arsenal within 9 months.

And in 1977, Iraq participated in and signed an international agreement which prohibited the use of "hostile environmental modification techniques by the military." Under this treaty, Iraq agreed not to use their military to harm the environment in any way which would have widespread, long-lasting or severe effects.

A man of his word, Mr. Speaker? Saddam Hussein is a man of lies! And he will be held accountable for his war crimes as well as for his crimes against the environment.

SILVIO's remarks about Saddam Hussein are right on target. And as this crisis is brought to a conclusion, I agree that we must hold Hussein accountable for the atrocities he has committed against both mankind and the environment.

LIHEAP

As everyone in this body knows, and as most low-income citizens of the Northeast know, SILVIO was a leading advocate of social programs to help those in need throughout the Northeast and Midwest. The Low Income Home Energy Assistance Program [LIHEAP] is an example of such a program; it provides critical help to those individuals with the greatest financial difficulties in heating their homes. When funding for this program was threatened, SIL worked diligently to ensure that it was restored. As a tribute to his tenacity and effectiveness, he was successful every time.

EDUCATION

As the ranking member of the Appropriations Committee, SILVIO was a wonderful friend of the education and health communities. He was a champion for higher education, chapter 1, biomedical research, programs assisting those with disabilities, and countless others.

One example of SILVIO's efforts in the education arena is his involvement with the issue of children's attention deficit disorders. Children with attention deficit disorders make up 3 to 5 percent of the children's population in the United States. Last year, SILVIO included funds in the Labor, HHS Appropriations bill establishing a center for children with attention deficit disorders. Even my own constituents have requested that I thank SILVIO in my remarks for his contribution to this important accomplishment.

Just days before we lost SILVIO, he introduced the Postsecondary Recognition, Innovation, Deregulation, and Excellence Act of 1991 [PRIDE]. PRIDE represents an expansive effort which should serve as a model for future education reform proposals.

I had both the honor and the pleasure of working with SIL over the last decade on increasing funding for Gallaudet University. In recognition of his tireless efforts on behalf of Gallaudet University, this Nation's landmark educational institution for deaf people, SIL was awarded an honorary doctorate degree in 1987. The inscription accompanying SIL's honorary doctorate of law degree perhaps is the best tribute to his efforts on behalf of Gallaudet University:

Nurtured by the Berkshire Hills, this illustrious son of Massachusetts, whose vision includes the entire Nation, and whose distinction has been honored abroad, has never forgotten his roots. In a lifetime of public service that has made him a legendary figure in the Halls of Congress, he has been an indefatigable supporter for programs that enhance the individual, decency and human fullfillment of all citizens. He has witnessed extraordinary accomplishments of individuals born with handicaps who are now productive members in society. During nearly three decades in the House and from his days in the State Senate in Massachusetts, we owe him and will always owe him a lasting debt of gratitude.

I am sure I speak for all who have had the privilege of knowing SILVIO when I say his presence in the House will be greatly missed; it is like a light has gone off in the people's House than can never be relit.

Mr. HAMMERSCHMIDT. Mr. Speaker, I join with my colleagues today in paying tribute to a great American—SILVIO CONTE. It was my distinct privilege to serve with SIL for 25 years.

SIL was born and raised in the town of Pittsfield, MA, and for the last 32 years he faithfully represented that town and the entire First District of Massachusetts. SIL began his career of public service with the Seabees in World War II, serving in the Southwest Pacific. After graduating from Boston College Law School in 1949, he successfully ran for the Massachusetts State Senate serving there from 1951 to 1958. In 1959, he began his tenure in the House of Representatives.

President Bush has said that SILVIO CONTE "lifted people's spirits by just walking into a room" and I would totally agree. If there ever was a colorful character who walked through this Chamber, it was SILVIO CONTE. Few can forget the eloquent and forceful speeches he made on the floor of the House. Often employing his great sense of humor, he always made his point in a way that would be remembered by those who heard him speak.

His position as ranking Republican on the full Appropriations Committee was one of the most pivotal in the Nation. From that committee seat, SIL had to wrestle with the ever-declining Federal budget, the still-growing deficit, and at the same time ensure that those who needed Federal assistance were provided with adequate funds. Certainly no easy task, yet SILVIO CONTE executed this responsibility with great distinction. He was a strong advocate and voice for those who could not always speak for themselves—the elderly, the poor, and the children of our Nation.

His wisdom and his passion will be sorely missed. Mr. Speaker, my wife, Ginny, and I extend our heartfelt condolences to Corinne and the entire Conte family.

Ms. SNOWE. Mr. Speaker, let me just start out by thanking and commending the gentleman from Massachusetts [Mr. MOAKLEY] and our Republican leader [Mr. MICHEL] for taking this time today. On this occasion, it is truly a special order.

There is, Mr. Speaker, a sparkle missing from this Chamber. The House of Representatives is paler, more two-dimensional, less vi-

brant. The Congress and the Nation's Capital are lesser places. SILVIO CONTE is gone.

SIL took with him ideals about and enthusiasm for public service which we could all admire but have little hope of emulating. What politics in the age of television lacks is precisely what SIL CONTE brought to it: Passion, and the unhesitating exultation in the world around him.

Conversely, what characterizes contemporary politics is precisely what SIL CONTE avoided: That humorless acrimony and personal animosity that, sadly, has seeped into the body politic today. Not for SIL CONTE, not ever—SIL might have been your adversary on an issue, but never an enemy.

I started getting to know SILVIO CONTE back a decade ago in the budget battles early in the Reagan administration. Not too many are left in the House who can claim to have been fellow insects with SIL—we were gypsy moth Republicans together. Sitting at a table with SIL, poring over a budget, was equal parts instruction in how Congress works, and in how a budget isn't about numbers, but about real lives and real people.

SIL knew, for example, that low-income energy assistance wasn't simply a line item in a budget, to be adjusted according to other needs. And because he knew that and fought for that assistance, today, with winter's icy chill settled across my State of Maine, there are some families who are warm and safe who otherwise might not have been. They have SIL CONTE to thank.

In so many other areas as well, from higher education assistance to school lunches, SILVIO CONTE consistently took stands to defend the genuine human interests of his district, his State, and all of New England. So much of what he did was of help to my State of Maine that it seemed we had a third Member of Congress.

Of course, as a New Englander, SIL CONTE also had the misfortune to live under our region's curse: The failure of the Boston Red Sox to win the World Series once during his 69 years. Somehow, though, I get the feeling that SIL is up there in heaven trying to wangle some divine assistance for the Boston pitching staff.

Mr. Speaker, in the weeks and months ahead, I know that I'll feel the absence of SIL CONTE, even in the smaller things. His cart with its flags no longer stationed by the Rayburn subway. Or a rousing crescendo in debate that never occurs.

But I will remind myself, as I hope SIL's wife Corinne will, that even though his life ended far too early, SILVIO CONTE drank long and full from the rich cup of life. The words of Robert Browning capture it well:

How good is man's life, the mere living! How fit to employ
All the heart and the soul and the senses forever in joy!

Mr. YOUNG of Florida. Mr. Speaker, I want to commend my leader, Mr. MICHEL, for requesting this time today to honor one of the truly legendary Americans ever to serve in the U.S. Congress.

The time reserved this evening to pay tribute to SILVIO CONTE will only allow us to skim the surface of the great contributions he has made to our Nation over the past 33 years. His legislative accomplishments are many, his tireless work on the Appropriations Committee is unquestioned, and his humor and poetry will be sorely missed by our colleagues in the House.

This evening I want to tell you about the human side of SILVIO CONTE. Beneath a sometimes gruff exterior was an undying compassion and concern for those most in need, whether they were the poor and elderly shivering in the night because they were unable to pay their heating bills or the inner-city youth who needed a chance to attend college.

My family had a special opportunity to feel the warmth of this compassion during the last few weeks of his life as he sought to encourage and comfort my daughter Pam, who was going through a bone marrow transplant in Minnesota to save her life and rid her of leukemia. It was at a time when SILVIO was himself fighting his own battle with cancer, that he penned a letter to Pam which she received during the most difficult time of her procedure. I want to share that letter with you because it captures the true spirit that drove SILVIO CONTE. He wrote Pam on December 19, 1990, saying:

DEAR PAMELA: Your father has been a friend of mine for many years. We serve in the Congress together, and he also serves with me on the House of Representatives Appropriations Committee. Let me also tell you that he has been very supportive and inspirational to me because I, myself, have carried on a long battle with cancer.

It is for these reasons I took a special interest when I heard that his daughter would be undergoing a bone marrow transplant and would be laid up for a couple of months.

As one who knows the battle, I can tell you the idea of cancer reminds us of our mortality, and idle time in a hospital leads to boredom and fear. You must remember though Pamela, the power of the mind is a wondrous thing, and your will can be the strongest muscle you have. You can beat this because you know you can, and you must have the attitude of a quarterback before the championship or a field general on the eve of final victory. You can win if you fight.

Keep up the fight, Pamela, and be sure and come see me when you next visit your father's office in Washington.

Looking forward to your speedy recovery.

Love,

SILVIO.

SILVIO certainly knew the battle and took his own advice to heart. Despite suffering from a form of cancer that ravaged his body, SILVIO kept on with the work of the people. He never slowed his pace and he most certainly never gave up hope. Right up until his final hours, SILVIO fought for his life with the same ferocity that he pounded the podium of this House to right a wrong or to help another in need.

SILVIO'S warm thoughts were an inspiration to Pam just as his words and deeds will long be an inspiration to thousands if not millions of Americans, many of whom never had the special opportunity to meet SILVIO, but will benefit from his lifetime of work.

Mr. Speaker, SILVIO CONTE was one of those unique people who comes along just once in a lifetime. His furor and humor may never be replaced in this House. His greatness will be that against which current and future Members are measured.

His memory and inspiration, however, will live on forever. My daughter and I will treasure his words and encouragement at our time of greatest need just as we will all treasure our memories of his wit and wisdom and his undying love for our Nation and his home State of Massachusetts.

Mr. OXLEY. Mr. Speaker, as has been noted, the late SILVIO O. CONTE was one of the best loved members of this House. An entertaining and effective orator, he possessed a biting wit and a spirited sense of humor. As a fiscal conservative, he was as tough on wasteful spending as any Member of this body.

The son of Italian immigrants, and a veteran of World War II, SILVIO CONTE was elected in 1958 and served 32 years as an esteemed Member of this body. In his 17th term, he was truly an institution unto himself. In my opinion, SIL CONTE was one of the greatest things ever to come out of the State of Massachusetts.

As player-manager of the Republican congressional baseball team since 1962, SIL led us to an awesome 17–7–1 record. He managed the likes of the illustrious pitcher, BOB MICHEL, and that famous first baseman, George Bush. For the past 9 years, I was one of those coached by SIL CONTE, which was one of the great pleasures of my congressional career.

SILVIO CONTE was an avid hunter and a noted wild game gourmet. He was an afficionado of the good things in life, it is true, but more importantly, SIL appreciated the important things in life. Like most Red Sox fans, he was loyal in the face of any circumstances, and as the thousands of friends he leaves behind will testify, his good humor was simply indomitable.

SIL, thank you for fighting for me, thank you for serving with me, thank you for coaching me, and thank you for your friendship and for all the joy you brought us.

Mr. STENHOLM. Mr. Speaker, I join my colleagues today in paying tribute to our friend and statesman, Congressman SILVIO CONTE. SILVIO has had an enormous impact on this legislative body and on those he represented in the First District of Massachusetts. His endless dedication to both entities epitomizes a legacy that is, without question, outstanding.

SILVIO CONTE distinguished himself as a doer of deeds, who knew the art of motivation and the triumph of high acheivement. Although we were adversaries on some issues and engaged in fierce debate on occasion, SILVIO was always a gentleman—quick to share his good humor and enthusiastic spirit with others. And all the while, he proved to be a consistent example of commonsense and practical results, in oftentimes complex and complicated circumstances.

He worked diligently in his efforts to be responsible with taxpayer dollars and will long be remembered for his spirit of bipartisanship—enhancing his ability to work effectively on both sides of the aisle. All of us will fondly remember SILVIO CONTE, a worthy and respected colleague.

Mrs. BENTLEY. Mr. Speaker, I want to commend Messrs. MOAKLEY and MICHEL, who have taken this time to pay tribute to our great colleague, the late SILVIO O. CONTE. My first encounter with Mr. CONTE was some 20 years ago, when he was a young member of the

House, and I was Chairman of the Federal Maritime Commission. Meeting Mr. CONTE then, I remember being awed by this Republican, who seemed to enjoy needling a fellow Republican. In recent years, I have become more in awe of such a powerful Republican who had been in the House for over 25 years from a very Democratic State. He may have represented the minority party, but one would never consider him a minority even though he came from a strongly Democratic State.

SILVIO CONTE set an example for all of us on how to be a true legislator, as opposed to being a politician, although he did both with equal elan. Mr. CONTE would not support a piece of legislation he did not believe in, even if it meant raising the ire of his party's leadership, or the administration's. Conversely, he supported measures that may have seemed liberal at the time, but made ultimate sense, such as appropriations for AIDS research.

These are lessons that all of us should take to heart. SILVIO CONTE was not an individual who maintained a narrow political ideology, but who took the time to sit back and look at the big picture. Too many of us look for a short-term gain, and fail to see the possible long-term consequences of a price of legislation.

Not that these are the only qualities that made him the great man that he was. He typified the American dream. The son of an immigrant factory worker, he rose to become one of the most powerful men in the U.S. Congress, ranking minority member on perhaps the most powerful Committee in the House.

Nevertheless, he never intentionally lauded his position over his colleagues. He always had time to listen to opposing viewpoints, from his colleagues and his constituents, and decided carefully before voicing his support or opposition on a given measure. Mr. CONTE had the ability to communicate with anyone, whether it was a worker, a Senator or even the President. This is a sign of a truly great man.

We already miss him—particularly the cigar smoking Italian-American riding along on his scooter on which he flew both the Italian and American flags.

I salute SILVIO CONTE for providing the rest of us with a role model to follow. Legislator, politician, sportsman, Mr. CONTE represented the aristotelian ideal of a true man, and a true leader.

Mr. GOODLING Mr. Speaker, an effort on my part to summarize the accomplishments of this man, a friend, SILVIO CONTE, appears so daunting because of its vast length. But of course it is not for this list alone that we cherish his memory. It is the style and joy with which he undertook his work.

SIL and I shared a dedication to passion for education that often had us fighting the same cause. Our allegiance with BILL NATCHER, CARL PERKINS, GUS HAWKINS and others was successful often due to his efforts.

His devotion to American youngsters through his support of Chapter 1 and his commitment to literacy programs, such as Adult Education and Even Start, gave us many opportunities to work together. The robust growth in these programs in recent years was in large part due to my colleague from Massachusetts.

Of course, I will only be one of the many who will miss his colorful participation in the debate on the House floor. His jocular approach seemed to bring some degree of sense to our often overly serious discussion of the issues. His wit made us laugh at ourselves, a useful change from practice in the House. Having seen him, who can ever forget the waving hands, the flying tie, the silly rhymes and the raised eyebrows of another CONTE tirade? How they will be missed.

But most of all, I will remember SIL CONTE as the most passionate Red Sox fan. I thought I held that title until I met SILVIO. The pain or exultation he would feel at the failure or success of a Roger Clemens pitch; the mixture and anger for Billy Buckner; the love of Dewey Evans and Yaz; and of course, the never-ending angst of being so close and yet so far away—the ever-suffering Sox fan.

Thank you SILVIO, may God bless you every day.

Mr. Speaker, I would like to share with our colleagues and the public the enclosed letter from Acting Secretary of Education Ted Sanders expressing the Department's thanks for the contributions of SILVIO CONTE. I wholeheartedly concur with the sentiments conveyed by Mr. Sanders.

The letter follows:

U.S. DEPARTMENT OF EDUCATION,
Washington, DC, February 26, 1991.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On behalf of the U.S. Department of Education, I proudly join the Congress today in paying tribute to one of the truly great statesmen of our time—the Honorable SILVIO O. CONTE.

During the past 32 years, while he served in the U.S. House of Representatives, SILVIO CONTE worked with four Secretaries of Education and twelve Commissioners of Education—from both political parties. He worked with one aim in mind: to ensure that all Americans enjoy equal access to the highest quality education.

In the world of education, SILVIO CONTE was a friend and a fighter. He was a friend of disadvantaged elementary and secondary school children, of needy college students, of children and adults with disabilities, of the limited English proficient, of the gifted and talented, and, indeed, of every student, teacher, and parent in America. He shared with us all his ideas, his visions, his energy, his enthusiasm, his courage and his dedication.

He was a fighter. He fought for funding for over 200 major education programs under such laws as the Elementary and Secondary Act, the Higher Education Act, the Carl Perkins Vocational Education Act, the Adult Education Act, the Individuals with Disabilities Education Act, the Rehabilitation Act, and the Drug-Free Schools and Communities Act.

The Congress, the Executive Branch, and the American people will miss SILVIO CONTE. Although he is not here with us today, he left a legacy that will live on with this and future generations of Americans, that learning never ends.

Sincerely,

TED SANDERS,
Acting Secretary.

Mr. DICKINSON. Mr. Speaker, I was deeply saddened by the passing of our dear friend and colleague, SILVIO O. CONTE. The Members of Congress, the people of this country and the citizens of Massachusetts have lost one of their great leaders. SIL's buoyancy, warm character, and zest for life will be greatly missed by all who had the honor to serve with him in the House of Representatives.

Whether SIL was working to provide energy assistance to the poor or leading the charge against wasteful Government spending and pork barrel projects, he conveyed his priorities with passion and sincerity. The list of SIL CONTE's accomplishments is long, but I am certain that he will be remembered mostly for his ability to negotiate a compromise.

No one will ever replace SILVIO CONTE. For all of us who strive to be the best public servant we can be, we thank you for your example, and the dedicated service you performed for our country.

Mr. RANGEL. Mr. Speaker, over the years that I have served in this body, I have had the privilege of working with hundreds of men and women from all quarters of our Nation, from all the diverse backgrounds and points of view that could possibly exist. I have always tried to gravitate to those who I believed shared with me a sensitivity to those who were in greatest need of a voice in the national debate and those who were sensitive to those who were less fortunate. I have never allowed partisan labels to define who among any colleagues I would share this passion for justice. No one among our colleagues had a greater sense of justice more passionately expressed than SILVIO CONTE and I am glad to have shared this passion with him.

SIL CONTE took his positions on basis of fundamental human values and he made his friends on the content of their character. He was remarkable in this body in that he never allowed party label to constrain his views or his choice of friends. Perhaps that is why he was so loved among his colleagues and among those who work for this institution.

For example, he would decide which fundraisers of colleagues he would attend not solely on the party of the candidate, but his friendship to the candidate. I can remember that his friendship with our late and beloved colleague, Joe Addabbo was so strong that SIL would travel to Joe's district to attend his fundraisers. It might have been the good Italian food Joe served and that SIL loved that took him to Ozone Park, Queens, but I truly think it was his love for Joe. In a body where we feel compelled to go our own way, seldom stopping to get to know each other beyond the superficiality of our politics, a man like SIL CONTE who can stop to create and nourish close and intimate relationships with his colleagues and allow all around him to bask in his glow is a rare and wonderful being.

His beautiful gift for oratory and outraged, but always honest, indignation only made us love him even more. No one could cut to the quick of an issue and make us think about the reality of what we were doing like SIL CONTE. No one from the Northeast could do a better job of expressing our frustration about the flow of resources from our region to other parts of the nation while we continued to bear the burdens of our less advantaged.

Finally, of great importance to me was SILVIO CONTE's dedication to justice and civil rights. In an era when the fidelity of many who

once claimed dedication to the effort to assure equal rights for all Americans regardless of race or sex is in question I could always depend on SILVIO CONTE to do the right thing.

When one serves over two decades in this body one expects to lose dear friends and see the giants to pass. Nevertheless, when the passing does come it is no less sad. I will dearly miss our beloved colleague, SILVIO CONTE.

Mr. COUGHLIN. Mr. Speaker, after 3 years of a courageous battle against prostate cancer, our colleague, SILVIO O. CONTE, died at the age of 69. There was no more beloved and respected Member of this House.

SILVIO was elected to the U.S. House of Representatives in 1958, after serving 8 years in the Massachusetts State Senate. Ever since, his flamboyant personality has dominated the House and, especially, the Appropriations Committee. SILVIO was a long-time member of that committee and had been ranking Republican since 1979.

As an Appropriations Committee member, I had the personal pleasure of sitting next to him on the Transportation Appropriations Subcommittee. What a treat to see first hand what the committee, the Congress, the country, and the world were watching with great glee. SILVIO was a master in using humor and harmless pranks mixed with warmth to highlight legislative points. Who hasn't laughed over his poetry, pig masks, songs, or name calling? Even "young slasher" David Stockman and "fat cat" Senators had to admire him.

SILVIO CONTE's rapier wit made opponents cringe, but he always laughed, as well, at himself—and it always had a purpose in the interest of this constituency or the Nation.

This unique approach made him a most effective legislator. He had great interest in, and influence over, a wide range of subjects from producing a project for his western Massachusetts district to controlling the outcome of annual appropriations bills.

SILVIO was not one to shrink from exercising that influence. He cared passionately for matters relating to education, environment, and health, and proudly took a stance in their defense even when it conflicted with the administration or members of his own party. With legions of friends on both sides of the aisle, in both Houses of Congress, and in every administration, SILVIO most often got what he wanted.

The passing of SILVIO CONTE may also be the passing of an era. He saw a larger Federal Government role in caring for the needs of other people and enjoyed well-publicized and humanizing outside interests such as hunting and baseball. He did not take himself as seriously as he took his work. SILVIO was one in a million and it will be a long time, if ever, before we see someone even come close to his high spirits, good cheer, and indomitable courage.

Mr. KLECZKA. Mr. Speaker, the death of a colleague is always a very difficult time for Members of this institution. The passing of a fellow Member of Congress causes each of us to pause and reflect upon the brevity of life, and question how history—and this institution—will remember ourselves.

As Members of the House of Representatives we are all fortunate in that we have been granted the opportunity to make the lives of our fellow man better—to somehow ease the burdens of the downtrodden, to enrich the lives of the poor, and to teach those seeking knowledge. This is the true task of the Government and this is the task we take on when we accept the oath of office.

Mr. Speaker, while I cannot say I was the best of friends of Mr. CONTE, since my first days in Congress I realized SILVIO CONTE was no ordinary legislator. SILVIO CONTE knew the true task of Government, and never strayed from the course of trying to help his fellow man.

Few members of this Chamber can ever claim to have as many friends—both Democrat and Republican—as Mr. CONTE. Few Members can claim to have brought the humor and light-heartedness into this often somber Chamber, as Mr. CONTE. And few Members can claim to have the genuine warmth and sincerity Mr. CONTE brought to this body daily.

While his charisma will be missed by his fellow legislators, his constituents in the Massachusett's First District, and all Americans, will miss his dedication to improving the health care and education of our country. While his laughs will no longer echo through the Halls of the Capitol, his work in Congress will forever touch those seeking low-income energy assistance, those saved by neurological research or those who marvel at the wonders of the Smithsonian Institution—for these are just a few of the causes he championed.

Mr. Speaker, perhaps the most lasting legacy SILVIO CONTE has left will be the lessons he has taught all of those who have had the privilege of serving with him. These lessions include that your opponent one day can be your ally the next; that humor can bring us together, even in the most trying of times; and perhaps most importantly, that the people and their needs should come first, not the political advantage of a party.

While we are all fortunate, Mr. Speaker, for having the opportunity to serve in this Chamber, we are even more fortunate to have served with Mr. CONTE and have his model of a legislator to emulate.

Mr. KOLBE. Mr. Speaker, I rise to pay tribute to our late colleague and dear friend SILVIO CONTE one of the most colorful and admired senior Members of the House. His career in this body spanned over three decades, while his friends and admirers spanned the Nation and the ideological spectrum. He commanded the respect of his peers like few Members of this body had before him, and he loved and cared for his constituency and his country with a singular and steadfast devotion.

The people's House will not be the same without SIL CONTE. He gifted us with his humor, moved us with his passion, and inspired us with his fiery patriotism.

As someone who served with him, and under his leadership on the House Appropriations Committee, I know that his career will be a touchstone for all those who dedicate themselves to a responsive, caring Government.

This Nation lost a great deal with SILVIO CONTE's death, but it has gained so very much from his life. It is my great hope that his work will live on for many years to come.

I extend my sincere condolences to Corinne and the Conte family. Please take comfort in the knowledge that in his many years in Congress, SILVIO left his mark on the Congress and the Nation. He will be greatly missed in this Chamber.

Mr. HUGHES. Mr. Speaker, I would like to take this opportunity to pay tribute to our dear colleague SILVIO CONTE. He was able, thoughtful, wonderfully flamboyant, and liked by everyone. His presence in the room lighted it. He was our poet laureate.

In his over 32 years of service, he distinguished himself as a legislator proudly serving the First District of Massachusetts and the people of the United States. As the ranking minority member of the Appropriations Committee, SILVIO used his position and influence to help people. He was instrumental in creating the Low-Income Home Energy Assistance Program [LIHEAP] so that people would not have to make the choice between buying food and heating their home. He was an advocate for funding for research on AIDS, cancer, and many other threats to our Nation's health.

SILVIO knew firsthand the importance of education and the opportunities it could provide. He, himself, had attended college on the GI bill. He established the Silvio O. Conte Foundation to send qualified residents of his district to college who may not otherwise have been able to go.

He was a formidable opponent and a great asset to have on your side. But no matter which side you were on, your friendship was never forgotten. SILVIO is and will be missed as a Member of this House and as a friend.

I would like to extend my condolences to his wife, Corinne, and his family.

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to my good friend SIL CONTE who died just recently after battling a long illness. It seems hard to believe he's gone. I still expect to see him next door or riding down the hall, with flags waving, honking at tourists. I still expect to see him in the Appropriations Committee, giving us the dickens with his remarkable sense of humor.

SIL was a friend and I will personally miss him very much. The Congress will miss him and the Nation will miss him.

We liked him for his ability to make us laugh. He could always remind us not to take ourselves too seriously.

He made us laugh, yet we also respected that very serious side of SILVIO CONTE. He was a man of great integrity and honesty. He said what he thought and I respected him for it. I might not always agree with him, but I respected him.

He was a man of great feeling, who truly cared about people, especially the less fortunate. He related to his constituents in Massachusetts and he worked very hard to help them with their problems.

SIL was one of the best politicians I have ever known, perhaps because he seemed to know instinctively how to handle people and tough issues.

He knew when to be partisan and when to cross party lines. He used a very simple rule of thumb: He stood up for what he believed in.

I enjoyed working closely with SIL on appropriations. I especially appreciated his dedication to helping expand the Job Corps. This program has done so much good to help disadvantaged young people get on the right track.

SIL really went to bat for this program. He took a leading role in funding six new Job Corps centers in 1988. And, he fought to increase funding for the Job Corps Program in 1989 and 1990.

We were very fortunate to have one of these new centers located in Gadsden, AL, which is in my district. The young people who successfully complete this program and go on to lead productive lives will owe a debt of thanks to SILVIO CONTE. He recognized their special needs and he did something about it.

In closing, I would like to say that God probably broke the mold when he made SIL CONTE. He was such a unique individual. He had so many fine qualities and he set such a fine example for public servants everywhere. I doubt we'll know another with his particular style. But, I do know this: SIL CONTE's memory will live on and his good works will never be forgotten.

Mr. LAGOMARSINO. Mr. Speaker, I join with my colleagues today in paying tribute to the life and contributions of SILVIO CONTE—a great American and truly outstanding Member of Congress.

Mr. Speaker, the historic halls of this House have been graced with the presence of hundreds, indeed thousands of great statesmen and patriots over the past two centuries. Among that roll of honor we now include the name of SILVIO CONTE, who for the past 32 years has regaled, entertained, moved, and inspired countless colleagues, gallery-goers, reporters, and viewers of the debates that ring in these halls. He will be missed.

SILVIO was unique. For one thing, he was an elected Republican Congressman from Massachusetts—the only Republican Congressman serving the Bay State. Fittingly, he held the First District seat. He was a native and life-long resident of Pittsfield, who early chose a career in law. But first, like many of his generation, he served his country in war, serving with the Seabees in the South Pacific from 1942 to 1944. He earned his undergraduate and graduate degree, in law, from Boston College, became a practicing attorney, then served in the Massachusetts Senate for 10 years, where he was chosen as one of the Outstanding Young Men in Massachusetts by the Jaycees. He ran for and was elected to Congress in 1958, and has served his district ever since.

SILVIO served for many years as the ranking Republican on the House Appropriations Committee, where he demonstrated a mastery of detail and a deep compassion for people. He was indeed a passionate man, whose oratorical flourishes became his trademark on the House floor. A man of Latin descent, he was a devout Catholic and received the St. Thomas More Award from his alma mater.

One of SILVIO's passions was the hunting of ducks, a passion which I share, and we once spent a glorious weekend in search of the elusive waterfowl. It was a memorable experience.

SILVIO leaves behind his wife, Corinne, and four children. But his legacy is much more. He touched the lives of all he knew, and left a permanent mark on the laws and programs of his beloved country.

Mr. Speaker, I salute SILVIO CONTE, a fine public servant and unforgettable human being. And I'm sure that wherever he is now, he is enjoying it immensely, and undoubtedly there is the sound of laughter ringing out. Salute!

Mr. MAVROULES. Mr. Speaker, unfortunately, I was unable to participate in the special order this week. I would, however, like to add this statement for the record.

I would like to express my sadness at the passing of my dear friend SILVIO CONTE. The people of Massachusetts, the Congress, and the country as a whole have lost one of their greatest leaders.

As the Republican leader of the House Appropriations Committee, SIL led the charge against wasteful Government spending and pork-barrel projects. His colorful floor speeches on this very subject are legendary.

As an advocate for the poor, he crafted legislation to help struggling Americans pay their heating bills and to ensure their access to food and shelter. Beyond that, he had the vision to fund AIDS research early on—well before before most of us realized the grave dimensions of the horrible disease. Long ago, he recognized the need for rail travel and was the congressional champion of the creation of Amtrak.

SIL understood compromise, and his enormous popularity on both sides of the aisle made him a very effective legislator. But, in my judgment, what SIL will be remembered for is his passion; passion for his work, passion for his values, passion in his dealings with colleagues, and passion toward friends and family.

SIL CONTE's exuberant zest for life will be long remembered in these Halls of Congress.

Mr. PERKINS. Mr. Speaker, I rise here today to honor and pay special tribute to a gentleman who had principles and who was never afraid to stand by them.

That individual is SILVIO CONTE, who passed away February 8, after battling cancer. He will be missed dearly by all of us here in Congress and in the United States.

And when I say all of us here in Congress, I mean every single Member in this House. That is because SILVIO CONTE was a man of values, who voted not in the special interests of others or blindly following the party line, but for what he believed was right.

SILVIO CONTE voted his conscience on all matters—and especially with regard to health and education issues. He voted in the interests of the common man, and whether that happened to be a vote along Republican or Democrat lines didn't make a single bit of difference to him.

And that, Mr. Speaker is what made him special. Far too often nowadays, it seems, Members are accused of blindly following the party line, even to the point where they may vote against what they believe in.

My friends, SILVIO CONTE can never be charged with that. He worked for what is just and right in every person. He protected programs that helped the elderly and the poor. He helped disadvantaged students find a way to college by supporting student loan initiatives. He led the fight for greater funding for medical schools. SILVIO CONTE labored not for us, but for the people of this country. And he never ever sacrificed his personal values when it came to matters of the heart.

SILVIO CONTE spent over 32 years in Congress toiling for that which he believed in. And he stood defiantly by his actions.

God bless him.

□ 2000

GENERAL LEAVE

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS FOR THE 102D CONGRESS

(Mr. GONZALEZ asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I submit for printing in the CONGRESSIONAL RECORD the rules of procedure adopted at the organizational meeting of the Committee on Banking, Finance and Urban Affairs, on February 26, 1991, as follows:

RULES OF THE COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS OF THE U.S. HOUSE OF REPRESENTATIVES, 102D CONGRESS 1991-92

RULE NO. 1—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committee and subcommittees. Each subcommittee of the committee is a part of the committee, and is subject to the authority and direction of the committee and to its rules so far as applicable.

(b) The committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under rule X of House Rules and (subject to the adoption of expense resolutions as required by rule XI, clause 5 of House Rules) to incur expenses (including travel expenses) in connection herewith. The ranking minority member of the full committee or the relevant subcommittee shall be notified in advance at such times as any committee funds are expended for investigations and studies involving international travel.

(c) The committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or

hearing of the committee shall be paid from the contingent fund of the House.

(d) The committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the committee under rules X and XI of House Rules during the Congress ending at noon on January 3 of such year.

(e) The committee's rules shall be published in the CONGRESSIONAL RECORD not later than 30 days after the Congress convenes in each odd-numbered year.

RULE NO. 2—REGULAR AND SPECIAL MEETINGS: OPEN COMMITTEE MEETINGS

(a) Regular meetings of the committee shall be held on the first Tuesday of each month while the Congress is in session. When the chairman believes that the committee will not be considering any bill or resolution before the full committee and that there is no other business to be transacted at a regular meeting, he will give each member of the committee, as far in advance of the day of the regular meeting as the circumstances makes practicable, a written notice to that effect and no committee meeting shall be held on that day.

(b) The chairman may call and convene, as he considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose pursuant to that call of the chairman.

(c) If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the committee their written notice that a special meeting of the committee will be held specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) If the chairman of the committee or subcommittee is not present at any meeting of the committee or subcommittee the ranking member of the majority party on the committee or subcommittee who is present shall preside at that meeting.

(e) The committee may not sit, without special leave, while the House is reading a measure for amendment under the 5-minute rule.

(f)(1) Each meeting for the transaction of business, including the markup of legislation, of the committee or each subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day be closed to the public: *Provided, however*, That no person other than members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by subparagraph (2) of this paragraph, or to any meeting that relates solely to internal budget or personnel matters.

(2) Each hearing conducted by the committee or each subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purposes of taking testimony, (A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate subparagraph (g)(5) of Rule 7; or (B) may vote to close the hearing, as provided in subparagraph (g)(5) of Rule 7. The committee or subcommittee may, by the same procedures specified in this paragraph, vote to close one subsequent day of hearing.

(g) No person other than a Member of Congress, committee staff, or a person from a Member's staff when that Member has an amendment under consideration, may walk in or be seated at the rostrum area of the committee unless the chairman, the chairman of the subcommittee, or a majority of the committee determines otherwise.

RULE NO. 3—RECORDS AND ROLLCALLS

(a) There shall be kept in writing a record of the proceedings of the committee and of each subcommittee, including a record of the votes on any question on which a roll call is demanded. The result of each such roll call vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and whether by proxy or in person, and the names of those members present, but not voting. A record vote may be demanded by any three of the members present or, in the apparent absence of a quorum, by any one member.

(b) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access thereto.

RULE NO. 4—PROXIES

(a) No vote by any member of the committee or any of its subcommittees with respect to any measure may be cast by proxy unless a proxy authorization is given in writing by the member desiring to cast a proxy, which authorization shall assert that the member is absent on official business or is absent due to personal illness and is thus unable to be present at the meeting of the committee or subcommittee and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto. Each proxy to be effective shall be signed by the member assigning his/her vote and shall contain the date and time of the day that the proxy is signed. No proxy shall be voted on a motion to adjourn or shall be counted to make a quorum or be voted unless a quorum is present.

(b) Proxies shall be in the following form:

Hon. ,
House of Representatives,
Washington, DC.

Dear : I will be absent on official business/due to personal illness and thus unable to be present at the meeting of the committee or subcommittee. I hereby authorize you to vote in my place and stead in the consideration of and any amendments or motions pertaining thereto. The official business that necessitates my absence is .

——— ———,
Member of Congress.

Executed this the day of , 19 at the time of p.m./a.m.

RULE NO. 5—POWER TO SIT AND ACT, SUBPENA POWER

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI, the committee, or any subcommittee thereof, is authorized—

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold hearings; and

(2) to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Any subpena issued to carry out the authority of this paragraph shall be issued in accordance with the procedures specified in subparagraph (b)(1). The chairman of the committee or any member designated by the chairman may administer oaths to any witness.

(b)(1) Any subpena issued to carry out any investigation or activity, or any series of investigations or activities, described in (a) shall be issued by the committee, upon the recommendation of a subcommittee or upon the committee's initiative, and any such subpena may only be authorized by a majority of the members of the committee voting, a majority being present. The power to authorize and issue subpenas under this subparagraph may be delegated to the chairman of the committee pursuant to such limitations as the committee may prescribe. Authorized subpenas shall be signed by the chairman of the committee or by any member designated by the committee.

(2) Compliance with any subpena issued by the committee under this subparagraph may be enforced only as authorized or directed by the House.

(c) Each witness who has been subpenaed upon the completion of his testimony before the committee or any subcommittee, may report to the office of counsel of the committee, and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the committee, or his representative, prior to leaving the hearing room.

RULE NO. 6—QUORUMS

A majority of the members of the full committee or subcommittee shall constitute a quorum of the full committee or subcommittee for the reporting of a measure or recommendation; Provided, that the number of

members constituting a quorum for the taking of any action other than the reporting of a measure or recommendation shall be one-third of the members of the committee or subcommittee, and any two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE NO. 7—HEARING PROCEDURES

(a) The chairman, in the case of hearings to be conducted by the committee, and the appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter at least one week before the commencement of that hearing unless that committee determines that there is a good cause to begin such hearing at an earlier date. In the latter event the chairman or the subcommittee chairman whichever the case may be shall make such public announcement at the earliest possible date. The clerk of the committee shall promptly notify all members of the committee; the Daily Digest; Chief Clerk, Official Reporters to House Committee and the committee scheduling service of the House Information System as soon as possible after such public announcement is made.

(b) Each witness who is to appear before the committee or a subcommittee shall file with the clerk of the committee, at least 24 hours in advance of his appearance, 100 copies of his proposed testimony if the appearance is before a subcommittee, and 200 copies of his proposed testimony if the appearance is before the committee, and the witness may be required to limit his oral presentation to a summary of his statement. This requirement may be waived by the Chairman of the Committee or appropriate subcommittee, after consultation with the appropriate ranking minority member, when it is deemed by said Chairman to be in the best interest of the committee or subcommittee. This requirement shall not be mandatory if a witness is given less than seven days' notice prior to a hearing.

(c) When any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(d) Upon announcement of a hearing, the Clerk and Staff Director shall cause to be prepared a concise summary of the subject matter (including legislative reports and other materials) under consideration which shall be made available immediately to all members of the committee. In addition, upon announcement of a hearing and subsequently as they are received, the chairman shall make available to the members of the committee any official reports from departments and agencies on such matter.

(e) All other members of the committee may have the privilege of sitting with any subcommittee during its hearings or deliberations and may participate in such hearings or deliberations after members of the subcommittee have been given an opportunity to participate, but no such member who is not a member of the subcommittee shall vote on any matter before such subcommittee.

(f) Committee members may question witnesses only when they have been recognized by the chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended only with the unanimous consent of all members present. The questioning of witnesses in both the full and subcommittee hearings shall be initiated by the chairman, followed by the ranking minority party member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the committee.

(g) The following additional rules shall apply to investigative hearings:

(1) The chairman at any investigative hearing shall announce in an opening statement the subject ot the investigation.

(2) A copy of the committee rules and clause 2 of rule XI of the House Rules shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person it shall—

(A) receive such evidence or testimony in executive session;

(B) afford such person an opportunity voluntarily to appear as a witness; and

(C) receive and dispose of requests from such person to subpena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public session without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may review and photostat a copy of his or her testimony given at a public session, or if given at an executive session, when authorized by the committee.

RULE NO. 8—PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a)(1) It shall be the duty of the chairman of the committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, the report of the committee on a measure which has been approved by the committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request.

(b)(1) No measure or recommendation shall be reported from the committee unless a majority of the committee was actually present.

(2) With respect to each record vote by the committee to report any bill or resolution, the name of each member voting for and voting against the motion to report, and whether by proxy or in person and the names of those members present but not voting, and the names of those members absent, shall be included in the committee report.

(c) The report of the committee on a measure which has been approved by the committee shall include—

(1) the oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X of the House separately set out and clearly identified;

(2) the statement required by section 308(a) of the Congressional Budget Act of 1974 separately set out and clearly identified, if the measure provides new budget authority or new or increased tax expenditures;

(3) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of such act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the committee; and

(4) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause 4(c)(2) of rule X of the House separately set out and clearly identified whenever such findings and recommendations have been submitted to the committee in a timely fashion to allow an opportunity to consider such findings and recommendations during the committee's deliberations on the measure.

(d) Each report of the committee on each bill or joint resolution of a public character reported by the committee shall contain a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy.

(e) If, at the time of approval of any measure, matter or any report or submission to be made to the House or to the Committee on the Budget under subclauses (g), (h), and (i) of clause 4 of rule X of the Rules of the House of Representatives by the committee, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be part of, the report filed by the committee with respect to that measure or matter. No report shall be filed until the chairman has consulted with the ranking minority member of the committee and the chairman of the subcommittee from which the legislation emanated or would have emanated. The report of the committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, or additional views and any material submitted under subdivisions (3) and (4) of subpara-

graph (c) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(B) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

(f) If hearings have been held on any such measure or matter so reported, the committee shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the House prior to the consideration of such measure or matter in the House. This subparagraph shall not apply to—

(1) any measure for the declaration of war, or the declaration of a national emergency, by the Congress; or

(2) any decision, determination, or action by a Government agency which would become, or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress. For the purposes of the preceding sentence, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

RULE NO. 9—OVERSIGHT SUBCOMMITTEE

(a) In order to assist the House in:

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration, and enactment of such modification of changes in those laws, and of such additional legislation, as may be necessary or appropriate, there shall be established in conformity with Rule 15 an Oversight Subcommittee.

(b) The Oversight Subcommittee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee, and the organization and operation of the Federal agencies and entities which have responsibility in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Oversight Subcommittee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the committee. The Oversight Subcommittee shall in no way limit the responsibility of the subcommittees from carrying out their oversight responsibilities.

(c) The Oversight Subcommittee shall review and study on a continuing basis the impact of probable impact of tax policies affecting subjects within the jurisdiction of the committee.

RULE NO. 10—REVIEW OF CONTINUING PROGRAMS: BUDGET ACT PROVISIONS

(a) The committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in clause 7(c) of rule XIII of the House Rules.

(b) The committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) The committee shall, on or about March 15 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting thereform, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Whenever the committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget in accordance with the Congressional Budget Act of 1974.

RULE NO. 11—BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of rule XI, clause 3 of the Rules of the House of Representatives. At all such meetings or proceedings, coverage by radio, television or still photography will be allowed unless specifically forbidden by a record vote of the committee or subcommittee. The chairman of the commitee or of a subcommittee shall determine, in the chairman's discretion, the number of television and still cameras permitted in a hearing or meeting room. The coverage of any hearing or other proceeding of the committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the committee, the subcommittee chairman, or other member of the committee presiding at such hearing or other proceeding and, for good cause, may be terminated by him/her.

RULE NO. 12—COMMITTEE AND SUBCOMMITTEE BUDGETS

(a) The chairman, in consultation with the majority members of the committee shall, for each session of the Congress, prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel for necessary travel, investigation, and other expenses of the full committee, and after consultation with the minority membership, the chairman shall include amounts budgeted to the minority members for staff personnel to be under the direction and supervision of the minority, travel expenses of minority members and staff, and minority office expenses. All travel expenses of minority members and staff shall be paid for out of the amounts so set aside and budgeted.

(b)(1) The chairman of each subcommittee, in consultation with the minority members thereof, shall prepare a budget to include funds for staff, travel, investigations, and miscellaneous expenses as may be required for the work of the subcommittee.

(2) The chairman of each subcommittee shall control the funds provided for in the subcommittee budget.

(c) The chairman shall combine the proposals of each subcommittee with the preliminary budget of the full committee into a consolidated committee budget, and shall present the same to the committee for its approval. The chairman shall then take all action necessary to bring its approval by the Committee on House Administration and by the House.

(d) Authorization for the payment of additional or unforseen committee and subcommittee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(e) The chairman, the ranking minority member of the full committee, or any chairman of a subcommittee may initiate necessary travel requests as provided in Rule 14 within the limits of their portion of the consolidated budget as approved by the House, and the chairman may execute necessary vouchers therefore.

RULE NO. 13—COMMITTEE AND SUBCOMMITTEE STAFF

(a) The professional and clerical staff assigned to the minority shall be appointed and their remuneration determined in such manner as the minority members of the committee shall determine within the budget approved for such purposes by the committee; provided, however, that no minority staff person shall be compensated at a rate which exceeds that paid his or her majority party staff counterpart.

(b) The professional and clerical employees of the committee not assigned to a subcommittee or to the minority under the above provision shall be appointed, and may be removed, and their remuneration determined by the chairman in consultation with and with the approval of the majority members of the committee within the budget approved for such purposes by the committee.

(c) The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the minority members of the committee who may delegate such authority as they determine appropriate.

(d) The professional and clerical staff of the committee not assigned to a subcommittee or to the minority shall be under the general supervision and direction of the chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(e) It is intended that the skills and experience of all members of the committee staff be available to all members of the committee.

(f)(1) The chairman of each standing subcommittee of this committee is authorized to appoint one staff member who shall serve at the pleasure of the subcommittee chairman.

(2) The ranking minority member of each standing subcommittee on this committee is authorized to appoint one staff person who shall serve at the pleasure of the ranking minority party member.

(3) The staff members appointed pursuant to the provisions of subparagraphs (1) and (2) shall be compensated at a rate determined by the subcommittee chairman not to exceed 75 per centum of the maximum established in paragraph (c) of clause 6 of rule XI, provided, however, a staff person appointed by a ranking minority member shall be compensated at a rate not to exceed that paid his or her majority party staff counterpart.

(4) Subparagraphs (1), (2) and (3) shall apply to eight subcommittees only, and no member shall appoint more than one person pursuant to the above provisions.

(5) The staff positions made available to the subcommittee chairmen and ranking minority party members pursuant to subparagraphs (1) and (2) shall be made available from the staff positions provided under clause 6 of House Rules XI unless such staff positions are made available pursuant to a primary or additional expenses resolution.

(6) Except as provided by the above provisions, the professional and clerical members of the subcommittee staffs shall be appointed, and may be removed, and their remuneration determined by the subcommittee chairman in consultation with and with the approval of a majority of the majority members of the subcommittee, and with the approval of the majority of the majority members of the full committee, within the budget approved for the subcommittee.

(7) The professional and clerical staff of a subcommittee shall be under the supervision and direction of the chairman of that subcommittee.

RULE NO. 14—TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel to be reimbursed from funds set aside for the full committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance at hearings conducted by the committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the chairman in writing the following:

(1) The purpose of the travel;

(2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made;

(3) The location of the event for which the travel is being made;

(4) The names of members and staff seeking authorization.

(b) In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matters under the legislative assignment of such subcommittee to be paid for out of funds allocated to such subcommittee, prior authorization must be obtained from the subcommittee chairman, the ranking minority member of the full committee whenever minority staff is involved, and the chairman of the full committee. Such prior authorization shall be given by the Chairman only upon the representation by the applicable chairman of the subcommittee in writing setting forth those items enumerated in (1), (2), (3), and (4), of paragraph (a) and in addition thereto setting forth that subcommittee funds are available to cover the expenses of the person or persons being authorized by the subcommittee chairman to undertake the travel and that there has been compliance where applicable with Rule 12 of the committee.

(c)(1) In the case of travel outside the United States of members and staff of the committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittee, prior authorization must be obtained from the chairman, or, in the case of a subcommittee, from the subcommittee chairman and the chairman. Before such authorization is given, there shall be submitted to the chairman in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the chairman of the full committee, the ranking minority member of the full committee, or the chairman of a subcommittee (except that individuals may submit a request to the chairman for the purpose of attending a conference or meeting).

(3) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (members and staff attending meetings or conferences) shall submit a written report to the chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(d) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and the Committee on House Administration pertaining to such travel.

RULE NO. 15—NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) There shall be eight standing subcommittees as follows: Subcommittee on Housing and Community Development; Subcommittee on Financial Institutions Supervision, Regulation and Insurance; Subcommittee on International Development, Finance, Trade, and Monetary Policy; Subcommittee on Domestic Monetary Policy; Subcommittee on General Oversight and Investigations; Subcommittee on Economic Stabilization; Subcommittee on Consumer Affairs and Coinage; and Subcommittee on Policy Research and Insurance. All proposed legislation and other matters related to the subcommittees listed under standing subcommittees named below shall be referred to such subcommittees respectively. In carrying out any of the jurisdiction specified in the following paragraphs, each subcommittee, to the extent it deems appropriate, may examine the impact of any aspect of such jurisdiction on employment.

(b) Subcommittee on Financial Institutions Supervision, Regulation and Insurance

(1) The jurisdiction of the Subcommittee on Financial Institutions Supervision, Regulation and Insurance extends to all agencies which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit or other insurance for, financial or other institutions, the establishment of interest rate ceilings on deposits, and all auxiliary matters affecting or arising in connection with the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, the National Credit Union Share Insurance Fund, the Federal Home Loan Bank Board, the Federal Reserve Board and System, the National Credit Union Administration, and the Comptroller of the Currency, together with those activities and operations of any other agency or department which relate to both domestic or foreign financial institutions.

(2) Further, jurisdiction extends to and includes with respect to financial institutions and the department and agencies which regulate or supervise them, all activities relating to and arising in connection with the matters of chartering, branching, mergers and acquisitions, consolidations, and conversions.

(c) Subcommittee on Housing and Community Development

(1) The jurisdiction of the Subcommittee on Housing and Community Development extends to all matters relating to housing and mortgage credit (except programs administered by the Veterans' Administration), including mortgage and loan insurance pursuant to the National Housing Act; FHA mortgage interest rates; rural housing; housing assistance programs; secondary mortgage market programs and all other activities of FNMA, GNMA, and FHLMC; private mortgage insurance; housing construction and design standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; counseling and technical assistance; regulation of the housing industry (including landlord-tenant relations); real estate lending powers of financial institutions (including regulation of settlement costs); and interest charges for members of the Federal Home Loan Bank System.

(2) The jurisdiction of the subcommittee further extends to matters relating to community development and community planning, training and research, including community development block grants; urban renewal; model cities; rehabilitation loans and grants; neighborhood facilities grants; open space land and urban beautification grants; water and sewer facilities grants; public facilities loans; national, urban or community development banks; advance acquisition of land programs; new communities assistance programs; national urban growth policies; comprehensive planning (including land use and areawide programs); community development training and followships; urban re-

search and technologies; and regulation of interstate land sales.

(3) Also, the jurisdiction of the subcommittee includes FHA property improvement loans under title I of the National Housing Act which can be used to finance the preservation of historic structures; community development block grant funds authorized under title I of the 1974 Housing Act which can be used to finance the acquisition and preservation of historic properties; and section 701 comprehensive planning grants to public bodies which can be used to finance surveys of historic sites and structures.

(d) Subcommittee on Consumer Affairs and Coinage

(1) The jurisdiction of the Subcommittee on Consumer Affairs and Coinage shall include all matters relating to consumer credit, including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting, equal credit opportunity, debt collection practices, and electronic funds transfers. The jurisdiction shall further include creditor remedies and debtor defense, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards and the preemption of State usury laws.

(2) The jurisdiction of the subcommittee shall further extend to the following:

(A) All matters relating to consumer access to financial services and the advertisement and promotion of financial services, other than the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(B) The terms and rules of disclosure of financial services;

(C) consumer access to savings accounts and checking accounts;

(D) Other consumer accounts in financial institutions; and

(E) Lifeline banking and government check cashing.

(3) The Jurisdiction of the subcommittee shall further extend to matters relating to the price of consumer goods, services and commodities, the rationing of consumer products, and hoarding.

(4) Further, the jurisdiction of the subcommittee extends to all matters relating to coins, coinage, currency and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations and activities of the Bureau of the Mint and the Bureau of Engraving and Printing.

(5) The Subcommittee shall not schedule a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least 218 Members of the House.

(6) In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards:

(A) The recipient shall be a natural person;

(B) The recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(C) The recipient shall not have received a medal previously for the same or substantially the same achievement;

(D) The recipient shall be living or, if deceased, shall have been deceased for not less than 5 years and not more than 25 years; and

(E) The achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same field, as evidenced by the recipient having received the highest honors in the field.

(e) Subcommittee on Domestic Monetary Policy

(1) The jurisdiction of the Subcommittee on Domestic Monetary Policy extends to all matters relating to monetary policy and agencies which directly or indirectly affect monetary policy, including the effect of such policy and other financial actions on interest rates, allocation of credit, and the structure and functioning of domestic and foreign financial institutions.

(2) Further, the jurisdiction of the Subcommittee on Domestic Monetary Policy extends to all private foundations and charitable trusts.

(f) Subcommittee on General Oversight and Investigations

(1) The Subcommittee on General Oversight and Investigations shall assist the House Committee on Banking, Finance and Urban Affairs in appraising the administration of the laws and regulations under the jurisdiction of the committee and present such recommendations as deemed necessary to the appropriate subcommittee(s) of the committee.

(2) Further, the subcommittee shall exercise continuing oversight of the execution by the administrative agencies concerning any of the laws the subject matter of which reside within the jurisdiction of the committee and shall study all pertinent reports, documents and data pertinent to the jurisdiction of the committee and make the necessary recommendations or reports thereon to the appropriate subcommittee(s) of the committee.

(3) Further, the subcommittee shall have full jurisdiction over the Renegotiation Act of 1951, as amended.

(g) Subcommittee on Economic Stabilization

(1) The jurisdiction of the Subcommittee on Economic Stabilization shall extend to all matters relating to financial aid to all sectors and elements within the economy, all matters relating to economic stabilization, and all defense production matters as contained in the Defense Production Act of 1950, as amended, and all related matters thereto.

(2) Further, the jurisdiction of the subcommittee shall extend to international investment policies, both as they relate to U.S. investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(3) Further, the subcommittee shall have jurisdiction over the Urban Development Action Grant program and Enterprise Zone programs.

(h) Subcommittee on International Development, Finance, Trade and Monetary Policy

(1) The jurisdiction of the subcommittee extends to all matters relating to all multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto; and monetary and financial developments as they relate to the activities and objectives of such institutions.

(2) Further, the subcommittee shall have jurisdiction over all matters within the jurisdiction of the committee relating to international trade, including but not limited to the activities of the Export-Import Bank.

(3) Further, the subcommittee shall have jurisdiction over the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto.

(i) Subcommittee on Policy Research and Insurance

(1) The subcommittee shall assist the House Committee on Banking, Finance and Urban Affairs in studying the long-term economic, social, and environmental impact of the policies under the jurisdiction of the committee and make recommendations as deemed necessary to the appropriate subcommittee(s).

(2) The subcommittee shall examine the impact of the policies and programs under the jurisdiction of the committee as they affect urban, rural, national and world growth, including but not limited to the following areas: Population; the environment; education and social programs; crime; community services; and personal economic security and mobility. The subcommittee shall also examine the long range impact of new technologies, demographic and social trends and the economy on the matters under the committee's jurisdiction.

(3) The legislative jurisdiction of the subcommittee extends to all matters pertaining to insurance within the committee's jurisdiction, including protection against all risks, perils, hazards and liabilities; crime insurance; fire insurance; and flood insurance and related land use controls; but excludes Federal deposit insurance, mortgage and loan insurance, title insurance, and the authority of and conditions upon which federally insured depository institutions and companies that are affiliated with federally insured depository institutions engage in insurance activities. The legislative jurisdiction of the Subcommittee also extends to the financial intermediation in the economy by insurance organizations, including, but not limited to the granting of credit, the investment of assets, the protection of policyholders and investors, the payment of benefits and any federal regulation thereof. The legislative jurisdiction of the subcommittee further extends to the Federal Agricultural Mortgage Corporation and to all matters relating to the secondary markets except those matters related to the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation and the Government National Mortgage Association.

(j) The committee may provide for such additional subcommittees as determined to be appropriate; Provided, however, that such additional subcommittees are approved by a majority of the majority members on the Committee.

(k) A member serving as chairman of any subcommittee on this committee shall not also serve as the chairman of a subcommittee on any other full committee or select committee with legislative jurisdiction; Provided, however, that this provision shall not apply to a member serving as subcommittee chairman on the Budget Committee; House Administration Committee; Joint Committees; Standards of Official Conduct Committee; or House Recording Committee.

RULE NO. 16—POWERS AND DUTIES OF SUBCOMMITTEES

(a) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the chairman and other subcommittee chairmen and with a view toward avoiding simultaneous scheduling of full committee and sub-

committee meetings or hearings whenever possible.

(b) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the committee, the chairman of the subcommittee reporting the bill, resolution, or matter to the full committee, or any member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the committee. It shall be the duty of the chairman of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take steps or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

(c) No bill or joint resolution approved by a subcommittee shall be considered by the committee unless such measure, as approved, has been made available to all members at least two calendar days prior to the meeting, accompanied by a section-by-section analysis of such measure. The provisions of this paragraph may be suspended by the committee by a two-thirds vote or by the chairman, with the concurrence of the ranking minorty member of the full committee.

(d) All committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the committee or subcommittee, as appropriate shall contain the following disclaimer on the cover of such report:

"This report has not been officially adopted by the Committee on Banking, Finance and Urban Affairs (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its members."

(e) Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed on the agenda of the committee as of the time they are reported and shall be considered by the full committee in the order in which they were reported unless the chairman after consultation with the ranking minority member and appropriate subcommittee chairman, otherwise directs; Provided, that no bill reported by a subcommittee shall be considered by the full committee unless each member has been provided with reasonable time prior to the meeting to analyze such bill, together with a comparison with present law and a section-by-section analysis of the proposed change, and a section-by-section justification.

(f) No bill or joint resolution may be considered by a subcommittee unless such measure has been made available to all members at least two calendar days prior to the meeting, accompanied by a section-by-section analysis of such measure. The provisions of this paragraph may be waived following consultation with the appropriate ranking minority member.

RULE NO. 17—REFERRAL OF LEGISLATION TO SUBCOMMITTEES

(a) Each bill, resolution, investigation, or other matter which relates to a subject listed under the jurisdiction of any subcommittee named in rule 15 referred to or initiated by the full subcommittee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks unless, by majority vote of the majority members of the full committee, consideration is to be by the full committee.

(b) Referral to a subcommittee shall not be made until 3 days shall have elapsed after written notification of such proposed referral to all subcommittee chairmen, at which time such proposed referral shall be made unless one or more subcommittee chairmen shall have given written notice to the chairman of the full committee and to the chairman of each subcommittee that he intends to question such proposed referral at the next regularly scheduled meeting of the committee, or at a special meeting of the committee called for that purpose at which time referral shall be made by the majority members of the committee. All bills shall be referred under this rule to the subcommittees of proper jurisdiction without regard to whether the author is or is not a member of the subcommittees. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of the majority members of the committee for the committee's direct consideration or for reference to another subcommittee.

(c) Committee reports shall be filed at such time as the committee shall determine with reasonable time allowed for members to file supplemental, individual, dissenting or other views.

(d) In carrying out this rule with respect to any matter, the chairman may refer the matter simultaneously to two or more subcommittees, consistent with Rule 15, for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee, or refer the matter to a special ad hoc committee appointed by the chairman (from members of the subcommittees having legislative jurisdiction) for the specific purpose of considering that matter and reporting to the full committee thereon, or make such other provisions as may be considered appropriate.

RULE NO. 18—SIZES AND PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

(a) To the extent that the number of subcommittees and their party ratios permit, the size of all subcommittees shall be established so that the majority party members of the committee have an equal number of subcommittee assignments; Provided, however, that a member may waive his or her right to an equal number of subcommittee assignments on the committee; and provided further, that the majority party members may limit the number of subcommittee assignments of the chairman and the subcommittee chairmen and the minority party members may limit the number of subcommittee assignments of ranking minority party members in order to equalize committee workloads.

(b) Following shall be the sizes and party ratios for subcommittees:

(1) Subcommittee on Housing and Community Development: Total—36. Democrat—22. Republican—13. Other—1.

(2) Subcommittee on Financial Institutions Supervision, Regulation and Insurance: Total—36. Democrat—22. Republican—14.

(3) Subcommittee on International Development, Finance, Trade, and Monetary Policy: Total—25. Democrat—15. Republican—9. Other—1.

(4) Subcommittee on Domestic Monetary Policy: Total—8. Democrat—5. Republican—3.

(5) Subcommittee on General Oversight and Investigations: Total—13. Democrat—8. Republican—5.

(6) Subcommittee on Economic Stabilization: Total—15. Democrat—9. Republican—6.

(7) Subcommittee on Consumer Affairs and Coinage: Total—18. Democrat—11. Republican—6. Other—1.

(8) Subcommittee on Policy Research and Insurance: Total—8. Democrat—5. Republican—3.

RULE NO. 19—COMMITTEE RECORDS MAINTAINED AT THE NATIONAL ARCHIVES

The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with rule XXXVI of the Rules of the House of Representatives. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any member of the committee.

RULES OF PROCEDURE FOR THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS FOR THE 102D CONGRESS

(Mr. MILLER of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of California. Mr. Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to the rules of the House, a copy of the rules of the Committee on Interior and Insular Affairs which were adopted at the organizational meeting on February 6, 1991.

RULES FOR THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

INTRODUCTION

Rule XI of the Rules of the United States House of Representatives, provides in part:

Rule XI.—Rules of Procedure for Committees

In General

1. (a)(1). The Rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees.

(2) Each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules so far as applicable.

(b) Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X, and (subject to the adoption of expense resolutions as required by clause 5) to incur expenses (including travel expenses) in connection therewith.

(c) Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of a committee shall be paid from the contingent fund of the House.

(d) Each committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of that committee under this rule and Rule X during the Congress ending at noon on January 3 of such year.

Committee Rules.—Adoption of Written Rules

2. (a) Each standing committee of the House shall adopt written rules governing its procedure, Such rules—

(1) shall be adopted in a meeting which is open to the public unless the committee, in

open session and with a quorum present, determined by rollcall vote that all or part of the meeting on that day is to be closed to the public;

(2) shall be not inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(3) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

Each committee's rules specifying its regular meeting days, and any other rules of a committee which are in addition to the provisions of this clause, shall be published in the Congressional Record not later than thirty days after the Congress convenes in each odd-numbered year. Each select or joint committee shall comply with the provisions of this paragraph unless specifically prohibited by law.

In accordance with the foregoing, the Committee on Interior and Insular Affairs adopted the following as the Rules of the Committee.

A. RULES OF GENERAL APPLICATION

Rule 1. Rules of the House.—The Rules of the House of Representatives are the rules of its Committees and Subcommittees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in Committees and Subcommittees. Written rules adopted by the Committees, not inconsistent with the Rules of the House, shall be binding on each Subcommittee. Each Subcommittee of a Committee is a part of that Committee and is subject to the authority and direction of that Committee. Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the Rules of the Committee which are supplementary to the Rules of the House.

Rule 2. Time, Place of Meetings.—(a) While Congress is in session, regular business meetings of the Committee shall be held in the regularly assigned committee room, Longworth House Office Building, beginning at 9:45 a.m. on each Wednesday, except that, whenever any regularly scheduled party caucus or conference conflicts with such meeting of the Committee, then the Committee shall meet at a later time or on Thursday or on such other day as may be mutually agreed upon by the Chair and the Ranking Minority Member. Such meeting shall be called to order and presided over by the Chair, or, in the absence of the Chair, by the ranking majority member of the Committee present.

(b) Special meetings shall be held at the call of the Chair or upon written request of Members of the Committee as provided in Rule XI, Clause 2, of the Rules of House. When a regularly called party caucus or party conference is scheduled to be in session after 10 a.m. on any day, and the Chair is so advised not later than 12 noon on the preceding day, the regularly scheduled Committee meeting for that day shall be rescheduled at a later time or as provided in paragraph (a) of this rule.

(c) Each meeting of the Committee or any of its Subcommittees for the transaction of business, including the mark-up of legislation, shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. *Provided, however,* That no persons other than Members of the Committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or mark-up session which has been closed to the public. This paragraph does not apply to any meeting that relates solely to internal budget or personnel matters.

Rule 3. Agenda for Meetings.—The agenda for Committee meetings, setting out all items of business to be considered, shall be available and delivered to the office of each Member at least 48 hours in advance of the meeting. *Provided,* That this requirement may be waived by a majority vote, a quorum being present.

Rule 4. Adjournment of Meetings.—A motion to adjourn shall not be approved unless the Chair, in his discretion, recognizes a Member for the purpose of making such motion and the motion is approved by a majority of the Members present and voting.

Rule 5. Committee Procedure.—(a) The date time, place and subject matter of all public hearings of the Committee or any of the Subcommittee shall be announced at least 1 week in advance of the commencement of such hearings. If the Committee or any of its Subcommittees, determines that there is good cause to expedite the hearing, it shall make the announcement at the earliest possible date. Any such announcement shall be promptly published in the Daily Digest.

(b) Each hearing conducted by the Committee or Subcommittee thereof shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. *Provided,* That the Committee or Subcommittee may by the same procedure vote to close one subsequent day of hearing: *Provided further,* That two or more Members at a meeting held for the purpose of taking testimony may determine, by a majority vote,

(i) to close such hearing for the purpose of discussing whether testimony or evidence to be received would endanger national security or tend to defame, degrade, or incriminate any person in violation of Rule XI, 2(k)(5), of the Rules of the House; or

(ii) to close the hearing as provided in Rule XI, 2(k)(5), of the Rules of the House.

(c) No Member may be excluded from nonparticipatory attendance at any hearing of the Committee or its Subcommittees, unless the House, by majority vote, authorizes the Committee or its Subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close such meetings to Members by the same procedures designated in this rule for closing meetings to the public.

(d) Each witness who is to appear before the Committee or one of its Subcommittees shall file with the Committee, at least 24 hours in advance of his appearance, a written statement of his proposed testimony and shall limit his oral presentation at his appearance to a brief summary of his argument, unless this requirement is waived by the Committee.

(e) The right to interrogate witnesses before the Committee or any of its Subcommittees shall alternate between the Majority Members and the Minority Members. In recognizing Members to question witnesses, the Chair may take into consideration the ratio of Majority and Minority party Members present and may recognize two Majority party Members for each Minority party Member recognized. Each Member shall be limited to 5 minutes in the interrogation of witnesses until such time as each Member has had an opportunity to question the witness.

(f) No bill, recommendation, or other matter reported by a Subcommittee shall be considered by the Committee until 2 calendar days have elapsed from the time of the action of the Subcommittee and such action has been reported by the Committee Clerk to all Members of the Committee and, in the case of a bill, a copy has been delivered to the offices of all Members so requesting the same, together with a section-by-section explanation and, if a change in present law is involved, a section-by-section comparison with the present law: *Provided,* That this requirement may be waived by a two-thirds vote of a quorum of the Committee Members.

Rule 6. Quorum.—No measure or recommendation shall be reported from the Committee unless a majority of the Members of the Committee are present, but for the purpose of transacting any other Committee business one-third of the Members shall constitute a quorum. Testimony and evidence may be received at any meeting at which there are present two or more Members of the Committee. A quorum, once established, shall be deemed present unless a Member objects to the transaction of business due to the lack of a quorum. When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be so notified and the Members shall have not less than 10 minutes to prove their attendance. The Chair shall have the discretion to waive this requirement whenever a quorum is secured and may direct the Clerk to note the names of all Members present within the 10 minute period.

Rule 7. Proxies.—A vote by any Member in the Committee or in any Subcommittee may be cast by proxy, but such proxy must be in writing. Each proxy shall designate the Member who is to execute the proxy authorization, shall assert that the Member is absent on official business or otherwise unable to attend, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

Rule 8. Subpoenas and Oaths.—(a) A subpoena may be issued by a Committee or Subcommittee in the conduct of any investigation or series of investigations or activities when authorized by a majority of the Members of the Committee or Subcommittee and approved by the Chair of the Full Committee and signed by his or her designee.

(b) The Chair of the Committee, the Chair of any of its Subcommittees, or any Member designated by either, may administer oaths to any witness.

Rule 9. Journal, Rollcalls.—(a) The proceedings of the Committee shall be recorded in a journal which shall, among other things, including a record of the votes on any question on which a record vote is demanded. A copy of the journal shall be furnished the Ranking Minority Member through the Mi-

nority Counsel. A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member. No demand for a rollcall shall be made or entertained except for the purpose of securing a record vote or in the apparent absence of a quorum.

(b) At the beginning of any meeting of the Committee, the Chair may announce to the Committee, in his discretion, that further proceedings will be postponed on any motions on which a recorded vote is ordered or on which the vote is objected to under Rule 6 until immediately preceding the conclusion of the meeting. In such instances, the Committee shall proceed with the consideration of the next regularly scheduled measures or matters until all such business is disposed of or until such time as the Chair announces that the question will be put on the matter deferred. The question on any motion so postponed shall be put by the Chair and shall be disposed of by the Committee, without further debate, as expeditiously as possible. If the Committee adjourns before the question is put and determined on such motion, then the first order of business at the next meeting shall be the disposition of such motion.

(c) The result of each rollcall vote in any meeting of the Committee shall be made available in the Committee office for inspection by the public. Such records shall constitute the official attendance records of the Committee.

Rule 10. Filing of Committee Reports.—(a) All Members of the Committee shall be given an opportunity to review each proposed Committee report for at least 2 days (excluding Saturdays, Sundays, and legal holidays) prior to filing.

(b) If, at the time of approval of any measure or matter by this Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) after the copy of the Committee report in substantially final form is completed, excluding formal or technical changes, in which to file such views, in writing and signed by that Member or Members, with the Clerk of the Committee. In the event that substantial or significant changes are made in the Committee report, such Member shall have not more than one calendar day to review such changes and alter his or her views in responding thereto. All such views so filed by one or more Members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(c) The time requirements of paragraphs (a) and (b) of this rule shall run concurrently and shall not operate to delay the filing of Committee reports.

Rule 11. Record of Committee Proceedings.—(a) Evidence, testimony, and information relevant to any measure or matter before the Committee will be received for inclusion in the record of proceedings as determined appropriate. A formal transcript need not be made in all instances, and the Chair may exercise discretion as to the content of the record. A complete record of all Committee action, which shall include a record of the votes on any question on which a rollcall vote is demanded, shall be kept and retained in the permanent files of the Committee. All printing of proceedings or of other matter shall be subject to general principles promulgated by the Chair as well as by approval in each instance not only by the Chair of the appropriate Subcommittee but also by the Chair of the Committee.

(b) All transcripts of public meetings and hearings shall be available for review in the offices of the Committee. Unrevised and unedited hearing transcripts shall not be reproduced in any form without the written consent of the Chair or of the Member involved. Transcripts of other public meetings of the Committee and its Subcommittees shall not be reproduced in any form without the written consent of the Chair of the Committee or, as appropriate, of the Chair of the Subcommittee involved, in his or her discretion. Records and transcripts of public meetings of the Committee, conducted during any prior Congress, may be made available for review in the offices of the Committee, but such records and transcripts shall not be reproduced except as permitted by the House of Representatives.

(c) No records or transcripts of Committee meetings held in executive session shall be released unless the Committee directs otherwise. All classified documents, transcripts, or other materials shall be maintained in an appropriately secured location and shall not be released for review by any unauthorized person. Authorized persons must review such classified materials at an appropriate location in the Committee offices, but such material shall not be removed from the Committee offices for any reason without the written permission of the Chair and, as appropriate, of the Chair of the Subcommittee involved.

Rule 12. Broadcasting of Committee Hearings.—(a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which Committee hearings, or Committee meetings which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, pubic issues, and other matters before the House and its Committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise, covered, under authority of this clause, by television broadcast, radio broadcast and still photography, or by any of such methods of coverage, and the personal behavior of the Committee members and staff, other Government officials and personnel, witnesses, television, radio and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of Committee members in connection with that hearing or meeting or in connection with the general work of the Committee or of the House; or

(2) cast discredit or dishonor on the House, the Committee, or any Member or bring the House, the Committee, or any Member into disrepute.

(d) The coverage of Committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege made available by the House and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause. No recording of Committee or Subcommittee proceedings shall be permitted except as authorized pursuant to these rules:

(1) Accredited press must obtain advance clearance for coverage of committee meetings from the appropriate gallery.

(2) Unaccredited press will be permitted to cover meetings only—

(a) after presentation of bona fide press credentials to the Director of Public Affairs of the Committee, and

(b) approval of such coverage by the Committee, or Subcommittee, at the request of the Chair.

(3) All other media seeking to record all or any part of any Committee or Subcommittee meeting by means of audio or video recording must—

(a) agree, in writing, to comply with all House and Committee Rules pertaining to recording and taping of Committee and Subcommittee meetings and hearings, and

(b) obtain advance clearance of the Chair of the Committee or Subcommittee through the Director of Public Affairs of the Committee.

(4) When space limitations prohibit accommodation of all accredited press, unaccredited press and other media seeking to record part or all of any Committee or Subcommittee meeting or hearing, space will be allotted first to accredited press, then, if space permits, to the unaccredited press and other media.

(e) Whenever any hearing or meeting conducted by any Committee of the House is open to the public, that Committee may permit, by majority vote of the Committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under such written rules as the Committee may adopt in accordance with the purposes, provisions, and requirements of this clause.

(f) The following rules shall apply to the Committee and its Subcommittees:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpoena by the Committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The allocation among the television media of the positions of the number of television cameras permitted in a hearing or meeting room

shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any Member of the Committee or the visibility of that witness and that Member to each other.

(5) Television cameras shall not be placed on the Committee rostrum or in positions which obstruct unnecessarily to coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of these photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If request is made by more than five of the media for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, on the Committee rostrum or between the witness stand and the Members of the Committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

Rule 13. Committee Staffs.—(a) Pursuant to Rule XI, Clause 6, of the Rules of the House, the permanent staff of the Committee shall consist of not more than 30 staff members who shall be selected on the basis of fitness to perform the duties of their respective positions as follows:

Three shall be chosen by the Committee from nominations approved by a majority of the Members of the Minority party of the Committee;

One shall be chosen by the Committee from nominations submitted by the Chair of each of the standing Subcommittees of the Committee;

One shall be chosen by the Committee from nominations submitted by the ranking Minority party Member of each standing Subcommittee of the Committee; and the balance of any unfilled positions shall be chosen by the Committee from nominations approved by a majority of the Members of the Majority party Members of the Committee.

The staff members selected by the Majority party shall be assigned such legislative, oversight, and administrative duties and responsibilities as the Chair of the Committee may prescribe and shall assist Committee Members in connection with matters related to Committee business. Each staff member nominated by a Subcommittee Chair shall be under the general supervision and direction of that Subcommittee Chair. The staff members selected by the Minority party shall be under the general supervision and direction of the Minority party Members of the Committee who may delegate such authority as they determine appropriate.

(b) A Subcommittee Chair shall be entitled to select and designate additional staff members, subject to the approval of a majority of the Majority party Members of the Committee, to assist the Subcommittee in carrying out its legislative, investigative, and oversight responsibilities. The Minority shall be accorded fair and equitable consideration with respect to the appointment of additional staff, but Minority staffing shall continue to be approximately one-third Minority representation on the Committee. Such staff, members shall be assigned such duties pertaining to Subcommittee business as the Subcommittee Chair or the Minority, respectively, deem advisable and shall be compensated at a salary commensurate with the responsibilities prescribed by such Subcommittee Chair or by the Minority.

(c) Notwithstanding paragraphs (a) and (b) of this rule, the Committee may employ such additional nonpartisan staff as it deems necessary to conduct the administrative and clerical functions of the Committee. Such staff shall be in addition to any staff designated exclusively for the Majority or Minority party and shall be appointed only with the approval of a majority of the Members of the Majority party and with the approval of a majority of the Members of the Minority party. The Chair of the Committee shall establish and assign the duties and responsibilities of such members of the staff and they shall be compensated at a salary commensurate with the responsibilities prescribed.

(d) In the event that staff is not otherwise available pursuant to paragraphs (a) and (b) of this rule, from the funds provided for the appointment of Committee staff pursuant to any primary and additional expense resolution:

(1) The Chair of each standing Subcommittee is authorized to appoint at least one staff member who shall serve at the pleasure of the Subcommittee Chair.

(2) The ranking Minority party Member of each standing Subcommittee is authorized to appoint one staff person who shall serve at the pleasure of the ranking Minority party Member.

(3) The staff members appointed pursuant to the provisions of subparagraphs (a) and (b) shall be compensated at a rate determined by the Subcommittee Chair pursuant to Rule XI, clause 5(d), of the Rules of the House of Representatives.

(4) The staff positions made available to the Subcommittee Chair and ranking Minority party Members pursuant to subparagraphs (1) and (2) of this paragraph shall be made available from the staff positions provided under Rule XI, Clause 6, unless such staff positions are made available pursuant to a primary or additional expense resolution.

(e) All staff selected pursuant to this rule shall be approved by the Committee and shall not be assigned any duties other than those pertaining to the business of the Committee and its Subcommittees. The staff of a subcommittee shall be under the general supervision and direction of the Chair of that Subcommittee. The staff assigned to the Minority shall be under the general supervision and direction of the Minority party Members of the Committee who may delegate such authority as they determine appropriate. The staff of the Committee not assigned to a Subcommittee or to the Minority shall be under the general supervision and direction of the Chair of the Committee, who shall establish and assign the duties and responsibilities of such staff members and delegate authority as determined appropriate.

B. SUBCOMMITTEE: JURISDICTION, COMPOSITION, AND POWERS

Rule 14. Subcommittees Rules.—The Rules of the Committee, where applicable, shall be the Rules of its Subcommittees.

Rule 15. Reference of Legislation.—(a) Except for bills, resolutions, or matters involving Indians and Indian Tribes which shall be retained for consideration by the Committee unless referred by the Chair to an appropriate standing, select, or special Subcommittee, every bill, resolution, or other matter referred to the Committee shall be referred to subcommittee within 2 weeks from the date of its referral to the Committee unless the Chair, with the approval of a majority of the Majority Members of the Committee, orders that it be retained for consideration by the Committee or that it be referred to a select or special Subcommittee.

(b) A bill, resolution, or other matter referred by the Chair to a Subcommittee may be recalled therefrom by him or her with the approval of a majority of the Members of the Committee for the Committee's direct consideration or for referral to another Subcommittee. The Chair shall so inform the Members of this recommendation, in writing, and such recommendation shall be effective within 1 week if approved by a majority of the Members of the Committee.

(c) A bill, resolution, or other matter referred by the Committee to a Subcommittee may be recalled from such Subcommittee at any time by majority vote, a quorum being present, for its consideration by the Committee or for reference to another Subcommittee.

Rule 16. Subcommittees.—There shall be the following six standing Subcommittees of the Committee: Subcommittee on Water, Power and Offshore Energy Resources; Subcommittee on Mining and Natural Resources; Subcommittee on National Parks and Public Lands; Subcommittee on Insular and International Affairs; Subcommittee on Energy and the Environment; and, Subcommittee on General Oversight and California Desert Lands. Additional standing Subcommittees may be created by resolution of the Committee.

Rule 17. Jurisdiction of Subcommittees.—(a) The jurisdiction, including legislative, investigative, and oversight responsibilities of the six standing Subcommittees shall, subject to alteration as other Subcommittees are created, be as follows:

Subcommittee on Water, Power and Offshore Energy Resources

(a) All measures or matters pertaining to irrigation and reclamation projects and other water resources development pro-

grams, including policies and procedures relating thereto.

(b) All measures and matters concerning the water-related programs of the U.S. Geological Survey; water resources planning conducted pursuant to the Water Resources Planning Act; saline water research and development; and water resources research programs.

(b) Selected matters and proposals, as referred by the Chairman, involving the environmental impacts of any laws or programs under the jurisdiction of the Committee.

(c) Compacts relating to the use and apportionment of interstate waters; water rights, including Federal reserved water rights on public lands; and programs involving major interbasin movement of water or power.

(d) Generation and marketing of electric power from Federal water projects by federally chartered or Federal regional power marketing authorities.

(e) Measures and matters relating to public lands in Alaska (including forestry and forest management issues), except those within the jurisdiction of the Subcommittee on National Parks and Public Lands.

(f) Measures concerning the transportation of natural gas from or within Alaska or concerning the disposition of oil transported by the trans-Alaska oil pipeline.

(g) Conservation and development of oil and gas resources of the Outer Continental Shelf.

(h) Selected matters and proposals, as referred by the Chairman, involving the environmental impacts of any laws or programs under the jurisdiction of the Committee.

Subcommittee on Mining and Natural Resources

(a) Mining interests generally, including deep seabed mining and matters involving the Law of the Sea Treaty.

(b) Mineral resources of the public lands, except matters involving the Outer Continental Shelf.

(c) Mineral land laws, and claims and entries thereunder.

(d) Geological survey, except water-related programs.

(e) Mining schools and experimental stations.

(f) Proposed long-range domestic minerals programs, including availability of domestic minerals to fulfill all domestic requirements.

(g) All measures and matters affecting geothermal resources.

(h) All matters involving mining regulation and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts.

(i) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

Subcommittee on National Parks and Public Lands

(a) Measures and matters related to the National Park System and all of its units.

(b) National Wild and Scenic Rivers System; National Trails System; national recreation areas; and other national units established for protection, conservation, preservation, or recreational development administered by the Secretary of the Interior or the Secretary of Agriculture, and such military parks, battlefields, national cemeteries, and parks as the Secretary of the Interior may administer within the District of Columbia.

(c) Federal outdoor recreation plans, programs, and administration, including the Land and Water Conservation Fund.

(d) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including programs for international cooperation in the field of historic preservation.

(e) Except for public lands in Alaska, public lands, generally, including measures or matters related to entry, easement, withdrawals, and grazing.

(f) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(g) Forest reserves, including management thereof, created from the public domain, except in Alaska.

(h) Except for Alaska, National Wilderness Preservation System, generally, and all matter relating to wilderness in the National Park System.

Subcommittee on Insular and International Affairs

(a) Except for matters within the jurisdiction of other Subcommittees, all measures or matters involving the insular areas of the United States.

(b) All measures of matters involving the Trust Territory of the Pacific Islands, the Freely Associated States and Antarctica.

(c) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources within the jurisdiction of the Committee.

Subcommittee on Energy and the Environment

(a) Regulation of the domestic nuclear energy industry, including regulation of research and development of reactors and nuclear regulatory research and special oversight functions with respect to nonmilitary nuclear energy and research and development including the disposal of nuclear waste.

(b) Conservation of the uranium supply in the United States.

(c) Recommendations with respect to laws and programs under the jurisdiction of the Committee made by the Council on Environmental Quality in its annual Environmental Quality Report to the Congress.

(d) Plans and programs concerning non-federal outdoor recreation and land use, including such related plans and programs authorized by the Land and Water Conservation Fund Act of 1965, and the Outdoor Recreation Act of 1963.

(e) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, American Conservation Corps, U.S. Holocaust Memorial, and Pennsylvania Avenue Development Corporation.

Subcommittee on General Oversight and California Desert Lands

(a) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee as may be referred to the Subcommittee by the Chair of the Full Committee, after consultation with the Chair of the principal standing legislative Subcommittee involved.

(b) Such remedial legislation resulting from the findings or recommendations of the Subcommittee as may be referred to the Subcommittee by the Chair of the Full Committee, after consultation with the Chair of the principal legislative Subcommittee involved.

(c) All legislation concerning the use, occupancy, development and management of public lands in the California Desert Conservation Area, except for military withdrawals.

(d)(1) In order to enable the Committee to carry out its responsibilities under Rule X, Clause 2, of the Rules of the House, each Subcommittee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that Subcommittee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, each such Subcommittee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of that Subcommittee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of that Subcommittee.

(2) Pursuant to Rule X, Clause 2, of the Rules of the House, the Chair of the Committee and the Chair of the Subcommittee having jurisdiction over the matter involved or their respective designees, shall meet with representatives of the Committee on Government Operations to discuss and to assist in coordinating oversight plans of their respective Committees.

Rule 18. Party Ratios.—The Chair shall negotiate with the Minority with respect to the size of each Subcommittee, with due regard for the preference of Members for Subcommittee assignments, except that party representation on each Subcommittee shall be no less favorable to the Majority party than the ratio for the Committee.

The Chair, if approved by a majority of the Members of the Majority party, and the Ranking Minority Member, if approved by a majority of the Members of the Minority party, may serve as Members of each Subcommittee.

The size and party representation for each Subcommittee during the 102d Congress shall be as follows:

Subcommittee	Total members	Majority party	Minority party
Water, Power, and Offshore Energy Resources	25	15	10
Mining and Natural Resources	6	4	2
National Parks and Public Lands	32	20	12
Insular and International Affairs	5	3	2
Energy and the Environment	21	12	9
General Oversight and California Desert Lands	5	3	2

Rule 19. Special or Select Subcommittee.—The Chair is authorized, after consultation with the Ranking Minority Member of the Committee, to appoint such special or select Subcommittees as he deems advisable for carrying out the responsibilities and functions of the Committee. Party representation on each such Subcommittee shall be in the same proportion as that on the Committee.

Rule 20. Powers and Duties of Subcommittees.—Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. The Chair of each Subcommittee shall set dates for hearings and meetings of their respective Subcommittees after consultation with the Chair of the Full Commit-

tee and of other Subcommittees with a view toward avoiding simultaneous scheduling of Committee and Subcommittee meetings or hearings wherever possible.

Rule 21. Travel.—(a) Subcommittee hearings outside of Washington, D.C., and travel by Members and staff shall be subject to approval by the Chair of the Committee pursuant to regulations promulgated by the Committee on House Administration. Each Subcommittee Chair may, for the purposes of field trips or hearings outside of the District of Columbia, assign any Members of the Committee to that Subcommittee.

(b) Staff members assigned to any Subcommittee may travel in connection with their respective duties only with the approval of the appropriate Subcommittee Chair and with the approval of the Chair of the Committee. Prior to submitting such travel requests to the appropriate Subcommittee Chair, all Minority staff travel shall be subject to such approval as the Minority Members of the Committee deem appropriate. All such travel shall be subject to the regulations promulgated by the Committee on House Administration.

Rule 22. Subcommittee Chair.—The Majority Members of the Committee shall have the right, in order of Full Committee seniority, to bid for Standing Subcommittee Chairs. Any such bid shall be subject to approval by a majority of the Majority Members of the Committee. The Minority shall select a counterpart to the Subcommittee Chair for each of the Subcommittees. The Chair of select and special Subcommittees shall be appointed by the Chair of the Committee, subject to approval by a majority of the Majority Members of the Committee except that no Subcommittee Chair shall be Chair of another legislative Subcommittee of the House.

Rule 23. Duties of Chair Upon Favorable Action by Committee.—Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee, the Chair shall report the same or designate some Member of the Committee to report the same to the House and shall use or cause to be used all parliamentary methods to secure passage thereof, without such additional authority being set forth particularly in the motion to report each invididual bill or resolution. Without limiting the generality of the foregoing, the authority contained herein extends in appropriate cases to moving in accordance with Rule XXIV, Clause 5, of the said rules that the House go into the Committee of the Whole House on the State of the Union to consider the bill or resolution; and to moving in accordance with Rule XXIV, Clause 2, of said rules for the disposition of a Senate bill or resolution that is substantially the same as the House bill or resolution as reported.

Rule 24. Committee Budget and Expenses.—(a) Each Subcommittee Chair and the ranking Minority Members of the Committee shall submit to the Chair a budget for each session of the Congress covering the funding required for staff, travel, and miscellaneous expenses. The Chair shall prepare a consolidated budget for each session of Congress which shall include amounts required for all activities and programs of the Committee and the Subcommittees, except those Committee expenses to be paid from appropriations provided for by statute.

(b) Upon approval by the committee of each such budget, the Chair, acting pursuant to Rule XI, Clause 5, of the Rules of the House, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Administration and by the House.

(c) The Chair shall report to the Committee any amendments to each expense resolution and any changes in the budget necessitated thereby.

(d) Authorization for the payment of additional or unforeseen Committee and Subcommittee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(e) Committee Members shall be advised of the availability of each monthly report, prepared by the Chair for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information travel.

Rule 25. Recommendation of Conferees.—Whenever in the legislative process it becomes necessary to appoint conferees, Majority Members shall be recommended to the Speaker as conferees as determined by the Majority, and Minority Members shall be recommended to the Speaker as conferees as determined by the Minority. Recommended party representation shall be in the same proportion as that in the Committee.

RULES OF PROCEDURE FOR THE COMMITTEE ON MERCHANT MARINE AND FISHERIES FOR THE 102D CONGRESS

(Mr. JONES of North Carolina asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. JONES of North Carolina. Mr. Speaker, I submit for printing in the CONGRESSIONAL RECORD the Rules of Procedure of the Committee on Merchant Marine and Fisheries for the 102d Congress which were approved at the committee organizational meeting of February 6, 1991, as follows:

RULES OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

RULE I. APPLICABILITY OF HOUSE RULES

The Rules of the House insofar as they are applicable shall be the Rules of the Committee and its Subcommittees.

RULE II. JURISDICTION

As established in Rule X of the House Rules, the jurisdiction of the Committee on Merchant Marine and Fisheries is:

(1) Merchant marine generally.

(2) Oceanography and Marine Affairs, including coastal zone management.

(3) Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.

(4) Fisheries and wildlife, including research, restoration, refuges, and conservation.

(5) Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

(6) Merchant marine officers and seamen.

(7) Navigation and the laws relating thereto, including pilotage.

(8) Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and interoceanic canals generally.

(9) Registering and licensing of vessels and small boats.

(10) Rules and international arrangements to prevent collisions at sea.

(11) United States Coast Guard and Merchant Marine Academies, and State Maritime Academies.

(12) International fishing agreements.

RULE III. FUNCTIONS

(A) General Oversight Responsibilities.—

(1) The Committee shall review and study, on a continuing basis:

(a) the application, administration, execution, and effectiveness of those laws, or parts of laws, within its jurisdiction;

(b) the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution of these laws in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated; and

(c) any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within its jurisdiction (whether or not any bill or resolution has been introduced with respect thereto).

(2) The Committee shall undertake future research and forecasting on matters within its jurisdiction.

(3) The Committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction.

(B) Annual Appropriations.—In its consideration of all public bills and joint resolutions, the Committee shall ensure that appropriations for continuing programs and activities will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(C) Views and Estimates.—On or before February 25 of each year or such date as determined by the Committee on the Budget, the Committee shall submit to the Committee on the Budget:

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions; and

(2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

RULE IV. SUBCOMMITTEES

(A) Applicability of Committee Rules.—Written Rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each of its Subcommittees. Each Subcommittee is a part of the Full Committee and subject to its authority, direction, and Rules.

(B) Standing Subcommittees.—There shall be five standing Subcommittees: the Subcommittee on Merchant Marine; the Subcommittee on Fisheries and Wildlife Conservation and the Environment; the Subcommittee on Coast Guard and Navigation; the Subcommittee on Oceanography, Great Lakes, and the Outer Continental Shelf; and

the Subcommittee on Oversight and Investigations.

(C) Other Subcommittees.—The Chairman, or a majority of the Committee, may establish, as determined to be appropriate for the conduct of Committee business, other special, select, or ad hoc subcommittees.

(D) Subcommittee Membership.—

(1) The ratio of Majority Members to Minority Members on Subcommittees, including Ex Officio Members, shall be no less favorable to the Majority Party than the ratio of Membership on the Full Committee.

(2) A Committee Member may temporarily resign from his Subcommittee assignment to serve on another Subcommittee of the Committee in the event of a vacancy. Members returning to their Subcommittee assignment at the end of the temporary assignment shall return to their original assignment without prejudice to tenure or seniority.

(E) Ex Officio and Other Committee Members.—

(1) The Chairman and the Ranking Minority Member of the Full Committee shall serve as Ex Officio Members of all Subcommittees of which they are not designated as Chairman or Ranking Minority Member. They shall have the right to participate fully, including the right to vote on all matters before the Subcommittees, but shall not be counted in establishing the requirements of, or in determining, a quorum.

(2) Any Member of the Committee may sit with any Subcommittee of which he or she is not a Member during its hearings or meetings (including closed meetings) and participate therein, but may not vote on any matter, or be counted present for the purpose of determining a quorum, or raise points of order, or, except as the Subcommittee Chairman may permit, participate in questioning under the five-minute rule.

(F) Subcommittee Meetings.—

(1) Subcommittees may hold hearings, receive evidence, hear witnesses, and report to the Committee for final action, together with such recommendations as may be agreed upon by the Subcommittee, on such matters as the Chairman may refer to a Subcommittee.

(2) Dates for Subcommittee meetings shall be assigned as a result of consultation between the Chairman and Subcommittee Chairmen and as nearly as practicable in relation to, and in accordance with, workloads.

(3) Subcommittees shall not meet at the same time as the Full Committee without the express permission of the Chairman of the Committee.

(G) Joint Subcommittee Markup.—When two or more Subcommittees meet jointly to take action on any measure or matter, each Member shall be entitled to one vote on each amendment, motion, order, or proposition.

RULE V. MEETINGS

(A) Regular Meetings.—The Committee shall meet at 10 a.m., on the first Wednesday of each month in the Committee Hearing Room, 1334 Longworth House Office Building, while Congress is in session. This meeting may be dispensed with at the discretion of the Chairman, in consultation with the Ranking Minority Member, if there is no business.

(B) Additional Meetings.—The Chairman may call and convene additional meetings.

(C) Meeting Notices.—

(1) The date, time, place, and subject matter of meetings shall be announced to all Members of the Committee and the public at least one week in advance. If the Chairman, in consultation with the Ranking Minority Member, determines this is not possible, a public announcement and oral and confirming written notice to Committee Members shall be made at the earliest possible date.

(2) All meeting notices shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information Systems.

(3) All Committee Members shall have adequate notice prior to Committee or Subcommittee investigations or hearings at locations other than Washington, D.C.

(D) Special Meetings.—

(1) Three or more Committee Members may file with the Committee Clerk, a signed, written request to the Chairman for a special meeting of the Committee, specifying the measure or matter to be considered.

(2) If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Members of the Committee may file with the Committee Clerk their signed, written notice that a special meeting of the Committee will be held, specifying the date and hour of, and the measure or matter to be considered at, that special meeting. The Committee shall meet on that date and hour. Only the measure or matter specified in that notice may be considered at that special meeting. Immediately upon the filing of that notice, the Clerk of the Committee shall notify all Members of the Committee of the special meeting.

(3) The above procedures also apply to Subcommittees, except that the number of Subcommittee Members required to request a special Subcommittee meeting is two, and a majority of the Members of the Subcommittee must file their signed written notice with the Subcommittee Clerk.

(E) Conflict With Party Caucus or Conference.—When a Party Caucus or Conference of either Party directly conflicts with a scheduled Committee meeting, the meeting of the Committee shall be cancelled. The Clerk of the Committee shall give oral and confirming written notice to that effect to all Committee Members. The Chairman shall reschedule the meeting at the earliest practical time.

(F) Prohibition Against Meeting During the Five-Minute Rule and During Joint Sessions and Joint Meetings.—The Committee may not sit, without special leave, while the House is reading a measure for amendment under the five-minute rule. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

RULE VI. COMMITTEE PROCEDURE

(A) Applicability of House Procedure.—The procedure in the Committee and its Subcommittees shall follow the procedure of the House.

(B) Referral of Legislation.—

(1) All legislation and other matters referred to the Committee shall be referred by the Chairman to all Subcommittees of appropriate jurisdiction within two weeks, unless by majority vote of the Majority Party Members of the Full Committee or by agreement between or among the Chairman and all the Subcommittee Chairmen to whom the legislation or other matter would otherwise be referred, consideration is to be by the Full Committee.

(2) The Chairman may refer any measure or matter simultaneously to two or more Subcommittees for concurrent consideration, or for consideration in sequence (subject to appropriate time limitations in the case of any Subcommittee), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different Subcommittee.

(C) Power To Sit and Act and Subpoena Power.—

(1) For the purpose of carrying out any of its functions and duties under Rules X and XI of the House of Representatives, the Committee, or any Subcommittee, is authorized:

(a) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or had adjourned;

(b) to hold hearings; and

(c) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary.

(2) A subpoena may be authorized and issued by the Committee or a Subcommittee under subparagraph (1)(c) in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority being present.

(3) The power to authorize and issue subpoenas is also delegated to the Chairman of the Full Committee.

(4) Authorized subpoenas shall be signed by the Chairman of the Committee or by any Member designated by the Committee.

(5) Compliance with any subpoena issued by a Committee or a Subcommittee may be enforced only as authorized or directed by the House.

(6) The Chairman of the Committee, or any Member designated by the Chairman, may administer oaths to any witness.

(D) Vice Chairman or Ranking Majority Member to Preside in Absence of Chairman.—

(1) Committee. The Member of the majority party on the Committee ranking immediately after the Chairman shall be the Vice Chairman of the Committee and shall preside at any meeting of the Committee during the temporary absence of the Chairman. If the Chairman and Vice Chairman of the Committee are not present at any meeting of the Committee, the Ranking Member of the majority party who is present shall preside at that meeting.

(2) Subcommittees. The Member of the majority party on each Subcommittee ranking immediately after the Chairman of the Subcommittee shall be the Vice Chairman of the Subcommittee and shall preside at any meeting of the Subcommittee during the temporary absence of the Chairman of the Subcommittee. If the Chairman and Vice Chairman of the Subcommittee are not present at any meeting of the Subcommittee, the Ranking Member of the majority party who is present shall preside at that meeting.

(E) Quorums for Meetings, Markups, and Hearings.—

(1) Except as provided below, one-third of the Members of the Committee shall constitute a quorum for the purpose of transacting Committee business.

(2) No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(3) Testimony may be taken and evidence received in any meeting at which there are present not fewer than two Members of the Committee, one of whom should be, whenever possible, a Minority Member. Unless at least two Members are present, at least one of whom is a Majority Member, the meeting must be adjourned.

(4) Proxies may not be counted for a quorum.

(F) Open Meetings.—Each business meeting, including the markup of legislation, of the Committee and its Subcommittees shall be open to the public, except as provided below.

(G) Closed Meetings.—

(1) The Committee or Subcommittee, by a rollcall vote in open session and with a majority present, may determine that all or a part of the remainder of the business meeting, including the markup of legislation, on that day shall be closed to the public.

(2) If the meeting or markup is closed, no person other than Members of the Committee, and Congressional staff and departmental representatives as the Members may authorize, may be present.

(3) Any meeting that relates solely to internal budget or personnel matters may be closed by the Chairman after consultation with the Ranking Minority Member.

(H) Closed Hearings.—

(1) Each hearing conducted by the Committee or a Subcommittee shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives.

(2) Notwithstanding paragraph (1), a majority of those present, if the number required for the purpose of taking testimony are present, may vote to close the hearing for the sole purpose of discussion whether testimony or evidence to be received would endanger the national security or tend to defame, degrade, or incriminate any person.

(3) The Committee or Subcommittee may by the same procedure, vote to close one subsequent day of hearing.

(4) No Member of the House may be excluded from nonparticipatory attendance at any hearing of the Committee or its Subcommittees, unless the House of Representatives, by majority vote, authorizes the Committee or the Subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures for closing hearings to the public.

(I) Investigative Hearings.—

(1) The Chairman shall announce in the opening statement the subject of the investigation.

(2) Except as provided by the rule for closing an investigative hearing, the Chairman shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(3) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.

(4) At the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(J) Closed Investigative Hearings.—

(1) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person, such testimony or evidence shall be presented in executive session, if by a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking tesimony, the Committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person.

(2) The Committee shall proceed to receive such testimony in open session only if a majority of the Members of the Committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) In either case, the Committee shall afford such person an opportunity voluntarily to appear as a witness, and shall receive and dispose of requests from such person to subpoena additional witnesses.

(K) Questioning of Witnesses.—

(1) Committee Members may question witnesses only when they have been recognized by the Chairman for that purpose. All questioning shall be pertinent to the subject matter of the hearing.

(2) After completing his questioning, the Chairman shall recognize the other Members beginning with the Ranking Minority Member and then the Ranking Majority Member, and thereafter, alternating between Minority and Majority, taking into consideration the ratio of Majority to Minority representation on the Committee. Each Member may request up to five minutes in each round of questioning. Additional time may be extended at the discretion of the Chairman.

(L) Minority Witnesses.—A majority of the Minority Members shall be entitled, upon request to the Chairman before the completion of any hearing, to call witnesses with respect to that measure or matter during at least one day of hearing.

(M) Points of Order.—No point of order shall lie with respect to any measure reported by the Committee on the ground that hearings on the measure were not conducted in accordance with the Rules governing open or closed hearings, public notice of hearings, or the requirements for advance filing and summarizing of statements by witnesses; except that a point of order on these grounds may be made by any Member of the Committee if, in the Committee, the point of order was timely made, and improperly overruled or not properly considered.

(N) Ordering of Rollcall Votes—A rollcall vote may be ordered by one-fifth of the Members present.

(O) Proxies.—

(1) A Member may vote by proxy only on a specific measure or matter and any amendments or motions pertaining to it; except that a Member may authorize a proxy for all motions to recess, adjourn, or other procedural matters.

(2) In order to be considered a valid and duly executed proxy, the proxy authorization must: be in writing; assert that the Member is absent on official business, or is otherwise unable to be present at the meeting of the Committee; designate the person who is to execute the proxy authorization; and be signed by the Member assigning his or her vote, noting the date and time that the proxy was signed.

(3) For a proxy to be valid in sessions on succeeding days, it must be stipulated in the proxy, and if not stipulated, cannot be voted.

(4) All executed proxies shall be delivered to the Clerk and kept at the desk during the proceedings of the Committee for which they are given and shall be included in the official records of the meeting after they have been voted.

(5) Points of order as to the validity of proxies must be made at the time the proxies are voted.

(6) Proxies may not be counted for a quorum.

(P) Limitation on Floor Action Under Suspension of the Rules.—No bill which directly or indirectly authorizes the expenditure of over $1 million in Federal funds shall be brought to the House Floor by the Committee under Suspension of the Rules if the text of the bill has been changed after it was reported by the Committee unless:

(1) the changes are purely technical and conforming; or

(2) all Members of the Committee have been provided a written copy of the changes at least twenty-four hours prior to the time the bill is considered in the House.

(Q) Committee Legislation Carrying Direct Spending or Revenue Measures.—For all bills, joint resolutions, or conference reports providing increasing or decreasing receipts or direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985), the following statement of the law shall appear as part of the text of such bill, resolution, or conference report: "The applicable cost estimate of this Act for all purposes of sections 252 and 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be as follow: .". The blank shall be filled with a cost estimate provided by the Congressional Budget Office (prepared in consultation with the Joint Committee on Taxation where appropriate pursuant to section 201(g) of the Congressional Budget Act of 1974). The cost estimate shall be in writing and shall be signed, and shall contain an estimate of the amount of the change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1995, resulting from the conference report or bill or joint resolution as reported.

RULE VII. WITNESSES

(A) Advance Testimony Requirements.—A witness shall not be permitted to testify or present evidence, nor will any statement or testimony be included in the Committee hearing record, unless seventy-five copies of the testimony have been delivered to the Clerk of the Committee at least twenty-four hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting. At least ten of these copies must be delivered at least forty-eight hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting. These requirements may be waived only by the Chairman.

(B) Written Summary.—Each prepared statement of ten pages or more shall include a summary which may not exceed five pages in length.

(C) Federal and Administration Witnesses.—To the extent feasible, statements and testimony of witnesses from Federal and Administrative agencies shall be accompanied, if not previously received, by fifty copies of the Federal agency report requested by the Committee on the matters pending before it.

(D) Ten Minute Oral Testimony.—Witnesses will be allowed no more than ten minutes to orally summarize their prepared statement. The full statement will be made a part of the record.

(E) Investigative Hearing Witnesses.—

(1) A copy of the Committee Rules shall be made available to each witness.

(2) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(3) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(4) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee.

(F) Responses/Information for the Record.—Responses to Members' or staff questions and other information offered for the record, shall be submitted, in triplicate, to the Committee Clerk within forty-five days from the time of the request. One copy will be retained by the Clerk for printing and the remainder transmitted to the appropriate Majority and Minority Counsels.

RULE VIII. BROADCASTING OF COMMITTEE MEETINGS

The Chairman may permit any public hearing or meeting to be televised, broadcast by radio, photographed, or otherwise recorded, subject to the following requirements:

(1) At the request of any Committee Member present, a majority vote must be taken to permit the use of such equipment during the hearing or meeting.

(2) Radio and television tapes and television film of any coverage shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(3) The coverage of Committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of these Rules.

(4) If the television or radio coverage of the hearing or meeting is live, it shall be conducted and presented without commercial sponsorship.

(5) All persons providing coverage of the meeting shall be accredited to the appropriate Gallery.

(6) No witness served with a subpoena by the Committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all recorders or microphones used for coverage shall be turned off.

(7) The number of television cameras allowed in the hearing or meeting room is at the discretion of the Chairman. If necessary, the allocation among the television media of these positions shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Gallery.

(8) Members of the media and their equipment shall not obstruct in any way the space or visibility between any witness and any Member of the Committee nor obstruct unnecessarily coverage by the other media.

(9) No audio-visual equipment will be allowed on the dais without the express prior approval of the Chairman.

(10) Fixed audio-visual equipment shall not be installed in, or removed from, the hearing or meeting room while the Committee is in session.

(11) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(12) The number of still photographers allowed in the hearing or meeting room is at the discretion of the Chairman. If necessary, allocation among this media shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers. Preference shall be given to photographers from Associated Press Photos and United Press International Newspictures.

RULE IX. COMMITTEE RECORDS

(A) Votes.—

(1) The Committee shall keep a complete record of all Committee action which shall include a record of the votes on any question on which a rollcall vote is demanded.

(2) The result of each rollcall vote—including a description of the issue, the name of each Member voting for and against, and whether by proxy or in person, and the names of those Members present but not voting—shall be available for inspection by the public at reasonable times in the offices of the Committee.

(B) Separate Files.—All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the Congressional office records of the Chairman. These records shall be the property of the House and all Members of the House shall have access.

(C) Permanent Records.—The Clerk of the Committee shall, within three days after the final adjournment of a Congress, deliver to the Clerk of the House all bills, joint resolutions, petitions, and other papers referred to the Committee, together with all evidence taken by the Committee under the order of the House during that Congress and not reported to the House.

(D) Open Hearings.—

(1) Records and transcripts of open hearings before the Committee shall not be available to the public for quotation of any Member until after that Member has had an opportunity to examine and approve them. No more than forty-five days after the conclusion of hearings, the transcript shall be closed and no further changes may be made.

(2) In no instance will the Committee staff distribute, or prepare for distribution, to persons, other than Members and witnesses for the purpose of correction, any open hearing transcript that has not yet been closed and transmitted to the Government Printing Office for publication.

(E) Closed Meetings.—Transcripts and records of closed meetings shall be available to Members of the House of Representatives and Merchant Marine and Fisheries Committee staff for inspection in the offices of the Committee, but may not be released or divulged to any other person without the consent of the Chairman or a majority of the Committee. In no event shall executive session transcripts and records be taken from the Committee offices by anyone.

(F) Markup Transcripts.—In no event shall markup transcripts and records be taken from the Committee offices by anyone.

(G) Availability of Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision pursuant to clause 3(b)(3) or clause 4(b) of the House rule to withhold a record otherwise available and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

RULE X. COMMITTEE REPORTS AND PUBLICATIONS

(A) Activities Report.—The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on its activities under Rules X and XI of the House during the Congress ending at noon on January 3 of that year.

(B) Procedures for Reporting.—

(1) The Chairman shall report or cause to be reported promptly to the House any measure approved by the Committee and shall take or cause to be taken necessary steps to bring the matter to a vote.

(2) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the Clerk of the Committee a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing of this request, the Clerk of the Committee shall immediately notify the Chairman.

(C) Minority, Supplemental, or Additional Views.—

(1) Members of the Committee must give notice to the Committee Clerk of intention to file supplemental, minority, or additional views within twenty-four hours after the time of approval of any measure or matter by the Committee (excluding Saturdays, Sundays, and legal holidays).

(2) Members shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) from the time of approval of any measure or matter, in which to file such views, in writing and signed by that Member, with the Clerk of the Committee.

(3) The provisions of subparagraphs (1) and (2) do not preclude—

(a) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this paragraph, or

(b) the filing by the Committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(D) Committee Report Requirements.—Committee reports shall be printed in a single volume and include the following:

(1) with respect to each rollcall vote to report any bill or resolution, the total number of votes cast for and against, the name of each Member voting for and against, and whether by proxy or in person, and the names of those Members present but not voting.

(2) the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X of the House Rules, separately set out and clearly identified;

(3) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority or new or increased tax expenditures;

(4) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974, separately set out and clearly identified, if timely submitted;

(5) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause (4)(c)(2) of Rule X of the House Rules, sepa-

rately set out and clearly identified, if it has been submitted to allow for the Committee consideration during deliberations on the measure;

(6) on each bill or joint resolution of a public character, a detailed analytical statement as to whether its enactment into law may have an inflationary impact on prices and costs in the operation of the national economy;

(7) on a bill or a joint resolution repealing or amending any statute or part thereof, in the report or in an accompanying document—

(a) the text to be repealed; and

(b) a comparative print showing by stricken-through type and italic, parallel columns, or other appropriate typographical devices, the omissions and insertions proposed to the statute;

(8) all supplemental minority, or additional views filed by one or more Members of the Committee; and

(9) on its cover, a recital that any material submitted under subparagraphs (4), (5), and (8) above are included as part of the report.

(E) *Approval by Chairman.*—All Committee or Subcommittee prints and other material prepared for public distribution shall be approved by the Chairman of the Full Committee prior to distribution.

RULE XI. USE OF COMMITTEE FUNDS FOR TRAVEL

(A) *Authorization.*—All travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences, investigations, foreign conferences and meetings, and all foreign travel, must be authorized by the Chairman prior to any public notice or the actual travel.

(B) *Trip Report.*—A substantive report shall be filed with the Chairman within thirty days after any Committee trip or any trip related to matters of Committee jurisdiction which has been approved by the Chairman.

(C) Domestic Travel.—Funds authorized for the Committee under Clause 5 of Rule XI of the House Rules are for expenses incurred in the Committee's activities within the United States.

(D) Foreign Travel.—

(1) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its Territories or Possessions.

(2) No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose.

(3) The following conditions apply to travel outside the United States or its territories or possessions:

(a) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country for any day at a rate in excess of the maximum per diem rate set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual, unreimbursed expenses (other than for transportation) incurred by the Member or employee during that day.

(b) Each Member or employee of the Committee shall make to the Chairman of the Committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose and shall summarize in these categories the total foreign currencies and/or appropriated funds expended.

(c) All such individual reports shall be filed, no later than sixty days following the completion of travel, with the Chairman of the Committee for use in complying with the reporting requirements in applicable Federal law and shall be open for public inspection.

(4) In carrying out the Committee's activities outside of the United States in any country where local currencies are unavailable, a Member or employee of the Committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual unreimbursed expenses (other than for transportation) incurred, by the Member or employee during any day.

(5) A Member or employee of the Committee may not receive reimbursement for the cost of any transportation in connection with travel outside of the United States unless the Member or employee has actually paid for the transportation.

(E) Lame Duck Members.—No local currencies owned by the United States and made available to the Committee, no primary expense resolution, and no additional expense resolution of the Committee may provide for the payment or reimbursement of expenses incurred by any Member of the Committee for travel after the general election in which the Member is not elected to the succeeding Congress, or in the case of a Member who is not a candidate, the earlier of the general election date or the adjournment sine die of the last regular session of the Congress.

RULE XII. COMMITTEE AND SUBCOMMITTEE STAFF

(A) Hiring Practices/Terms of Employment.—The staff members of the Committee—

(1) shall be appointed on a permanent basis, without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions;

(2) shall not engage in any work other than Committee business; and

(3) shall not be assigned any duties other than those pertaining to Committee business.

(B) Limitation on Appointing Government Personnel.—The Committee shall not appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on House Administration.

(C) "Clause 5" Appointments.—

(1) From the funds provided for the appointment of Committee staff pursuant to primary and additional expense resolutions—

(a) The Chairman of each standing Subcommittee is authorized to appoint one staff member who shall serve at the pleasure of the Subcommittee Chairman.

(b) The Ranking Minority Member of each standing Subcommittee is authorized to appoint one staff person who shall serve at the pleasure of the Subcommittee Ranking Minority Member.

(c) The staff members appointed pursuant to the provisions of (a) and (b) shall be compensated at a rate determined by the Subcommittee Chairman not to exceed: (1) 75 per centum of the maximum established in paragraph (c) of clause 6 of Rule XI of the House Rules, or (2) the rate paid the staff member appointed pursuant to subparagraph (a) of this paragraph.

(2) Subcommittee staff members appointed under paragraph (1) are subject to the supervision and control of, and shall be responsible to, the Subcommittee Chairman or Ranking Minority Member of the Subcommittee, as appropriate.

(D) "Clause 6" Appointments.—

(1) The Committee shall appoint, by a majority vote, from a list submitted by the Chairman, appropriate professional and clerical staff personnel, in accordance with the provisions of clause 6 of Rule XI of the House Rules.

(2) Each employee on the professional, clerical and investigating staff of the Committee shall be entitled to pay at a single gross per annum rate, to be fixed by the Chairman, which does not exceed the maximum rate of pay, as in effect from time to time, under applicable provisions of law.

(3) Subject to the provisions of paragraph (C)(2), each Committee staff member, other than a member appointed pursuant to the request of Minority Members, is assigned to the Chairman for the purposes of general supervision and control and shall perform such duties as the Chairman may assign.

(4) In the case of staff members appointed pursuant to the request of Minority Members, the Ranking Minority Member shall exercise general supervision and control, subject to the assignments designated by Minority Members in accordance with clause 6 of Rule XI of the House Rules.

(5) When any staff member is assigned directly to Subcommittee staff duties, the staff member shall remain under the general supervision and control of the Chairman of the Committee or Ranking Minority Member of the Committee as appropriate, but under the direct control of the Subcommittee Chairman or Subcommittee Ranking Minority Member, as appropriate, for duty assignment purposes.

(6) The Committee, by majority vote, may terminate the services of any staff member appointed by the Committee and may, from time to time, take appropriate action to fill any staff vacancies.

RULE XIII. COMMITTEE BUDGET

(A) Annual Budget.—

(1) At the beginning of each session, after consultation with each Subcommittee Chairman, the Chairman shall propose and present to the Committee for its approval a budget of the estimated funds necessary for all anticipated activities and programs of the Committee and its Subcommittees, that will be requested under a primary expense resolution submitted in accordance with clause 5 of Rule XI of the House Rules.

(2) In presenting the budget, the Chairman shall ensure that it contains sufficient funds to enable the Committee and each Subcommittee to discharge its responsibilities for legislation and oversight.

(B) Additional Expense Resolutions.—Authorization for the payment of additional or unforeseen committee and Subcommittee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out above.

(C) Monthly Accounting.—

(1) Once monthly, the Chairman shall require the appropriate staff personnel to prepare a full and detailed accounting of all expenditures made during the period since the last accounting from the amount budgeted to the Full Committee.

(2) Each report shall show the amount and purpose of each expenditure and the budget to which the expenditure is attributed.

(3) Each report shall be available, upon request to the Committee Clerk, to any Member of the House of Representatives.

RULE XIV. CHANGES IN THE COMMITTEE RULES

The Rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that two legislative days written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted upon.

APPENDIX

House Rule XI (2)(k)—Investigative hearing procedures

(k)(1) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person,

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of clause 2(g)(2) of this Rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if a majority of the members of the committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GILMAN (at the request of Mr. MICHEL), for today and Thursday, February 28, on account of a death in the family.

Mr. MILLER of Ohio (at the request of Mr. MICHEL), for today and Thursday, February 28, on account of illness.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. RIDGE) to revise and extend their remarks and include extraneous material:)

Mr. MCEWEN, today, for 60 minutes.

Mr. DORNAN of California, for 60 minutes each day, today and February 28.

Mr. SOLOMON, for 60 minutes, on February 28.

Mrs. BENTLEY, for 60 minutes each day, on February 28, and on March 4, 5, and 6.

(The following Members (at the request of Mr. SAWYER) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. LAFALCE, for 10 minutes, today.

Mr. COYNE, for 5 minutes, on February 28.

Mr. STOKES, for 60 minutes, on February 28.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RIDGE) and to include extraneous matter:)

Mr. GREEN of New York in two instances.

Mr. COX.

Mr. GOODLING of California.

Mr. BROOMFIELD.

Mr. HENRY.

Mr. GALLEGLY.

Mr. PETRI.

Mr. GINGRICH.

Mr. CRANE.

Mr. FIELDS.

Ms. ROS-LEHTINEN.

Mr. HUNTER.

Mr. PURSELL.

Mr. LEWIS of Florida.

Mr. BEREUTER.

Mr. MCEWEN.

Mr. SOLOMON.

Ms. MOLINARI in two instances.

Mr. FAWELL.

Mr. LAGOMARSINO in two instances.

Mr. BLILEY.

Mr. HERGER.

Mrs. BENTLEY in two instances.

Mr. GRADISON.

Mr. CHANDLER.

(The following Members (at the request of Mr. SAWYER) and to include extraneous matter:)

Mr. REED.

Mr. DORGAN of North Dakota.

Mrs. SCHROEDER in two instances.

Mr. HAMILTON.

Mr. DWYER of New Jersey.

Mr. MONTGOMERY.

Mr. MAZZOLI in two instances.

Ms. OAKAR.

Mr. ATKINS in two instances.

Mr. LEHMAN of Florida.

Mrs. KENNELLY.

Mr. PALLONE.

Mr. PANETTA in two instances.

Mr. DYMALLY in two instances.

Mr. ROSE.

Mr. MATSUI.

Mr. BUSTAMANTE.

Mr. TALLON.

Mr. STUDDS.

Mr. CARR.

Mr. GUARINI.

Mr. RAHALL.

Mr. DURBIN.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 64. Joint resolution to authorize the President to proclaim the last Friday of April 1991, as "National Arbor Day"; to the Committee on Post Office and Civil Service.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 76. Joint resolution commending the Peace Corps and the current and former Peace Corps volunteers on the 30th anniversary of the establishment of the Peace Corps.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Thursday, February 28, 1991, at 11 a.m.

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 State. 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 each of the following Members, Resident Commissioner, and Delegates of the 102d Congress, pursuant to the provisions of 2 U.S.C. 25:

ALABAMA

1. Sonny Callahan.
2. William L. Dickinson.
3. Glen Browder.
4. Tom Bevill.
5. Robert E. (Bud) Cramer, Jr.
6. Ben Erdreich.
7. Claude Harris.

ALASKA

At large

Don Young.

ARIZONA

1. John J. Rhodes III.
2. Morris K. Udall.
3. Bob Stump.
4. Jon L. Kyl.
5. Jim Kolbe.

ARKANSAS

1. Bill Alexander.
2. Ray Thornton.
3. John Paul Hammerschmidt.
4. Beryl Anthony, Jr.

CALIFORNIA

1. Frank D. Riggs.
2. Wally Herger.
3. Robert T. Matsui.
4. Vic Fazio.
5. Nancy Pelosi.
6. Barbara Boxer.
7. George Miller.
8. Ronald V. Dellums.
9. Fortney Pete Stark.
10. Don Edwards.
11. Tom Lantos.
12. Tom Campbell.
13. Norman Y. Mineta.
14. John T. Doolittle.
15. Gary Condit.
16. Leon E. Panetta.
17. Calvin M. Dooley.
18. Richard H. Lehman.
19. Robert J. Lagomarsino.
20. William M. Thomas.
21. Elton Gallegly.
22. Carlos J. Moorhead.
23. Anthony C. Beilenson.
24. Henry A. Waxman.
25. Edward R. Roybal.
26. Howard L. Berman.
27. Mel Levine.
28. Julian C. Dixon.
29. Maxine Waters.
30. Matthew G. Martinez.
31. Mervyn M. Dymally.
32. Glenn M. Anderson.
33. David Dreier.
34. Esteban Edward Torres.
35. Jerry Lewis.
36. George E. Brown, Jr.
37. Alfred A. (Al) McCandless.
38. Robert K. Dornan.
39. William E. Dannemeyer.
40. C. Christopher Cox.
41. Bill Lowery.
42. Dana Rohrabacher.
43. Ron Packard.
44. Randy "Duke" Cunningham.
45. Duncan Hunter.

COLORADO

1. Patricia Schroeder.
2. David E. Skaggs.
3. Ben Nighthorse Campbell.
4. Wayne Allard.
5. Joel Hefley.
6. Dan Schaefer.

CONNECTICUT

1. Barbara B. Kennelly.
2. Sam Gejdenson.
3. Rosa L. DeLauro.
4. Christopher Shays.
5. Gary A. Franks.
6. Nancy L. Johnson.

DELAWARE

At large

Thomas R. Carper.

FLORIDA

1. Earl Hutto.
2. Douglas "Pete" Peterson.
3. Charles E. Bennett.
4. Craig T. James.
5. Bill McCollum.
6. Cliff Stearns.
7. Sam Gibbons.
8. C. W. Bill Young.
9. Michael Bilirakis.
10. Andy Ireland.
11. Jim Bacchus.
12. Tom Lewis.
13. Porter J. Goss.
14. Harry Johnston.
15. E. Clay Shaw, Jr.
16. Lawrence J. Smith.
17. William Lehman.
18. Ileana Ros-Lehtinen.
19. Dante B. Fascell.

GEORGIA

1. Lindsay Thomas.
2. Charles Hatcher.
3. Richard Ray.
4. Ben Jones.
5. John Lewis.
6. Newt Gingrich.
7. George (Buddy) Darden.
8. J. Roy Rowland.
9. Ed Jenkins.
10. Doug Barnard, Jr.

HAWAII

1. Neil Abercrombie.
2. Patsy T. Mink.

IDAHO

1. Larry LaRocco.
2. Richard H. Stallings.

ILLINOIS

1. Charles A. Hayes.
2. Gus Savage.
3. Marty Russo.
4. George E. Sangmeister.
5. William O. Lipinski.
6. Henry J. Hyde.
7. Cardiss Collins.
8. Dan Rostenkowski.
9. Sidney R. Yates.
10. John Edward Porter.
11. Frank Annunzio.
12. Philip M. Crane.
13. Harris W. Fawell.
14. J. Dennis Hastert.
15. Edward R. Madigan.
16. John W. Cox, Jr.
17. Lane Evans.
18. Robert H. Michel.
19. Terry L. Bruce.
20. Richard J. Durbin.
21. Jerry F. Costello.
22. Glenn Poshard.

INDIANA

1. Peter J. Visclosky.
2. Philip R. Sharp.
3. Tim Roemer.
4. Jill L. Long.
5. Jim Jontz.
6. Dan Burton.
7. John T. Myers.
8. Frank McCloskey.
9. Lee H. Hamilton.
10. Andrew Jacobs, Jr.

IOWA

1. Jim Leach.
2. Jim Nussle.
3. David R. Nagle.
4. Neal Smith.
5. Jim Lightfoot.
6. Fred Grandy.

KANSAS

1. Pat Roberts.
2. Jim Slattery.
3. Jan Meyers.
4. Dan Glickman.
5. Dick Nichols.

KENTUCKY

1. Carroll Hubbard, Jr.
2. William H. Natcher.
3. Romano L. Mazzoli.
4. Jim Bunning.
5. Harold Rogers.
6. Larry J. Hopkins.
7. Carl C. Perkins.

LOUISIANA

1. Bob Livingston.
2. William J. Jefferson.
3. W.J. (Billy) Tauzin.
4. Jim McCrery.
5. Jerry Huckaby.
6. Richard H. Baker.
7. James A. Hayes.
8. Clyde C. Holloway.

MAINE

1. Thomas H. Andrews.
2. Olympia J. Snowe.

MARYLAND

1. Wayne T. Gilchrest.
2. Helen Delich Bentley.
3. Benjamin L. Cardin.
4. C. Thomas McMillen.
5. Steny H. Hoyer.
6. Beverly B. Byron.
7. Kweisi Mfume.
8. Constance A. Morella.

MASSACHUSETTS

1. Silvio O. Conte.
2. Richard E. Neal.
3. Joseph D. Early.
4. Barney Frank.
5. Chester G. Atkins.
6. Nicholas Mavroules.
7. Edward J. Markey.
8. Joseph P. Kennedy II.
9. John Joseph Moakley
10. Gerry E. Studds.
11. Brian J. Donnelly.

MICHIGAN

1. John Conyers, Jr.
2. Carl D. Pursell.
3. Howard Wolpe.
4. Frederick S. Upton.
5. Paul B. Henry.
6. Bob Carr.
7. Dale E. Kildee.
8. Bob Traxler.
9. Guy Vander Jagt.
10. Dave Camp.
11. Robert W. Davis.
12. David E. Bonior.
13. Barbara-Rose Collins.
14. Dennis M. Hertel.
15. William D. Ford.
16. John D. Dingell.
17. Sander M. Levin.
18. Wm. S. Broomfield.

MINNESOTA

1. Timothy J. Penny.

2. Vin Weber.
3. Jim Ramstad.
4. Bruce F. Vento.
5. Martin Olav Sabo.
6. Gerry Sikorski.
7. Collin C. Peterson.
8. James L. Oberstar.

MISSISSIPPI

1. Jamie L. Whitten.
2. Mike Espy.
3. G. V. (Sonny) Montgomery.
4. Mike Parker.
5. Gene Taylor.

MISSOURI

1. William (Bill) Clay.
2. Joan Kelly Horn.
3. Richard A. Gephardt.
4. Ike Skelton.
5. Alan Wheat.
6. E. Thomas Coleman.
7. Mel Hancock.
8. Bill Emerson.
9. Harold L. Volkmer.

MONTANA

1. Pat Williams.
2. Ron Marlenee.

NEBRASKA

1. Doug Bereuter.
2. Peter Hoagland.
3. Bill Barrett.

NEVADA

1. James H. Bilbray.
2. Barbara F. Vucanovich.

NEW HAMPSHIRE

1. William H. Zeliff, Jr.
2. Dick Swett.

NEW JERSEY

1. Robert E. Andrews.
2. William J. Hughes.
3. Frank Pallone, Jr.
4. Christopher H. Smith.
5. Marge Roukema.
6. Bernard J. Dwyer.
7. Matthew J. Rinaldo.
8. Robert A. Roe.
9. Robert G. Torricelli.
10. Donald M. Payne.
11. Dean A. Gallo.
12. Dick Zimmer.
13. Jim Saxton.
14. Frank J. Guarini.

NEW MEXICO

1. Steven Schiff.
2. Joe Skeen.
3. Bill Richardson.

NEW YORK

1. George J. Hochbrueckner.
2. Thomas J. Downey.
3. Robert J. Mrazek.
4. Norman F. Lent.
5. Raymond J. McGrath.
6. Floyd H. Flake.
7. Gary L. Ackerman.
8. James H. Scheuer.
9. Thomas J. Manton.
10. Charles E. Schumer.
11. Edolphus Towns.
12. Major R. Owens.
13. Stephen J. Solarz.
14. Susan Molinari.
15. Bill Green.
16. Charles B. Rangel.
17. Ted Weiss.
18. José E. Serrano.
19. Eliot L. Engel.
20. Nita M. Lowey.
21. Hamilton Fish, Jr.
22. Benjamin A. Gilman.
23. Michael R. McNulty.
24. Gerald B. H. Solomon.
25. Sherwood L. Boehlert.
26. David O'B Martin.
27. James T. Walsh.
28. Matthew F. McHugh.
29. Frank Horton.
30. Louise McIntosh Slaughter.
31. Bill Paxon.
32. John J. LaFalce.
33. Henry J. Nowak.
34. Amo Houghton.

NORTH CAROLINA

1. Walter B. Jones.
2. Tim Valentine.
3. H. Martin Lancaster.
4. David E. Price.
5. Stephen L. Neal.
6. Howard Coble.
7. Charles Rose.
8. W.G. (Bill) Hefner.
9. J. Alex McMillan.
10. Cass Ballenger.
11. Charles H. Taylor.

NORTH DAKOTA

At large

Byron L. Dorgan.

OHIO

1. Charles J. Luken.
2. Willis D. Gradison, Jr.
3. Tony P. Hall.
4. Michael G. Oxley.
5. Paul E. Gillmor.
6. Bob McEwen.
7. David L. Hobson.
8. John A. Boehner.
9. Marcy Kaptur.
10. Clarence E. Miller.
11. Dennis E. Eckart.
12. John R. Kasich.
13. Donald J. Pease.
14. Thomas C. Sawyer.
15. Chalmers P. Wylie.
16. Ralph Regula.
17. James A. Traficant, Jr.
18. Douglas Applegate.
19. Edward F. Feighan.
20. Mary Rose Oakar.
21. Louis Stokes.

OKLAHOMA

1. James M. Inhofe.
2. Mike Synar.
3. Bill K. Brewster.
4. Dave McCurdy.
5. Mickey Edwards.
6. Glenn English.

OREGON

1. Les AuCoin.
2. Robert F. (Bob) Smith.
3. Ron Wyden.
4. Peter A. DeFazio.
5. Michael J. Kopetski.

PENNSYLVANIA

1. Thomas M. Foglietta.
2. William H. Gray III.
3. Robert A. Borski.
4. Joe Kolter.
5. Richard T. Schulze.
6. Gus Yatron.
7. Curt Weldon.
8. Peter H. Kostmayer.
9. Bud Shuster.
10. Joseph M. McDade.
11. Paul E. Kanjorski.
12. John P. Murtha.
13. Lawrence Coughlin.
14. William J. Coyne.
15. Don Ritter.
16. Robert S. Walker.
17. George W. Gekas.
18. Richard John Santorum.
19. William F. Goodling.
20. Joseph M. Gaydos.
21. Thomas J. Ridge.
22. Austin J. Murphy.
23. William F. Clinger, Jr.

RHODE ISLAND

1. Ronald K. Machtley.
2. John F. Reed.

SOUTH CAROLINA

1. Arthur Ravenel, Jr.
2. Floyd Spence.
3. Butler Derrick.
4. Elizabeth J. Patterson.
5. John M. Spratt, Jr.
6. Robin Tallon.

SOUTH DAKOTA

At large

Tim Johnson.

TENNESSEE

1. James H. (Jimmy) Quillen.
2. John J. Duncan, Jr.
3. Marilyn Lloyd.
4. Jim Cooper.
5. Bob Clement.
6. Bart Gordon.
7. Don Sundquist.
8. John S. Tanner.
9. Harold E. Ford.

TEXAS

1. Jim Chapman.
2. Charles Wilson.
3. Steve Bartlett.
4. Ralph M. Hall.
5. John Bryant.
6. Joe Barton.
7. Bill Archer.
8. Jack Fields.
9. Jack Brooks.
10. J.J. Pickle.
11. Chet Edwards.
12. Pete Geren.
13. Bill Sarpalius.
14. Greg Laughlin.
15. E de la Garza.
16. Ronald D. Coleman.
17. Charles W. Stenholm.
18. Craig A. Washington.
19. Larry Combest.
20. Henry B. Gonzalez.
21. Lamar S. Smith.
22. Tom DeLay.
23. Albert G. Bustamante.
24. Martin Frost.
25. Michael A. Andrews.
26. Richard K. Armey.
27. Solomon P. Ortiz.

UTAH

1. James V. Hansen.
2. Wayne Owens.
3. Bill Orton.

VERMONT

At large

Bernard Sanders.

VIRGINIA

1. Herbert H. Bateman.
2. Owen B. Pickett.
3. Thomas J. Bliley, Jr.
4. Norman Sisisky.
5. Lewis F. Payne, Jr.
6. Jim Olin.
7. D. French Slaughter, Jr.
8. James P. Moran.
9. Rick Boucher.
10. Frank R. Wolf.

WASHINGTON

1. John Miller.
2. Al Swift.
3. Jolene Unsoeld.
4. Sid Morrison.
5. Thomas S. Foley.
6. Norman D. Dicks.

7. Jim McDermott.
8. Rod Chandler.

WEST VIRGINIA

1. Alan B. Mollohan.
2. Harley O. Staggers, Jr.
3. Robert E. Wise, Jr.
4. Nick Joe Rahall II.

WISCONSIN

1. Les Aspin.
2. Scott L. Klug.
3. Steve Gunderson.
4. Gerald D. Kleczka.
5. Jim Moody.
6. Thomas E. Petri.
7. David R. Obey.
8. Toby Roth.
9. F. James Sensenbrenner, Jr.

WYOMING

At large

Craig Thomas.

PUERTO RICO

Resident commissioner

Jaime B. Fuster.

AMERICAN SAMOA

Delegate

Eni F.H. Faleomavaega.

DISTRICT OF COLUMBIA

Delegate

Eleanor Holmes Norton.

GUAM

Delegate

Ben Garrido Blaz.

VIRGIN ISLANDS

Delegate

Ron de Lugo.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the fourth quarter of 1990, in connection with foreign travel pursuant to Public Law 95-384, and the consolidated report and amended reports of foreign currencies and U.S. dollars utilized by various delegations and individuals for foreign travel authorized by the Speaker of the U.S. House of Representatives in the fourth quarter of 1989 and the second and fourth quarters of 1990, and reports and amended reports of foreign currencies and U.S. dollars utilized by various miscellaneous groups for foreign travel during the 1989 and 1990 calendar years, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Tom Bevill	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		199.00						199.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
Hon. Bernard Dwyer	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		199.00						199.00
	11/17	11/20	United Kingdom		291.00						291.00
Military transportation							5,642.00				5,642.00
Hon. Joe Early	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		199.00						199.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
Hon. Jim Kolbe	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudia Arabia		199.00						199.00
Military transportation							5,676.13				5,676.13
Hon. William Lehman	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		199.00						199.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
Hon. Alan Mollohan	11/9	11/11	Saudi Arabia								
	11/11	11/12	Germany		[3] 300.00						[1] 300.00
Military transportation							6,017.30				6,017.30
Hon. John P. Murtha	11/9	11/11	Saudi Arabia								
	11/11	11/12	Germany								
Military transportation							6,017.30				6,017.30
Hon. Ralph Regula	11/8	11/10	Switzerland		486.77						486.77
Commercial transportation							2,754.00				2,754.00
Hon. Ralph Regula	11/30	12/3	Belgium		723.00						723.00
Military transportation							10,301.11				10,301.11
Hon. Neal Smith	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria	Syria		606.00					606.00
	11/15	11/17	Saudi Arabia		199.00						199.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00			6,594.00	
Robert V. Davis	11/5	11/13	Brazil		836.00						836.00
Commercial Transportation							4,530.00				4,530.00
Robert B. Foster	11/30	11/9	Belgium		2,169.00						2,169.00
Commercial transportation							2,579.50				2,579.50
Sandra A. Gilbert	11/14	11/16	Panama		364.00						364.00
	11/16	11/19	Bolivia		411.00						411.00
	11/19	11/21	Colombia		314.00						314.00
Commercial transportation							2,539.00				2,539.00
Richard N. Malow	11/9	11/11	Australia		336.00				128.32		464.32
	11/11	11/12	Fiji		168.00						168.00
	11/12	11/15	Vanuatu		531.00						531.00
Commercial transportation							6,242.44				6,242.44
John Osthaus	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		398.00						398.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
Juliet Pacquing	11/4	11/7	United States		232.00						232.00
	11/7	11/11	Panama		728.00						728.00
Commercial transportation							865.00				865.00
Juliet Pacquing	11/25	11/28	United States		378.00						378.00
	11/29	12/1	Japan		390.00						390.00
	12/1	12/3	Hong Kong		492.00						492.00
	12/3	12/4	Singapore		193.00						193.00
	12/4	12/5	Diego Garcia		14.00						1,4.00
	12/5	12/6	Singapore		193.00						193.00
	12/6	12/10	Korea		760.00						760.00
	12/10	12/12	United States		224.00						224.00
	12/12	12/14	United States		150.00						150.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Commercial transportation							3,192.00				3,192.00
John Plashal	11/9	11/11	Saudi Arabia								
	11/11	11/12	Germany		[3]300.00						[3]300.00
Military transportation							6,017.30				6,017.30
John Plashal	11/14	11/16	Panama		364.00						364.00
	11/16	11/19	Bolivia		411.00						411.00
	11/19	11/21	Colombia		314.00						314.00
Commercial transportation							2,539.00				2,539.00
John Plashal	11/29	12/1	Germany								
	12/1	12/4	England		[3]1,074.00						[3]1,074.00
Commercial transportation							943.40				943.40
Timothy K. Sanders	11/30	12/9	Belgium		2,169.00						2,169.00
Commercial transportation							2,579.50				2,579.50
George Schafer	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		398.00						398.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
William Schuerch	11/9	11/12	Spain		825.00						825.00
	11/12	11/15	Syria		606.00						606.00
	11/15	11/17	Saudi Arabia		398.00						398.00
	11/17	11/20	United Kingdom		873.00						873.00
Military transportation							6,594.00				6,594.00
Gregory J. Walters	11/26	12/1	Germany		955.00						955.00
	12/1	12/4	United Kingdom		873.00						873.00
Commercial transportation							943.00				943.00
Committee totals					38,521.77		115,535.98		128.32		154,186.07
Geoge Carter Baird	11/30	12/5	Barbados		860.00		818.00		19.50		1,697.50
	12/5	12/7	Jamaica		244.00						244.00
Theodore J. Booth	12/5	12/7	Bahamas		338.00		924.30		7.00		1,269.30
Albert J. Boudreau	10/20	10/25	Japan		1,095.00		3,045.80		43.13		4,183.93
	10/25	11/1	Korea		803.75						803.75
Carroll L. Hauver	11/30	12/5	Barbados		860.00		1,773.00		48.00		2,681.00
	12/5	12/7	Jamaica		244.00						244.00
William P. Hynes	12/5	12/8	Bahamas		507.00		924.30		49.20		1,480.50
Dale E. Ledman	10/20	10/25	Japan		1,095.00		2,890.70		37.10		4,022.80
	10/25	11/1	Korea		791.25						791.25
Dennis K. Lutz	10/20	10/25	Japan		1,095.00		2,890.70		47.91		4,033.61
	10/25	11/1	Korea		791.25						791.25
Robert J. Reitwiesner	10/20	10/25	Japan		1,095.00		2,668.00		41.13		3,804.13
	10/25	11/1	Korea		766.25						766.25
Ben A. Weaver	10/1	10/1	England		184.25		1,918.00		43.75		2,146.00
L. Michael Welsh	10/1	10/1	England		184.25		1,918.00		30.00		2,132.25
Staff total					10,954.00		19,770.80		366.72		31,091.52

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Total per diem for entire trip.

JAMIE L. WHITTEN, Chairman, Feb. 15, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Helen Bentley	11/18	11/23	Germany				[3]3,904.50				3,904.50
Committee total							3,904.50				3,904.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military transportation used.

LEON E. PANETTA, Chairman, Jan. 30, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, UNITED STATES HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Claudia Beville	9/30	10/1	France								
	10/1	10/1	Switzerland								
	10/2	10/6	France								
	10/6	10/10	Italy								
	10/10	10/14	Belgium								
	10/14	10/15	England								
Per diem advance					3,050.00						3,050.00
Commercial air fare							3,354.80				3,354.80
Janet Potts	11/30	12/7	Belgium		1,687.00		2,579.50				4,266.50
Jeffrey Duncan	11/30	12/7	Belgium		1,687.00		2,579.50				4,266.50
Bruce Gwinn	11/30	12/7	Belgium		1,687.00		2,579.50				4,266.50
John Shelk	11/30	12/7	Belgium		1,687.00		2,579.50				4,266.50
Thomas Montgomery	9/30	10/1	France								
	10/1	10/2	Switzerland								
	10/2	10/6	France								
	10/6	10/10	Italy								
	10/10	10/14	Belgium								
	10/14	10/15	England								
Per diem advance					3,050.00						3,050.00
Commercial air fare							3,354.80				3,354.80

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, UNITED STATES HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
John Orlando	11/7	11/11	Germany								
	11/11	11/13	Austria								
	11/13	11/14	Germany								
	11/14	11/17	England								
Per diem advance					2,200.00						2,200.00
Commercial air fare							3,504.00				3,504.00
									526.14		526.14
Stephen Sims	12/2	12/10	Germany		1,516.00						1,516.00
	12/10	12/12	Switzerland		670.00						670.00
	12/13	12/18	France		1,255.00						1,255.00
Commercial air fare							3,013.00				3,013.00
Thomas Montgomery	12/2	12/10	Germany		1,516.00						1,516.00
	12/10	12/12	Switzerland		670.00						670.00
	12/13	12/18	France		1,255.00						1,255.00
Commercial air fare							3,013.00				3,013.00
Charles Knauss	11/5	11/7	Switzerland								
	11/7	11/11	Germany								
	11/11	11/13	Austria								
Per diem advance					1,350.00						1,350.00
Commercial air fare							5,218.00				5,218.00
David Finnegan	11/5	11/7	Switzerland								
	11/7	11/11	Germany								
	11/11	11/13	Austria								
	11/13	11/14	Germany								
	11/14	11/17	England								
Per diem advance					2,900.00						2,900.00
Commercial air fare							4,229.00				4,229.00
Committee total					26,180.00		36,004.60				62,710.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Amit Pandya	12/3	12/8	Belgium	36,752	1,205.00		2,734.50				3,939.50
Theodore J. Jacobs	12/2	12/7	Belgium	44,103	1,446.00		856.50				2,302.50
Matthew R. Fletcher	12/1	12/4	Belgium		723.00		2,675.30				3,398.30
Committee total					3,374.00		6,266.30				9,640.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN CONYERS, Jr., Chairman, Jan. 31, 1991.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NICARAGUA, HONDURAS AND COSTA RICA, UNITED STATES HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 29 AND OCT. 2, 1989

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Byron L. Dorgan	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Hon. Richard J. Durbin	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Hon. Timothy J. Penny	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Hon. Gerald D. Kleczka	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Anthony Gambino	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Robert Jackson	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Douglas R.W. Norell	9/29	9/29	Nicaragua								
	9/29	10/1	Honduras		294.00						294.00
	10/1	10/2	Costa Rica		159.51						159.51
U.S. military transportation							3,929.60				3,929.60
Committee total					3,174.57		27,507.20				30,681.77

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BYRON L. DORGAN, Chairman, Dec. 10, 1990.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO CZECHOSLOVAKIA, HUNGARY, AUSTRIA AND FRANCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 26 AND JUNE 4, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. William H. Gray III	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Newt Gingrich	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. William Clay	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Charles Rangel	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Norman Dicks	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Marvin Leath	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Robert Walker	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Andy Ireland	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Robert Livingston	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Duncan Hunter	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Ho. John Hastert	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Hon. Jaime Fuster	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	393.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Jon Plebani	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
William Pitts	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				
Mary Brown	5/26	5/29	Czechoslovakia								
	5/29	5/30	Hungary								
	5/30	6/1	Austria	4,633.20	396.00	2,498.44	209.72	948.15	75.59	8,079.79	681.31
	6/1	6/4	France	3,898.80	684.00			1,729.44	303.41	5,628.24	987.41
Military transportation							8,035.94				

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM H. GRAY III, Oct. 22, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GENEVA, SWITZERLAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 6 AND NOV. 16, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Jack O. Andresen	11/6	11/9	Switzerland	1,236.40	1,172.00					1,236.40	1,172.00
Commercial air							2,801.00				2,801.00
Marc Benedict	11/6	11/9	Switzerland	1,236.40	1,172.00					1,236.40	1,172.00
Commercial air							2,801.00				2,801.00
Robert LaRussy	11/6	11/16	Switzerland	3,400.10	3,273.00					3,400.10	3,273.00
Commercial air							634.00				634.00
Tim Newell	11/8	11/9	Switzerland	618.20	586.00					618.20	586.00
Commercial air							64.00				634.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GENEVA, SWITZERLAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 6 AND NOV. 16, 1990—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Kenneth Stram	11/8	11/9	Switzerland	618.20	586.00					618.20	586.00
Commercial air							634.00				634.01
Committee total					6,789.00		7,522.00				14,311.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 16 AND NOV. 18, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Thomas S. Foley	11/16	11/18	Japan	37,697	292.00					37,697	292.00
Werner W. Brandt	11/16	11/18	Japan	99,536	771.00					99,536	771.00
Transportation							5,174.00				5,174.00
Committee total					1,063.00		5,174.00				6,237.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

THOMAS S. FOLEY, Feb. 8, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE PACIFIC, AUSTRALIA, NEW ZEALAND AND HONG KONG, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 8 AND NOV. 20, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Marie McGee O'Hara	11/8	11/9	Chile	213.75	171.00					213.75	171.00
	11/10	11/12	New Zealand	1,067.65	657.00					1,067.65	657.00
	11/13	11/21	Australia	1,876.20	1,475.00			38.86	29.86		1,504.86
	11/21	11/22	Hong Kong	3,834.20	492.00					3,834.20	492.00
Military transportation							9,600.49				9,600.49
Angela Milazzo	11/8	11/9	Chile		171.00						171.00
	11/10	11/12	New Zealand		657.00						657.00
	11/13	11/20	Australia		1,475.00						1,475.00
	11/21	11/22	Hong Kong		492.00						492.00
Committee total					5,590.00		9,600.49		29.86		15,220.35

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MARIE McGEE O'HARA, Dec. 21, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO EGYPT, SAUDI ARABIA, AND ISRAEL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 26 AND NOV. 30, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Visit to Egypt, Saudi Arabia, and Israel: Nov. 26–30, 1990											
Hon. Nicholas Mavroules	11/26	11/27	Egypt		151.00						151.00
Hon. Marilyn Lloyd	11/27	11/29	Saudi Arabia								
Hon. Mary Rose Oakar	11/29	11/30	Israel		161.50						161.50
Hon. Dennis M. Hertel											
Hon. Lane Evans											
Hon. Solomon P. Ortiz											
Hon. Jerry F. Costello											
Hon. John S. Tanner											
Hon. Larry J. Hopkins											
Hon. Robert J. Lagomarsino											
Hon. Robert W. Davis											
Hon. Robert K. Dornan											
Hon. John R. Kasich											
Hon. Larry Combest											
Hon. Curt Weldon											
Hon. Jon L. Kyl											
Hon. Arthur Ravenel, Jr.											
Hon. Ronald K. Machtley											
Hon. Ileana Ros-Lehtinen											
Williston B. Cofer, Jr.											
Warren L. Nelson											
Robert S. Rangel											
John C. Chapla											
Delegation Expenses	11/26	11/27	Egypt				535.00				535.00
	11/27	11/29	Saudi Arabia								
	11/29	11/30	Israel				410.00		2,145.51		2,555.51
Total					312.50		945.00		2,145.51		3,403.01

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

NICHOLAS MAVROULES, Jan. 30, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 29 AND DEC. 10, 1990.

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Michael R. Wessel	11/29	12/10	Belgium	80,855	2,651.00		2,316.59				4,967.59
Robert Larussa	11/29	12/8	Belgium	58,804	1,687.00		712.00				2,399.00
Mark Benedict	12/5	12/7	Belgium	14,701	482.00		2,670.50				3,152.50
Jack Andresen	12/5	12/7	Belgium	14,701	482.00		2,670.50				3,152.50
Committee total					5,302.00		8,369.59				13,671.59

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MICHAEL R. WESSEL, Jan. 10, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO EL SALVADOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 8 AND DEC. 13, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
James P. McGovern	12/8	12/13	El Salvador	3,126.20	638.00		701.00				1,339.00
William Woodward	12/8	12/13	El Salvador	3,126.20	638.00		701.00				1,339.00
Committee total					1,376.00		1,402.00				2,778.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES P. McGOVERN, Jan. 30, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO SAUDI ARABIA AND ISRAEL, UNITED STATES HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 11 AND DEC. 15, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Anthony C. Beilenson	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Henry J. Hyde	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Herbert Bateman	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Glen Browder	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. George W. Darden	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Butler Derrick	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. David Dreier	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Elton Gallegly	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. James Inhofe	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Barbara Kennelly	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Tom Lantos	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Mel Levine	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Michael Levine	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Michael McNulty	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Donald M. Payne	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Bill Richardson	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Bill Sarpalius	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Jim Saxton	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Hon. Barbara F. Vucanovich	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Louis H. Dupart, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Catherine Eberwein, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Robert J. Fitch, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Michael J. O'Neil, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
David W. Roth, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Michael W. Sheehy, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Gregory E. Siegler, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Thomas R. Smeeton, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Jeffrey Swedberg, staff	12/12	12/13	Saudi Arabia								
Military aircraft	12/13	12/15	Israel		200.00		11,740.82				11,940.82
Committee total					5,400.00		317,002.14				322,402,14

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ANTHONY C. BEILENSON, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. KRISTI WALSETH, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 11 AND OCT. 15, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Kristi E. Walseth	10/12	10/14	Uruguay	363,960	270.00					363,960	270.00
Commercial transportation							2,895.00				2,895.00
Committee total					270.00		2,895.00				3,165.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KRISTI E. WALSETH, Oct 18, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. MICHAEL ALEXANDER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 8 AND NOV. 20, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Michael Alexander	11/8	11/10	Malta	81.760	276.00					1.760	276.00
Michael Alexander	11/10	11/13	Kenya	10,591	462.00					10,591	462.00
Michael Alexander	11/13	11/14	Zimbabwe	480	187.00					480	187.00
Michael Alexander	11/13	11/13	Uganda								
Michael Alexander	11/14	11/15	Bostwana	319.92	172.00					319.92	172.00
Michael Alexander	11/15	11/18	South Africa	419.98	166.00					419.98	166.00
Michael Alexander	11/16	11/16	Mozambique								
Michael Alexander	11/18	11/20	Chile	138,444	417.00					138,444	471.00
Committee total					1,680.00						1,680.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MICHAEL ALEXANDER, Chairman, Dec. 18, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. MICHAEL HUTTON, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 10 AND DEC. 13, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Michael Hutton	12/10	12/12	Mexico		304.00		63.51				367.51
	12/12	12/13	Guatemala		155.00		(3)				155.00
Military transportation							2,357.92				2,357.92
Committee total					459.00		2,421.43				2,880.43

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Information not yet available.

CHARLES B. RANGEL.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE 82D INTERPARLIAMENTARY UNION CONFERENCE, LONDON, ENGLAND, EXPENDED BETWEEN SEPT. 1 AND SEPT. 9, 1989

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Delegation expenses											
Embassy personnel, drivers (overtime-American & FSN).									1,875.56		1,875.56
Committee total									1,875.56		1,875.56

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE E. BROWN, Jr., Jan. 28, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE 83RD INTERPARLIAMENTARY UNION CONFERENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 30 AND APR. 7, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Edward Feighan	4/2	4/7	Cyprus		1,169.59		[3] 5,146.00				6,315.59
Neil Levine	3/31	4/7	Cyprus		1,635.08		[4] 1,617.20				3,252.28
Julie Illsley	3/30	4/7	Cyprus		1,908.13		[4] 2,772.00				4,680.13
Martin Sletzinger	3/30	4/6	Cyprus		1,742.76		[4] 2,772.00				4,514.76
Delegation expenses:											
Control room					1,663.00						1,663.00
Official expenses (overtime—American and FSN), transportation and xerox rental.									1,008.50		1,008.50
Committee total					8,118.56		12,307.20		1,008.50		21,434.26

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial round trip, Atlanta, Cyprus, and Cleveland.
[4] Commercial round trip, Washington, Cyprus, and Washington.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE IPU SPECIAL CONFERENCE ON DISARMAMENT, BONN, GERMANY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 20 AND MAY 26, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Donald E. Lukens	5/20	5/26	Germany		1,330.00		[3] 2,486.00				3,816.00
Julie Illsley	5/20	5/26	Germany		1,270.00		[3] 756.00				2,026.00
Committee total					2,600.00		3,242.00				5,842.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

EDWARD FEIGHAN, Jan. 30, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IPU ENVIRONMENT COMMITTEE MEETING, GENEVA, SWITZERLAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 24 AND JUNE 28, 1990.

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. James Scheuer	6/24	6/28	Switzerland				[3] 930.58				930.58
Committee total							930.58				930.58

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Local rental car plus driver.

JAMES SCHEUER, Jan. 28, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE 84TH INTERPARLIAMENTARY UNION CONFERENCE, MONTEVIDEO, PUNTA DEL ESTE, URUGUAY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 12 AND OCT. 18, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Martin Sletzinger	10/12	10/18	Uruguay		750.00		[3] 2,801.00				3,551.00
Julie Illsley	10/12	10/18	Uruguay		750.00		[3] 2,801.00				3,551.00
William Long	10/12	10/18	Uruguay		750.00		[3] 2,801.00				3,551.00
Charles O'Regan	10/12	10/18	Uruguay		750.00		[3] 2,801.00				3,551.00
Committee total					3,000.00		11,204.00				14,204.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Commercial round trip, Washington, Uruguay, and Washington.

EDWARD FEIGHAN, Jan. 30, 1991.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORTH ATLANTIC ASSEMBLY, UNITED KINGDOM AND MOROCCO, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 25 AND DEC. 2, 1990

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Charlie Rose	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Jack Brooks	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Gerald Solomon	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Clay Shaw	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Thomas Bliley	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Marge Roukema	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Bill Richardson	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/1	Morocco		[3] 330.00						2,076.00
Hon. Sherwood Boehlert	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Nancy Pelosi	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Alex J. McMillan	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. David Price	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Ben N. Campbell	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Craig Washington	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Ron Coleman	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Rick Boucher	11/24	11/30	United Kingdom		1,746.00						
	11/30	12/2	Morocco		[3] 330.00						2,076.00
Hon. Frank Guarini	11/25	11/30	United Kingdom		1,746.00		3,672.00				5,418.00
Hon. Bart Gordon	11/25	11/31	United Kingdom		1,746.00		1,836.00				3,582.00
Hon. Joseph Kennedy	11/27	11/31	United Kingdom		1,164.00		1,817.00				2,981.00
Hon. Tom Lewis	11/24	11/30	United Kingdom		1,746.00		1,834.00				3,580.00
Hon. Sharon Matts	11/24	11/30	United Kingdom		1,746.00						1,746.00
	11/30	12/2	Morocco		[3] 330.00						2,076.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORTH ATLANTIC ASSEMBLY, UNITED KINGDOM AND MOROCCO, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 25 AND DEC. 2, 1990—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Ron Lasch	11/24	12/1	United Kingdom		[3] 2,037.00						2,037.00
Committee totals					41,655.00		9,159.00				50,814.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military transportation.

DANTE B. FASCELL, Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

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

727. A letter from the Comptroller General, the General Accounting Office, transmitting a review of the President's second special impoundment message for fiscal year 1991, pursuant to 2 U.S.C. 685 (Doc. No. 102-48); to the Committee on Appropriations and ordered to be printed.

728. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report with respect to the following transactions involving a working capital guarantee to support United States exports to the Republic of Korea, pursuant to section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking, Finance and Urban Affairs.

729. A letter from the Acting Secretary of Education, transmitting a copy of Final Funding Priorities—Chapter 1 Migrant Education Coordination Program for State Educational Agencies, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

730. A letter from the Department of Defense, transmitting fiscal year 1990 unit exchange of training and related support between the United States and foreign countries, pursuant to 22 U.S.C. 2770a; to the Committee on Foreign Affairs.

731. A communication President of the United States, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

732. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued by GAO in January 1991, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

733. A letter from the Chairman, National Credit Union Administration, transmitting a report on its activities under the Freedom of Information Act for calendar year 1990, pursuant to 5 U.S.C. 552(b); to the Committee on Government Operations.

734. A letter from the Chairman, United States International Trade Commission, transmitting a report on its activities under the Freedom of Information Act for calendar year 1990, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

735. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's notice on leasing systems for the Western Gulf of Mexico, sale 131, scheduled to be held in March 1991, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Interior and Insular Affairs.

736. A letter from the Secretary, Department of Energy, transmitting the ninth annual update to the Comprehensive Ocean Thermal Technology Application and Market Development Plan, pursuant to 42 U.S.C. 9002(d); to the Committee on Science, Space, and Technology.

737. A letter from the Secretary of Health and Human Services, transmitting the annual report on children in foster care under voluntary placement agreements for fiscal year 1989, pursuant to 42 U.S.C. 672 nt.; to the Committee on Ways and Means.

738. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a report on the extent of military cooperation since 1986 between the Khmer Rouge and any individual group or faction of the non-Communist resistance in Cambodia, pursuant to Public Law 101-513, section 562A(b)(3) (104 Stat. 2038); jointly, to the Committees on Appropriations and Foreign Affairs.

739. A letter from the Department of State, transmitting a draft of proposed supplemental legislation to authorize appropriations for the Department of State to carry out its authorities and responsibilities in the conduct of foreign affairs during the fiscal years 1992 and 1993 and for other purposes, pursuant to 22 U.S.C. 2680; jointly, to the Committees on Foreign Affairs, Post Office and Civil Service, and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT (for himself and Mr. RAHALL):

H.R. 1124. A bill to amend title 10, United States Code, to restore the CHAMPUS eligibility of certain members and former members of the uniformed services, and their dependents, who are currently excluded from benefits under CHAMPUS because of their entitlement to hospital insurance benefits under Medicare; to the Committee on Armed Services.

By Mr. BILIRAKIS (for himself, Mr. TOWNS, and Mr. POSHARD):

H.R. 1125. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers who employ members of the Ready Reserve or of the National Guard; to the Committee on Ways and Means.

By Mr. CLAY (for himself, Mr. FORD of Michigan, Mr. FIELDS, Mr. MURPHY, Mrs. BENTLEY, Mr. GAYDOS, Mr. PERKINS, Mr. ANDREWS of New Jersey, and Mr. RIDGE):

H.R. 1126. A bill to extend the coverage of certain Federal labor laws to foreign flagships; jointly, to the Committees on Education and Labor and Merchant Marine and Fisheries.

By Mr. CLEMENT:

H.R. 1127. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers who attain age 65 in or after 1982 and to whom applies the 15-year period of transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977 (and related beneficiaries) and to provide prospectively for increases in their benefits accordingly; to the Committee on Ways and Means.

By Mrs. COLLINS of Illinois:

H.R. 1128. A bill to authorize the Secretary of Health and Human Services to fund adolescent health demonstration projects; to the Committee on Energy and Commerce.

By Mrs. COLLINS of Illinois (for herself, Mrs. SCHROEDER, Ms. OAKAR, Mr. SIKORSKI, Mrs. UNSOELD, and Mrs. VUCANOVICH):

H.R. 1129. A bill to amend title XIX of the Social Security Act to require State Medicaid programs to provide coverage of screening mammography and screening pap smears; to the Committee on Energy and Commerce.

By Mr. DORGAN of North Dakota (for himself and Mr. HAMILTON):

H.R. 1130. A bill to modernize the Federal Reserve System and to provide for prompt disclosure of certain decisions of the Federal Open Market Committee; jointly, to the Committees on Banking, Finance and Urban Affairs and Government Operations.

By Mr. ERDREICH:

H.R. 1131. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies and that such benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of the recipient's death; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 1132. A bill to amend the Internal Revenue Code of 1986 to ensure that charitable beneficiaries of charitable remainder trusts are aware of their interests in such trusts; to the Committee on Ways and Means.

By Mr. GOODLING (for himself, Mr. PORTER, Mr. BAKER, Mr. INHOFE, Mr. FAWELL, Mr. RINALDO, and Mr. WALSH):

H.R. 1133. A bill to amend title 18, United States Code, to prohibit transfer of firearms to, or possession of a firearm by, a person convicted of a drug crime, and to provide enhanced penalties for possession of a firearm during a drug crime; to the Committee on the Judiciary.

By Mr. GREEN of New York:

H.R. 1134. A bill to amend the Age Discrimination in Employment Act of 1967 with respect to administrative proceedings applicable to claims of discrimination in Federal

employment; to the Committee on Education and Labor.

By Mr. GUARINI (for himself, Mr. MOODY, Mr. GONZALEZ, Mr. LEVIN of Michigan, Mr. RANGEL, Mr. GRADISON, Mr. GIBBONS, Mr. SCHULZE, Mrs. JOHNSON of Connecticut, Mr. MATSUI, Mr. THOMAS of California, Mr. DONNELLY, Mr. BUNNING, Mr. SUNDQUIST, Mr. VENTO, Mr. KANJORSKI, Ms. KAPTUR, Mrs. COLLINS of Illinois, Mr. TOWNS, Mr. LEHMAN of Florida, Mrs. SCHROEDER, Mr. COSTELLO, Mr. SERRANO, Mr. BRUCE, Mr. STOKES, Mr. JONTZ, Mr. LANCASTER, Mr. EMERSON, Mr. ATKINS, Mr. BUSTAMANTE, Mr. DWYER of New Jersey, Mr. VALENTINE, Mr. HENRY, Mrs. LOWEY of New York, Mr. BILBRAY, Mr. RINALDO, Mr. ROE, Mr. ECKART, Mr. MILLER of California, Mr. RAHALL, and Mr. SANGMEISTER):

H.R. 1135. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of certain Federal financial assistance provided to savings and loan institutions; to the Committee on Ways and Means.

By Mr. HENRY:

H.R. 1136. A bill to amend the Internal Revenue Code of 1986 to remove certain limitations on the exclusion of income from U.S. savings bonds when used to pay higher education tuition and fees; to the Committee on Ways and Means.

By Mr. HOYER:

H.R. 1137. A bill to amend the Public Buildings Act of 1959 to establish a demonstration program to promote Federal leasing of space in buildings offered by small business concerns owned and controlled by socially and economically disadvantaged individuals; to the Committee on Public Works and Transportation.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, and Mr. LOWERY of California):

H.R. 1138. A bill to amend the Immigration and Nationality Act with respect to naturalization, through active duty service in the Armed Forces during a designated period of armed hostility, of aliens enlisted in the Philippines; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 1139. A bill to suspend temporarily the duty on certain composite diagnostic or laboratory reagents; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 1140. A bill to improve the collection and dissemination of information relating to the price and supply of home heating fuel, natural gas, and automotive fuel, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. KENNELLY:

H.R. 1141. A bill to amend the Internal Revenue Code of 1986 to disallow losses from certain exchanges of debt pools, and for other purposes; to the Committee on Ways and Means.

By Mr. LAGOMARSINO:

H.R. 1142. A bill to disallow the Secretary of the Interior from issuing oil and gas leases with respect to certain geographical areas located in the Pacific Ocean off the coastline of the State of California; to the Committee on Interior and Insular Affairs.

By Mr. McNULTY (for himself, Mr. VENTO, Mr. RIDGE, Mr. YOUNG of Alaska, Mr. PENNY, Mr. OBERSTAR, Mr. ABERCROMBIE, Mr. McCLOSKEY, Mr. ERDREICH, Mr. ESPY, Mr. MARTINEZ, Mr. McGRATH, Mr. MINETA, Mr. RANGEL, Mr. MACHTLEY, Mr. ACKERMAN, Mr. LAFALCE, Mrs. UNSOELD, Ms. KAPTUR, Mr. FOGLIETTA, Mr. PAYNE of New Jersey, Mr. TRAFICANT, Mr. EVANS, Mr. TORRICELLI, Mr. MANTON, Mr. SCHEUER, Mr. NEAL of Massachusetts, Mr. GREEN of New York, Mr. JEFFERSON, Mr. BROWN of California, Mr. HORTON, Mr. COSTELLO, Mr. SANDERS, Mr. HERTEL, and Mr. LEWIS of Georgia):

H.R. 1143. A bill to authorize a study of nationally significant places in American labor history; to the Committee on Interior and Insular Affairs.

By Mr. MACHTLEY:

H.R. 1144. A bill to establish a pilot program to encourage college students to serve as mentors for disadvantaged youths; to the Committee on Education and Labor.

By Mr. MATSUI (for himself, Mr. CARDIN, Mr. GUARINI, Mr. COYNE, Mr. EDWARDS of California, Mrs. MORELLA, Mr. McMILLEN of Maryland, Mr. HORTON, Mr. SERRANO, Mr. NEAL of Massachusetts, Mr. KYL, Mr. WOLPE, Mr. DELLUMS, Mrs. MINK, Mr. KOSTMAYER, Mr. SHAYS, Mr. FROST, Mr. DEFAZIO, Mr. WALSH, Mr. LEVINE of California, Mr. ABERCROMBIE, Mr. ECKART, Mr. FAZIO, Mr. LIPINSKI, Mr. DWYER of New Jersey, Mr. COSTELLO, Mr. LEWIS of Georgia, Mr. OWENS of Utah, Mr. RITTER, Mr. BROWN of California, Mr. ACKERMAN, Mr. HUGHES, Mr. KOPETSKI, and Mrs. UNSOELD):

H.R. 1145. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the value of certain tansportation furnished by an employer, and for other purposes; to the Committee on Ways and Means.

By Mr. MFUME:

H.R. 1146. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to prescribe rules to prevent possession of beepers and pagers by persons under 21 years of age, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MILLER of Washington (for himself, Mrs. MEYERS of Kansas, Mr. GOSS, Mr. THOMAS of Wyoming, Mr. BACCHUS, Mr. MRAZEK, Mr. HUCKABY, Mr. TAUZIN, Mr. LANCASTER, Mr. GLICKMAN, Mr. DWYER of New Jersey, Mr. WALSH, Mr. COX of California, Mr. RINALDO, Mrs. BENTLEY, Mr. McCLOSKEY, Mr. WILSON, Mr. McGRATH, Mr. LENT, Mr. DREIER of California, Mrs. BOXER, Mr. QUILLEN, Mr. MFUME, Mr. BROWN, Mr. SCHAEFER, Mr. HENRY, Mr. BURTON of Indiana, Mr. SANGMEISTER, and Mr. GILCHREST):

H.R. 1147. A bill to direct the heads of agencies to disclose information concerning United States personnel classified as prisoners of war or missing in action after 1940, including from World War II, the Korean conflict, and the Vietnam conflict; jointly, to the Committees on Government Operations, Armed Services, Intelligence (Permanent Select), and Foreign Affairs.

By Ms. MOLINARI:

H.R. 1148. A bill to provide for a study of hazardous air pollutants by the National Institute of Environmental Health Sciences; to the Committee on Energy and Commerce.

By Ms. MOLINARI (for herself, Mr. SOLOMON, Ms. ROS-LEHTINEN, Mr. GEKAS, Mr. HORTON, Mrs. MEYERS of Kansas, Mr. BOEHLERT, Mr. GILLMOR, Mr. PAXON, Mr. GUNDERSON, Mr. RAMSTAD, Mr. RAVENEL, and Mr. HOBSON):

H.R. 1149. A bill to secure the right of women to be free of sexual harassment and violence, to promote equal opportunity for women, and for other purposes; jointly, to the Committees on the Judiciary, Education and Labor, House Administration, and Energy and Commerce.

By Mr. LAFALCE:

H.R. 1150. A bill to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Mrs. MORELLA:

H.R. 1151. A bill to amend title 10, United States Code, to authorize voluntary withholding of State income tax from monthly annuity payments under programs providing annuities for survivors of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. PANETTA:

H.R. 1152. A bill to amend the Internal Revenue Code of 1986 to provide relief for losses resulting from natural disasters; to the Committee on Ways and Means.

H.R. 1153. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for the repair of residences damaged by federally declared disasters; to the Committee on Ways and Means.

By Mr. PANETTA (for himself, Mr. SANGMEISTER, Mr. MARTINEZ, Mr. BONIOR, Mr. RICHARDSON, Mr. McDERMOTT, Mr. EMERSON, Mr. ANNUNZIO, and Mr. LEHMAN of Florida):

H.R. 1154. A bill to establish programs to improve foreign language instruction and to amend the Higher Education Act of 1965 in order to promote equal access to opportunities to study abroad, and for other purposes; to the Committee on Education and Labor.

By Mr. PETRI (for himself, Mr. BEREUTER, Mr. BLAZ, Mr. CAMPBELL of Colorado, Mr. CLINGER, Mr. GOODLING, Mr. GUARINI, Mr. GUNDERSON, Mr. HUBBARD, Mr. HUGHES, Mr. HUNTER, Mr. KYL, Mr. MARLENEE, Mr. SENSENBRENNER, Mr. SCHIFF, Mr. SMITH of Oregon, Mr. THOMAS of Wyoming, Mrs. VUCANOVICH, and Mr. YOUNG of Alaska):

H.R. 1155. A bill to set aside tax revenues collected on recreational fuels not used on highways for the purposes of improving and maintaining recreational trails; jointly, to the Committees on Ways and Means, Interior and Insular Affairs, and Public Works and Transportation.

By Mr. PORTER (for himself, Mr. MILLER of Washington, Mr. LANTOS, Mr. ROSE, Mr. HORTON, Mr. GILMAN, Mr. WOLF, Mr. FAWELL, Mr. BARTON of Texas, Mr. RAVENEL, Mr. DORNAN of California, Mr. ENGEL, Ms. PELOSI, and Mr. JEFFERSON):

H.R. 1156. A bill to establish Radio Free China; to the Committee on Foreign Affairs.

By Mr. REED (for himself and Mr. MACHTLEY):

H.R. 1157. A bill to extend the time for payment of certain taxes under the Internal Revenue laws for taxpayers in States in which one-third or more of the depository institutions have been simultaneously closed for a period of at least 5 days, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 1158. A bill to amend the Public Health Service Act to provide grants to States for the creation or enhancement of systems for the air transport of rural victims of medical emergencies, and for other pur-

poses; to the Committee on Energy and Commerce.

By Mr. SARPALIUS (for himself and Mr. COMBEST):

H.R. 1159. A bill to authorize the Secretary of the Interior to construct and test the Lake Meredith Salinity Control Project, New Mexico and Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. SCHROEDER:

H.R. 1160. A bill to amend the Public Health Service Act to require that, as appropriate, women and members of minority groups be included as subjects in clinical research conducted under such act; to the Committee on Energy and Commerce.

By Mrs. SCHROEDER (for herself, Ms. SNOWE, Mrs. BOXER, Mrs. COLLINS of Michigan, Mrs. COLLINS of Illinois, Ms. DELAURO, Ms. HORN, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mrs. KENNELLY, Mrs. LLOYD, Mrs. LOWEY of New York, Mrs. MEYERS of Kansas, Mrs. MINK, Ms. MOLINARI, Mrs. MORELLA, Ms. NORTON, Ms. OAKAR, Mrs. PATTERSON, Ms. PELOSI, Ms. SLAUGHTER of New York, Mrs. UNSOELD, Ms. WATERS, Mr. ABERCROMBIE, Mr. AUCOIN, Mr. BEILENSON, Mr. BERMAN, Mr. BROWN, Mr. CAMPBELL of Colorado, Mr. CONYERS, Mr. DEFAZIO, Mr. DELLUMS, Mr. DICKS, Mr. DINGELL, Mr. DIXON, Mr. EDWARDS of California, Mr. EVANS, Mr. FOGLIETTA, Mr. FROST, Mr. GEJDENSON, Mr. GILMAN, Mr. HAYES of Illinois, Mr. HORTON, Mr. HOYER, Mr. JONTZ, Mr. JOHNSTON of Florida, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LEVINE of California, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MACHTLEY, Mr. MARKEY, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. MFUME, Mr. MILLER of California, Mr. NEAL of Massachusetts, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. RANGEL, Mr. REED, Mr. ROSE, Mr. SABO, Mr. SCHEUER, Mr. SERRANO, Mr. SMITH of Florida, Mr. STOKES, Mr. STUDDS, Mr. TOWNS, Mr. WASHINGTON, Mr. WOLPE, Mr. WHEAT, and Mr. YATES):

H.R. 1161. A bill to promote greater equity in the delivery of health care services to American women through expanded research on women's health issues, improved access to health care services, and the development of disease prevention activities responsive to the needs of women; jointly, to the Committees on Energy and Commerce, Ways and Means, and Post Office and Civil Service.

By Mrs. SCHROEDER (for herself and Mr. SIKORSKI):

H.R. 1162. A bill to amend titles XVIII and XIX of the Social Security Act to provide for coverage under the Medicare and Medicaid programs of obstetrical and gynecological services furnished by nurse practitioners; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. SENSENBRENNER:

H.R. 1163. A bill to amend the Internal Revenue Code of 1986 to permit mortgage revenue bond financing of mortgages for veterans of Operation Desert Storm; to the Committee on Ways and Means.

H.R. 1164. A bill to amend the Internal Revenue Code of 1986 to permit mortgage revenue bond financing of mortgages for veterans of Operation Desert Storm; to the Committee on Way and Means.

By Mr. SHAW:

H.R. 1165. A bill to amend title 38, United States Code, to provide for the crediting of tuition payments and other fees paid to an educational institution by a member of the Selected Reserve who has to withdraw from that educational institution as a result of being called to active duty in the Armed Forces and for readmission of the member to that educational institution; jointly, to the Committees on Veterans' Affairs and Armed Services.

By Mr. SMITH of Florida:

H.R. 1166. A bill to amend the Truth in Lending Act to require certain credit card issuers who offer grace periods to begin such grace period on the postmark date of the periodic statement; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SUNDQUIST:

H.R. 1167. A bill to amend title 10, United States Code, to repeal the Social Security offset applicable to certain annuities for surviving spouses paid under the Survivor Benefit Plan for retired members of the Armed Forces to the extent that such offset is due to Social Security benefits based on the surviving spouse's own earnings of self-employment; to the Committee on Armed Services.

H.R. 1168. A bill to provide that for taxable years beginning before 1980 the Federal income tax deductibility of flight training expenses shall be determined without regard to whether such expenses were reimbursed through certain veterans' educational assistance allowances; to the Committee on Ways and Means.

H.R. 1169. A bill to amend the Internal Revenue Code of 1986 to provide that no deduction shall be allowed for personal income taxes paid to a State (or political subdivision thereof) which taxes nonresidents on income derived from certain Federal areas; to the Committee on Ways and Means.

By Mr. WASHINGTON:

H.R. 1170. A bill to provide equal contract rights for women; to the Committee on the Judiciary.

By Mr. WOLPE (for himself, Mr. HORTON, Ms. KAPTUR, Mr. KLECZKA, Mr. KANJORSKI, Mr. GEJDENSON, Mr. OBEY, Mr. MCCLOSKEY, Mr. GUNDERSON, Mr. MILLER of Ohio, Mr. HYDE, Ms. LONG, Mr. SHAYS, Mr. RUSSO, Mr. HOCHBRUECKNER, Mrs. JOHNSON of Connecticut, Mr. BOEHLERT, Mr. MCDADE, Mr. SHARP, Mr. HOUGHTON, Mr. BRUCE, Mr. HUGHES, Mr. BONIOR, Mr. DELLUMS, Mr. GREEN, Mr. SENSENBRENNER, Mr. PAXON, Mr. ANNUNZIO, Mr. HENRY, Mr. NEAL of Massachusetts, Mrs. ROUKEMA, Mr. VISCLOSKY, Mr. ECKART, Mr. ROTH, Mr. MOODY, Mr. SANDERS, Mr. FORD of Michigan, Mr. SAWYER, Mr. HAYES of Illinois, Mr. RANGEL, Mr. POSHARD, Mr. SOLOMON, Mr. HAMILTON, Mr. TRAXLER, Mr. VANDER JAGT, Mr. MILLER of Washington, Mr. HEFNER, Mr. JOHNSON of South Dakota, Mr. OBERSTAR, Mr. ROWLAND, Mr. SOLARZ, Mr. NUSSLE, Mr. HUBBARD, Mr. GUARINI, Mr. KLUG, and Mr. UPTON):

H.R. 1171. A bill to amend the Federal Deposit Insurance Act to require States in which the failure of State savings associations has involved a disproportionately large share of the thrift resolution costs, including costs incurred by the Resolution Trust Corporation, to pay a State thrift deposit insurance premium as a condition of future Federal deposit insurance; to the Committee on Banking, Finance and Urban Affairs.

By Ms. DELAURO (for herself, Ms. MOLINARI, Ms. PELOSI, Mr. PANETTA, Mr. ANNUNZIO, Mr. GORDON, Mr. CLEMENT, Mr. ESPY, Mr. HAMILTON, Mrs. UNSOELD, Mr. HARRIS, Mr. MARTINEZ, Mr. BONIOR, Mr. LEVIN of Michigan, Mr. HOYER, Mr. LEHMAN of Florida, Mr. BILBRAY, Mr. MRAZEK, Mr. MILLER of California, Mrs. MINK, Mr. MCNULTY, Mr. ERDREICH, Ms. NORTON, Mr. MCMILLEN of Maryland, Mr. BROWN, Mr. RIGGS, Mr. PAXON, Mr. SOLARZ, Mrs. SCHROEDER, Mr. SCHEUER, Mr. BLAZ, Mr. TALLON, Mr. WYDEN, Mr. HOCHBRUECKNER, Mr. DE LUGO, Mr. OWENS of Utah, Mr. JONES of North Carolina, Mr. ROYBAL, Mr. STUDDS, Mr. WEISS, Mr. SKEEN, Mr. HORTON, Mr. KOPETSKI, Mrs. MORELLA, Mr. TOWNS, Mr. VALENTINE, Mr. MCHUGH, Mr. YATES, Mr. BACCHUS, Mr. RAHALL, Mr. CARR, Ms. SNOWE, Mr. FUSTER, Mr. OBERSTAR, Mr. ABERCROMBIE, Mr. STALLINGS, Mr. ACKERMAN, Mr. STARK, Mrs. PATTERSON, Ms. KAPTUR, Mr. MCGRATH, Mr. LEVINE of California, Mr. RAMSTAD, Mr. GUARINI, Mr. SABO, Mr. LIPINSKI, Mr. WALSH, Mr. KILDEE, Mr. DWYER of New Jersey, Mr. EVANS, Mr. WOLF, Mr. GILCHREST, Mr. GREEN of New York, Mr. ROE, Mr. WELDON, Ms. OAKAR, Mr. CLAY, Mr. DYMALLY, Mr. RANGEL, Mr. MURPHY, Mr. LAGOMARSINO, Mr. HERTEL, Mr. FOGLIETTA, Mr. MINETA, Mr. MCCLOSKEY, Mr. SCHUMER, Mr. MACHTLEY, Mr. RAVENEL, Mrs. JOHNSON of Connecticut, Mr. CRAMER, Mr. KLUG, Mr. MATSUI, Mr. SERRANO, Mr. SANDERS, Mr. NATCHER, Mr. KLECZKA, Ms. SLAUGHTER of New York, and Mr. FASCELL):

H.J. Res. 149. Joint resolution designating March 1991 and March 1992 both as "Women's History Month"; to the Committee on Post Office and Civil Service.

By Mr. ERDREICH:

H.J. Res. 150. Joint resolution proposing an amendment to the Constitution of the United States relating to equal access by voluntary student religious groups and moments of silence which may be used for voluntary silent prayer or reflection in public schools; to the Committee on the Judiciary.

By Mr. FISH:

H.J. Res. 151. Joint resolution to designate April 7–13, 1991, as "National Manufacturing Week"; to the Committee on Post Office and Civil Service.

By Mr. FOGLIETTA (for himself, Mr. SMITH of New Jersey, Mr. ANNUNZIO, Mr. FUSTER, Mr. HORTON, Mr. BAKER, Ms. KAPTUR, Mr. RUSSO, Mr. MILLER of California, Mr. MCNULTY, Mr. LEHMAN of Florida, Mr. KILDEE, Mr. PANETTA, Mrs. MORELLA, Mr. LAFALCE, Mr. BORSKI, Mr. FASCELL, Mr. MFUME, Mr. RANGEL, Mr. KOSTMAYER, Mr. LENT, Mr. MCDERMOTT, Mr. SANTORUM, Mr. MCMILLEN of Maryland, Mr. MCGRATH, Mr. CLINGER, Mr. YATRON, Mr. HARRIS, Mr. RINALDO, Mr. MAZZOLI, Mr. VENTO, Mr. WELDON, Mr. THOMAS of Georgia, Mr. BENNETT, Mr. MCEWEN, Mr. APPLEGATE, Mr. GONZALEZ, Mrs. KENNELLY, Mr. HERTEL, and Mr. NEAL of Massachusetts):

H.J. Res. 152. Joint resolution proclaiming Christopher Columbus to be an honorary citizen of the United States; to the Committee on the Judiciary.

By Mr. GRADISON (for himself and Mr. PANETTA):

H.J. Res. 153. Joint resolution to designate the month of November in 1991 and 1992 as "National Hospice Month"; to the Committee on Post Office and Civil Service.

By Mr. MATSUI (for himself, Mr. BACCHUS, Ms. LONG, Mr. BILIRAKIS, Mr. MCEWEN, Mr. MCDERMOTT, Mr. GUARINI, Mr. MARTINEZ, Mr. PAYNE of Virginia, Mr. HASTERT, Mr. ORTIZ, Mr. WYDEN, Mr. ROE, Mr. MACHTLEY, Mrs. KENNELLY, Mr. FAZIO, Mr. CARDIN, Mr. WALSH, Mr. MCGRATH, Mr. WEISS, Mr. FORD of Tennessee, Mr. QUILLEN, Mr. OWENS of Utah, Mr. DWYER of New Jersey, Mr. CLEMENT, Mr. APPLEGATE, Mr. BEVILL, Mr. BUSTAMANTE, Mr. HENRY, Mr. HORTON, Mr. LEWIS of California, Mr. CARPER, Mr. SAVAGE, Mr. ERDREICH, Mr. SKEEN, Mr. TALLON, Mr. LEHMAN of Florida, Mr. MANTON, Mr. HEFNER, Mr. HYDE, Mr. ESPY, Mr. RINALDO, Mr. RAVENEL, Mr. OWENS of New York, Mr. SPRATT, Mr. DAVIS, Mr. TRAFICANT, Mr. DORNAN of California, Mr. MILLER of California, Ms. PELOSI, Mr. STAGGERS, Mr. SLATTERY, and Mr. VOLKMER):

H.J. Res. 154. Joint resolution designating the month of May 1991, as "National Foster Care Month"; to the Committee on Post Office and Civil Service.

By Mr. MFUME:

H.J. Res. 155. Joint resolution authorizing the Association for an African-American National Monument to Promote History and Culture, Inc., to establish a memorial in the District of Columbia or its environs to honor the history and culture of African-Americans; to the Committee on House Administration.

By Mr. WYDEN (for himself, Mr. WAXMAN, Mr. STARK, Mr. SIKORSKI, Mr. MARKEY, Mr. MOODY, Mr. MCGRATH, Mr. MCMILLEN of Maryland, Mr. MCDERMOTT, Mr. BILIRAKIS, Mr. RAHALL, Mr. ENGEL, Ms. LONG, Mr. STUDDS, Mrs. UNSOELD, Mr. MANTON, Mr. LEVINE of California, Mr. WOLF, Mr. HOCHBRUECKNER, Mrs. ROUKEMA, Mr. UDALL, Mr. KOLTER, Mr. MILLER of Washington, Mr. GEJDENSON, Mr. LEHMAN of Florida, Mr. WOLPE, Mrs. MORELLA, Mr. GORDON, Mr. COLEMAN of Texas, Mr. CARR, Mr. TALLON, Mr. MRAZEK, Mr. LEACH of Iowa, Mr. MACHTLEY, Mr. MOAKLEY, Mr. CLEMENT, Mr. MILLER of California, Mr. ESPY, Mr. ACKERMAN, Mr. MARTINEZ, Mr. HARRIS, Ms. KAPTUR, Mr. LEVIN of Michigan, Mr. ROE, Mrs. PATTERSON, Mr. OWENS of Utah, Mr. BERMAN, Mr. FORD of Tennessee, Mr. DWYER of New Jersey, Mrs. BOXER, Mr. POSHARD, Mr. BILBRAY, Mr. WEBER, Mr. LIPINSKI, Mrs. LOWEY of New York, Mr. TOWNS, Mr. HORTON, Mr. MCNULTY, Mr. ERDREICH, Mr. VISCLOSKY, Mr. SANGMEISTER, Mr. WALSH, Mr. INHOFE, Mr. PAXON, Ms. SLAUGHTER of New York, Mr. BACCHUS, Mr. LAGOMARSINO, Mr. RICHARDSON, Mrs. MINK, Mr. HERTEL, Mr. KOPETSKI, Mr. PALLONE, Mr. SPRATT, Mr. SCHEUER, Mr. WEISS, Mr. PETERSON of Minnesota, and Mr. SMITH of Florida):

H.J. Res. 156. Joint resolution to designate the week of October 6, 1991, through October 12, 1991, as "Mental Illness Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. RUSSO:

H. Con. Res. 76. Concurrent resolution expressing the sense of Congress that all employers, in both the public and private sectors, should follow the example set by the city of Chicago in adopting employment policies to assure the continuity of salaries, wages, and other benefits for employees called to active military service as part of Operation Desert Storm; jointly, to the Committees on Education and Labor and Post Office and Civil Service.

By Mr. GALLEGLY (for himself, Mr. SMITH of Florida, Mr. WELDON, Mr. GILCHREST, Mr. RAVENEL, Mr. HORTON, and Mr. LAGOMARSINO):

H. Con. Res. 77. Concurrent resolution expressing the sense of the Congress that the President and Congress should direct appropriate Federal agencies and the Armed Forces to work with State and local governments to develop coordinated urban search and heavy rescue response plans; to the Committee on Public Works and Transportation.

By Mr. SUNDQUIST:

H. Con. Res. 78. Concurrent resolution urging the reduction of barriers to Americans trading with or investing in Japanese companies; to the Committee on Ways and Means.

By Mr. TALLON:

H. Con. Res. 79. Concurrent resolution calling upon the President to work with other nations to create and implement a Western Hemisphere energy policy; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

22. The SPEAKER presented a memorial of the House of Representatives of the State of Georgia, relative to the conflict in the Middle East; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MATSUI:

H.R. 1172. A bill for the relief of You Wah Lee; to the Committee on the Judiciary.

By Mr. OLIN:

H.R. 1173. A bill for the relief of Octavinus David Rienhart; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 16: Mr. ANNUNZIO.

H.R. 39: Mr. WAXMAN, Mr. SCHEUER, Mr. FRANK of Massachusetts, Mr. CLAY, Mr. MRAZEK, Mr. CONYERS, Mr. WOLPE, Mr. YATES, Mr. STOKES, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. SANDERS, Mr. FLAKE, Mr. GIBBONS, Mr. LANTOS, Mr. PALLONE, Mr. SWETT, Mr. DE LUGO, Mr. STARK, Mr. BACCHUS, Mr. NEAL of Massachusetts, Mr. MATSUI, Mr. KENNEDY, Mr. KOSTMAYER, Mr. FASCELL, Mr. SCHUMER, Mr. COYNE, and Mr. ANDREWS of Maine.

H.R. 77: Mr. HASTERT, Mr. SCHIFF, Mr. LIVINGSTON, Mr. FIELDS, and Mr. ENGLISH.

H.R. 78: Mrs. MEYERS of Kansas, Mr. BILBRAY, Mr. BEREUTER, Mr. DANNEMEYER, Mr. DOOLITTLE, and Mr. MOORHEAD.

H.R. 86: Mr. PACKARD and Mr. FISH.

H.R. 111: Mr. SLATTERY, Mr. EVANS, Mr. GEREN of Texas, Mr. JONES of Georgia, Mr. ROWLAND, Mr. BARNARD, Mr. ANDREWS of Texas, Mr. STEARNS, and Mr. PAXON.

H.R. 112: Mrs. LOWEY of New York, Mrs. VUCANOVICH, Ms. KAPTUR, Mr. FROST, Mr. FISH, Mr. ENGEL, Mr. PAYNE of New Jersey, Mr. SMITH of New Jersey, Mr. COLEMAN of Texas, Mrs. BOXER, Mr. ACKERMAN, Mr. ASPIN, Mr. RAHALL, and Mr. RAMSTAD.

H.R. 123: Mr. PACKARD and Mr. TAYLOR of Mississippi.

H.R. 127: Mr. DE LUGO, Mr. SKAGGS, Mr. TRAXLER, Mr. RHODES, Mr. REGULA, Mr. ZELIFF, Mrs. LOWEY of New York, Mr. HYDE, Mr. HASTERT, Mr. FISH, Mr. FIELDS, Ms. SLAUGHTER of New York, Mr. RAHALL, and Mr. CAMPBELL of Colorado.

H.R. 148: Mr. LEWIS of Georgia, Mr. LANCASTER, Mr. SERRANO, Mrs. COLLINS of Illinois, Mr. HUGHES, Mr. KILDEE, Mr. DELLUMS, Mr. MINETA, Ms. KAPTUR, Mrs. VUCANOVICH, Mr. BOEHLERT, Mr. LEVIN of Michigan, Mr. VENTO, Ms. NORTON, Mr. PAYNE of New Jersey, Mr. MRAZEK, Mr. MATSUI, Mr. BILBRAY, Mr. CONYERS, Mr. STARK, Mr. ECKART, Mrs. ROUKEMA, Mrs. LOWEY of New York, Mr. LAFALCE, Mr. WISE, Mr. SCHEUER, Mr. WOLPE, Mr. GONZALEZ, Mr. FUSTER, Mr. WYDEN, Mr. BLAZ, Mr. BENNETT, Mr. FASCELL, Mr. JOHNSON of South Dakota, Mr. CAMPBELL of Colorado, Mr. ACKERMAN, Mr. HORTON, Mr. DIXON, Mr. LEWIS of Florida, Ms. SLAUGHTER of New York, and Ms. SNOWE.

H.R. 150: Mr. THOMAS of California.

H.R. 200: Mr. HAYES of Louisiana, Mr. PAXON, and Mr. VANDER JAGT.

H.R. 217: Mr. SOLOMON and Mr. PACKARD.

H.R. 262: Mr. EVANS and Mr. OWENS of Utah.

H.R. 263: Mr. EVANS and Mr. DWYER of New Jersey.

H.R. 300: Mrs. UNSOELD.

H.R. 317: Mr. HERTEL.

H.R. 318: Mr. FISH.

H.R. 320: Mr. VENTO and Mr. MARTINEZ.

H.R. 327: Mr. ZELIFF.

H.R. 328: Mr. SAWYER, Mr. ROE, Mr. FISH, and Mr. MYERS of Indiana.

H.R. 330: Mr. JONES of Georgia and Mr. FEIGHAN.

H.R. 404: Mr. CLINGER, Mr. LIPINSKI, Mr. LIGHTFOOT, Mr. HANCOCK, Mr. DUNCAN, Mr. BATEMAN, and Mr. WILSON.

H.R. 413: Mr. SKAGGS, Mr. LEHMAN of California, Mr. LEVINE of California, Mr. SMITH of Florida, Mrs. LLOYD, Mr. SUNDQUIST, Mr. PAYNE of Virginia, Mr. ECKART, Mr. MOAKLEY, Mr. ALEXANDER, Mr. EDWARDS of California, Mr. WISE, Mr. GALLO, and Mr. GUARINI.

H.R. 418: Mr. JOHNSON of South Dakota, Mr. MINETA, and Mr. ZELIFF.

H.R. 447: Ms. KAPTUR and Mr. PANETTA.

H.R. 467: Mr. IRELAND, Mr. YOUNG of Alaska, Mr. GOSS, Mr. DORNAN of California, Mr. BLAZ, Mr. LAGOMARSINO, Mr. PERKINS, Mr. DICKS, Mr. MARTINEZ, Mr. DOOLITTLE, and Mr. GIBBONS.

H.R. 483: Mr. LIPINSKI, Mr. BATEMAN, and Mr. MOODY.

H.R. 500: Mr. ABERCROMBIE, Mr. BACCHUS, Mr. BAKER, Mrs. BENTLEY, Mr. BILBRAY, Mr. BOEHLERT, Mr. BUSTAMANTE, Mr. COSTELLO, Mr. DOWNEY, Mr. DURBIN, Mr. ENGEL, Mr. ESPY, Mr. GILMAN, Mr. JAMES, Mr. JEFFERSON, Mr. JONTZ, Mr. KANJORSKI, Mr. KOLBE, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LOWERY of California, Mr. MCCOLLUM, Mr. MCHUGH, Mr. MFUME, Mr. MORAN, Mrs. MORELLA, Ms. PELOSI, Mr. POSHARD, Mr. RAMSTAD, Mr. REGULA, Mr. RIGGS, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. SPENCE, Mr. STALLINGS, Mr. TRAFICANT, Mrs. UNSOELD, Mr. VENTO, Mr. WALSH, Mr. WASHINGTON, and Mr. YATES.

H.R. 516: Mr. FOGLIETTA, Mr. PENNY, Mr. HOCHBRUECKNER, Mr. HORTON, and Mr. DELLUMS.

H.R. 519: Mr. BURTON of Indiana, Mr. HORTON, Mr. ROE, Mr. RAVENEL, Mr. SCHIFF, Mr. LIVINGSTON, Mr. SMITH of Texas, Ms. SNOWE, Mr. HYDE, Mr. LEWIS of Florida, Mr. JEFFERSON, Mr. DELAY, Mr. ECKART, Mr. COX of California, and Mr. GOSS.

H.R. 524: Mr. BERMAN, Mr. CAMPBELL of Colorado, Mrs. SCHROEDER, and Mr. CUNNINGHAM.

H.R. 525: Mr. KOSTMAYER, Mr. ALEXANDER, Mr. OWENS of Utah, Mr. MATSUI, Ms. NORTON, Mr. PETRI, Mrs. JOHNSON of Connecticut, Mr. LAFALCE, Mr. REED, and Mr. ACKERMAN.

H.R. 537: Mr. GONZALEZ, Mr. DWYER of New Jersey, Mr. JEFFERSON, Mr. MILLER of California, Mr. VENTO, Mr. GLICKMAN, Mr. MCMILLEN of Maryland, Mr. LAROCCO, Mr. STARK, Mr. WYDEN, and Mr. STAGGERS.

H.R. 559: Mr. KLECZKA, Mr. CRANE, Mr. FISH, and Mr. SENSENBRENNER.

H.R. 565: Mr. RAY, Mr. SENSENBRENNER, Mr. BROOMFIELD, Mr. SKAGGS, Mr. ECKART, Mr. EVANS, Mr. ENGEL, Mr. VENTO, Mr. HOCHBRUECKNER, Mr. STAGGERS, Mr. SLATTERY, Mr. SWIFT, Mr. KILDEE, Mr. WISE, Mr. DEFAZIO, Mr. GALLO, Mr. WOLPE, Mr. GUARINI, Mr. SOLOMON, and Mr. SHAW.

H.R. 572: Mr. LAGOMARSINO, and Ms. HORN.

H.R. 583: Mr. ROE.

H.R. 596: Mr. SANTORUM and Mrs. VUCANOVICH.

H.R. 611: Mr. INHOFE, Mr. SANTORUM, Mr. DELAY, and Mr. SOLOMON.

H.R. 612: Mr. LANCASTER, Mr. RAVENEL, Mr. LEWIS of Florida, and Mr. HUGHES.

H.R. 642: Mr. LEHMAN of Florida, Mr. SCHIFF, Mr. WILSON, Mr. SMITH of Florida, Mr. BONIOR, Mr. HAMILTON, Mr. WASHINGTON, Mr. JONTZ, and Mrs. SCHROEDER.

H.R. 643: Mr. MCDERMOTT, Mr. RAMSTAD, Mr. MCCOLLUM, Mrs. MEYERS of Kansas, Mr. GILLMOR, and Mr. VOLKMER.

H.R. 644: Mr. MARTINEZ and Mr. KOLTER.

H.R. 672: Mr. MCDERMOTT and Mr. ECKART.

H.R. 688: Mr. HASTERT.

H.R. 710: Mr. CAMPBELL of Colorado, Mr. KYL, and Mr. MCEWEN.

H.R. 731: Mr. SMITH of Florida, Mr. GALLEGLY, Mr. LIPINSKI, Mr. ROE, Mr. HUGHES, Mr. DANNEMEYER, and Mr. DE LUGO.

H.R. 736: Mr. ABERCROMBIE.

H.R. 738: Mr. FROST.

H.R. 756: Mr. DWYER of New Jersey, Mr. MARTINEZ, and Mr. FROST.

H.R. 766: Mrs. LOWEY of New York and Ms. DELAURO.

H.R. 767: Mr. LIGHTFOOT and Mr. SKEEN.

H.R. 784: Mr. COX of California, Mr. MATSUI, Mr. SPENCE, Mr. BEREUTER, Mr. STUMP, Mrs. LOWEY of New York, Mr. GORDON, Mr. KLUG, Mr. BARRETT, Mr. SOLOMON, Mr. NATCHER, Mr. GOSS, Mr. OBERSTAR, Mr. WOLPE, Mr. NAGLE, Mr. FISH, Mr. VANDER JAGT, Mr. SLAUGHTER of Virginia, and Mr. GILMAN.

H.R. 786: Mr. EVANS, Mr. MINETA, Mr. HERTEL, Mr. DYMALLY, Mr. BROWN of California, Mr. LAGOMARSINO, Mr. BERMAN, Mr. DE LUGO, and Mr. MCCLOSKEY.

H.R. 789: Mr. BENNETT, Mr. SOLOMON, Mr. HERTEL, Mr. STUDDS, Ms. LONG, and Mr. EVANS.

H.R. 798: Mr. HYDE, Mr. PAXON, Mr. ARMEY, Mr. LIGHTFOOT, Mr. PACKARD, Mrs. VUCANOVICH, and Mr. EMERSON.

H.R. 806: Mr. RITTER and Mr. SANDERS.

H.R. 809: Mr. FORD of Michigan and Mr. HUGHES.

H.R. 840: Mr. PARKER, Mr. HYDE, Mr. ENGLISH, Mr. JEFFERSON, and Mr. JOHNSON of South Dakota.

H.R. 841: Mr. ACKERMAN, Mr. ANDREWS of Maine, Mr. BLAZ, Mr. BONIOR, Mr. CAMPBELL of Colorado, Mr. COLEMAN of Texas, Mr. DOWNEY, Mr. EMERSON, Mr. FORD of Michigan, Mr. FRANK of Massachusetts, Mr. HORTON, Mr. JOHNSTON of Florida, Mr. KOLTER, Mrs. LOWEY of New York, Mr. MCMILLEN of Maryland, Mr. MCNULTY, Mr. MURPHY, Mr. OWENS of Utah, Mr. POSHARD, Mr. SERRANO, and Mr. WISE.

H.R. 842: Mr. MAVROULES.

H.R. 865: Mr. DWYER of New Jersey, Ms. PELOSI, Mr. EVANS, Mr. JEFFERSON, Mr. ECKART, and Mr. HERTEL.

H.R. 866: Mr. JEFFERSON and Mr. HOLLOWAY.

H.R. 888: Mr. WYDEN, Mr. JONES of Georgia, Mr. EMERSON, Mr. JONTZ, Mr. OWENS of New York, and Mr. HERTEL.

H.R. 907: Mr. BROWN, Mrs. BOXER, and Mr. MINETA.

H.R. 915: Mr. ECKART, Mr. LAGOMARSINO, Mr. INHOFE, and Mr. RITTER.

H.R. 916: Mr. MCEWEN and Ms. KAPTUR.

H.R. 919: Mr. MCEWEN, Mr. HAYES of Louisiana, Mr. ECKART, Mr. ZIMMER, Mr. ENGLISH, Mr. ORTON, and Mr. BUSTAMANTE.

H.R. 951: Mr. HUGHES, Mr. HERTEL, Mr. DAVIS, Mr. HORTON, Mr. LIGHTFOOT, Mr. MURPHY, Mr. BLAZ, and Mr. CUNNINGHAM.

H.R. 965: Mr. WYDEN.

H.R. 967: Mr. JENKINS, Mr. FISH, and Mr. SMITH of Florida.

H.R. 974: Ms. LONG, Mr. HORTON, Mr. JEFFERSON, Mr. COSTELLO, Mr. RHODES, Mr. ZIMMER, Mr. ECKART, Mr. PACKARD, Mr. GILCHREST, Ms. SLAUGHTER of New York, and Mr. SANDERS.

H.R. 997: Mr. WASHINGTON, Mr. MFUME, and Mr. GILCHREST.

H.R. 999: Mr. ERDREICH.

H.R. 1013: Ms. MOLINARI, Mr. GOSS, Mr. LAGOMARSINO, Mr. RAVENEL, Mr. HENRY, and Mr. HOLLOWAY.

H.R. 1021: Mr. GONZALEZ.

H.R. 1059: Mrs. LLOYD, Mrs. UNSOELD, Mr. FASCELL, Mr. HAYES of Illinois, Mr. RICHARDSON, Mr. YATES, Mr. FRANK of Massachusetts, and Mr. ACKERMAN.

H.R. 1075: Mr. MOODY, Mr. JOHNSON of South Dakota, Mr. DORGAN of North Dakota, Mr. OBERSTAR, Mr. SANDERS, Mr. STALLINGS, Mr. BOEHLERT, Ms. SLAUGHTER of New York, Mr. MCDADE, and Mr. GOODLING.

H.R. 1081: Mr. MARTINEZ, Mr. FUSTER, Mr. CAMPBELL of Colorado, and Mr. DELLUMS.

H.J. Res. 90: Mr. ERDREICH, Mr. CLEMENT, Mr. OWENS of Utah, Mr. JONES of North Carolina, Mr. TOWNS, Mr. DE LUGO, Mr. JEFFERSON, Mr. MARTINEZ, and Mr. SPRATT.

H.J. Res. 92: Mr. DEFAZIO, Mr. MCNULTY, Mr. HERTEL, and Mr. GILCHREST.

H.J. Res. 97: Mr. GEKAS and Mr. BOEHLERT.

H.J. Res. 98: Mr. ANDERSON, Mr. ATKINS, Mr. AUCOIN, Mr. BENNETT, Mrs. BENTLEY, Mr. BLAZ, Mr. BONIOR, Mr. BOUCHER, Mr. BUSTAMANTE, Mr. CARDIN, Mr. CARR, Mr. CHANDLER, Mr. CLINGER, Mr. COUGHLIN, Mr. DONNELLY, Mr. DORNAN of California, Mr. DUNCAN, Mr. EDWARDS of Oklahoma, Mr. FOGLIETTA, Mr. GEKAS, Mr. GILCHREST, Mr. GINGRICH, Mr. HOCHBRUECKNER, Ms. HORN, Mr. HYDE, Mr. IRELAND, Mr. KENNEDY, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LAUGHLIN, Mr. LEHMAN of Florida, Mr. LIGHTFOOT, Mr. MARKEY, Mr. MFUME, Mr. MICHEL, Mr. MINETA, Mrs. MORELLA, Mr. MORRISON of Washington, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. NEAL of North Carolina, Mr. NOWAK, Ms. OAKAR, Mr. OBEY, Mr. OXLEY, Mr. PETRI, Mr. PRICE, Mr. RIDGE, Mr. RIGGS, Mr. SCHULZE, Mr. SLATTERY, Ms. MOLINARI, Mr. SLAUGHTER of Virginia, Mr. SMITH of New Jersey, Mr. SOLARZ, Mr. SPENCE, Mr. STOKES, Mr. STUDDS, Mr. SUNDQUIST, Mr. TANNER, Mr. THOMAS of Wyoming, Mr. THOMAS of Georgia, Mr. TRAFICANT, Mr. TRAXLER, Mr. UPTON, Mr. VANDER JAGT, Mr. VOLKMER, Mr. WILSON, Mr. WYLIE, Mr. YOUNG of Alaska, Ms. NORTON, Mr. BEILENSON, Mr. BLILEY, Mr. BROOMFIELD, Mr. CARPER, Mr. COX of California, Mr. DARDEN, Mr. DAVIS, Mr. DICKS, Mr. DREIER of California, Mr. FRANK of Massachusetts, Mr. GEJDENSON, Mr. GILLMOR, Mr. GRANDY, Mr. GREEN of New York, Mr. HALL of Ohio, Mr. HAMILTON, Mr. HANSEN, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HEFNER, Mr. HENRY, Mr. HUNTER, Mr. KILDEE, Mr. LANTOS, Ms. LONG, Mr. MCDERMOTT, Mr. MARTIN, Mr. MAVROULES, Mr. MAZZOLI, Mr. MOORHEAD, Mr. MRAZEK, Mr. NAGLE, Mrs. PATTERSON, Mr. PAXON, Ms. PELOSI, Mr. PURSELL, Mr. RICHARDSON, Mr. RUSSO, Mr. SANDERS, Mr. SERRANO, Mr. WOLF, Mr. CALLAHAN, Mr. COYNE, Mr. GALLO, Mr. SABO, Mr. YATRON, Mr. ANDREWS of Maine, Mrs. BOXER, Mr. LEWIS of California, Mr. MCEWEN, Mr. MATSUI, Mrs. MEYERS of Kansas, Mr. MURPHY, Mr. PAYNE of New Jersey, Mr. QUILLEN, Mr. RAHALL, Mr. RAMSTAD, Mr. ROBERTS, Mr. ROE, Mr. SCHEUER, Mr. SOLOMON, Mr. TAUZIN, Mr. WAXMAN, Mr. WISE, Mr. BATEMAN, Mr. BARNARD, Mr. COSTELLO, Mr. CRAMER, Mr. ENGEL, Mr. FISH, Mr. KOLTER, Mr. LEWIS of Georgia, and Mr. MILLER of California.

H.J. Res. 102: Mr. JONES of Georgia, Mr. PAXON, Mr. HAMMERSCHMIDT, Ms. SLAUGHTER of New York, Mr. DEFAZIO, Mr. WEISS, Mr. SPRATT, Mr. GEKAS, Mr. BATEMAN, and Mr. BOEHLERT.

H.J. Res. 103: Mr. GONZALEZ, Mr. DE LUGO, Mr. SPRATT, Mr. FISH, Mr. MINETA, Mr. JOHNSON of South Dakota, Mr. DE LA GARZA, and Mr. JEFFERSON.

H.J. Res. 104: Mr. WALSH, Mr. GREEN of New York, Mr. GILMAN, Mr. ERDREICH, Mr. HOUGHTON, Ms. MOLINARI, Mr. SANTORUM, Mr. GEKAS, Mr. LIPINSKI, Mr. MORRISON of Washington, Mr. JACOBS, Mr. CHANDLER, Mr. WILSON, Mr. BACCHUS, Mr. MCGRATH, Mr. RINALDO, Mr. LAGOMARSINO, Mr. LEACH of Iowa, Mr. MOORHEAD, Mr. RANGEL, Mr. REGULA, Mr. INHOFE, Mr. RITTER, Mr. BURTON of Indiana, Mr. HUGHES, Mr. MCCOLLUM, Mr. CAMP, Mr. LEWIS of Florida, Mr. SHAYS, Mr. PICKLE, Mr. LEHMAN of Florida, Mr. THOMAS of California, Ms. ROS-LEHTINEN, Mr. HASTERT, Mr. DONNELLY, Mr. WEBER, Mr. COBLE, Mr. JONES of North Carolina, Mr. ZIMMER, Mr. KLUG, Mr. BROOMFIELD, Mr. SAXTON, Mr. ORTIZ, Mr. SABO, Mr. UPTON, Mr. LEVIN of Michigan, Mr. ROE, Mrs. Patterson, Mr. SCHEUER, Mr. TOWNS, Mr. SOLARZ, Mr. SYNAR, Mr. BOUCHER, Mr. POSHARD, Mr. SMITH of Florida, Mr. DWYER of New Jersey, Mr. FROST, Mr. SCHUMER, Mr. BREWSTER, Mr. MARTINEZ, Mr. PRICE, Mr. NOWAK, Mr. DICKS, Mr. RAHALL, Ms. KAPTUR, Mr. DE LUGO, Mr. PICKETT, Mr. COLEMAN of Texas, Mr. LANTOS, Mr. MCNULTY, Mr. PANETTA, Mr. KOLTER, Mr. ABERCROMBIE, Mr. BRUCE, Mr. WISE, Mr. MILLER of Washington, Mr. JONTZ, Mr. BILBRAY, Mr. GRAY, Mr. SANGMEISTER, Mr. VALENTINE, Ms. HORN, Mr. HUCKABY, Mr. SERRANO, Mr. ROEMER, Mr. CARPER, Mr. THOMAS of Georgia, Mr. DYMALLY, Mr. BROWN, Mr. ASPIN, Mr. MURPHY, Mrs. UNSOELD, Mr. FOGLIETTA, Ms. DELAURO, Mr. NAGLE, Mr. NEAL of Massachusetts, Mr. RUSSO, Mr. CARDIN, Mr. TAYLOR of Mississippi, Mr. HARRIS, Mr. MARKEY, Mr. BORSKI, Mr. PETERSON of Minnesota, Mr. ECKART, Mr. PORTER, Mr. KLECZKA, Mr. OBEY, Mr. ROSE, Mrs. BYRON, Mr. DEFAZIO, Mr. HAYES of Illinois, Mr. PETERSON of Florida, Mr. MOODY, Mr. CARR, Mr. YATRON, Mr. ROWLAND, Mr. PALLONE, Mr. JOHNSON of South Dakota, and Mr. SKAGGS.

H.J. Res. 106: Mr. HYDE, Mr. PAXON, Mr. BARTLETT, Mr. LAGOMARSINO, Mr. LIGHTFOOT, Mr. PACKARD, and Mrs. VUCANOVICH.

H.J. Res. 132: Mr. KENNEDY, Mr. COYNE, Ms. OAKAR, Mr. ANDREWS of New Jersey, Mrs. UNSOELD, Mr. HOYER, Mrs. PATTERSON, Mr. GREEN, Mr. LEHMAN of Florida, Mr. MCNULTY, Mr. FLAKE, Mr. HUGHES, Mr. DWYER of New Jersey, Mr. NAGLE, Mr. KOLTER, Mr. SPRATT, Mr. MACHTLEY, Mr. MURPHY, Mr. LANTOS, Mr. DYMALLY, Mr. FORD of Michigan, Mr. QUILLEN, Mr. STAGGERS, Mr. PAYNE of New Jersey, Mr. GEREN of Texas, Mr. MARKEY, Mr. KLUG, Mr. BORSKI, Mr. HORTON, Mr. BUSTAMANTE, Mr. WASHINGTON, Mr. LAGOMARSINO, Mr. GRAY, Mr. HERTEL, Mr. SCHEUER, Mr. MCCLOSKEY, and Mr. SOLARZ.

H.J. Res. 133: Mr. MCGRATH, Mr. PAYNE of New Jersey, Mr. MANTON, Mrs. MINK, Mr. STUMP, Mr. ROBERTS, Mr. SMITH of Oregon, Mr. GONZALEZ, Mr. STOKES, Mr. BUNNING, Mr. UPTON, Mr. RAVENEL, Mr. CALLAHAN, Mr. HUNTER, Mr. ROE, Mr. SMITH of New Jersey, Mr. UDALL, Mr. BOEHLERT, Mr. BUSTAMANTE, Mrs. MEYERS of Kansas, Mr. ENGEL, Mr. ROYBAL, Mr. MARTIN, Mr. KASICH, Mr. ACKERMAN, Mr. RAHALL, and Mr. PURSELL.

H.J. Res. 141: Mrs. LLOYD, Ms. LONG, Mr. WEISS, Mr. SAXTON, and Mr. HORTON.

H. Con. Res. 50: Mr. VENTO, Mr. GEJDENSON, Mr. BRUCE, Mr. GLICKMAN, Mr. HORTON, Mr. APPLEGATE, Mr. UPTON, Mr. MARTINEZ, Mr. BLAZ, Mr. ZELIFF, Mr. ANDREWS of Maine, and Mr. FISH.

H. Con. Res. 56: Mr. LANTOS.

H. Con. Res. 57: Mr. SANTORUM, Mr. LIPINSKI, Mr. RAVENEL, Mr. BALLENGER, Mr. OWENS of Utah, Mr. FISH, Mr. JEFFERSON, Mr. ARMEY, Mr. IRELAND, Mr. HEFLEY, Mr. JONTZ, Mr. COX of California, Mr. SOLOMON, and Mr. GILMAN.

H. Con Res. 65: Mr. MINETA.

H. Con. Res. 66: Mr. LAROCCO and Mr. POSHARD.

H. Con. Res. 67: Mr. APPLEGATE, Mr. UPTON, and Mr. CAMPBELL of Colorado.

H. Con. Res. 70: Mr. UPTON and Mr. RAHALL.

H. Res. 11: Mr. COLEMAN of Texas.

H. Res. 38: Mr. LIPINSKI, Mr. JONTZ, Mrs. LOWEY of New York, Mr. QUILLEN, Mr. LAGOMARSINO, Mrs. PATTERSON, Mr. GUARINI, Mr. BEVILL, Mr. TAYLOR of Mississippi, Mr. ENGEL, Mr. HUBBARD, Mr. LENT, Mr. DAVIS, Mr. ACKERMAN, Mr. HOCHBRUECKNER, Mr. FIELDS, Mr. CHAPMAN, Mr. COBLE, Mr. TORRICELLI, and Mr. DELLUMS.

H. Res. 64: Ms. LONG.

H. Res. 85: Mr. DREIER of California.

H. Res. 68: Mr. WEISS.

EXTENSIONS OF REMARKS

THE FEDERAL RESERVE REFORM ACT OF 1991

HON. LEE H. HAMILTON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. HAMILTON. Mr. Speaker, today Representative BYRON DORGAN and I are introducing the Federal Reserve Reform Act of 1991.

This bill would make some modest changes in the practice and procedures of the Federal Reserve to address two issues of great importance to the American economy and our system of democratic government—the current absence of any channel of formal communication between the Federal Reserve and the administration, and the veil of secrecy surrounding policymaking at the Federal Reserve.

The Federal Reserve occupies an anomalous position within the Government of the United States. It is an enormously powerful institution, but it does not conform to the normal standards of government accountability. Power without proper accountability simply does not fit into the American system of democracy.

Through its control over monetary policy the Federal Reserve affects the lives of all Americans. It has the power to decide who prospers and who fails. The path that the Federal Reserve sets for monetary policy and interest rates affects every businessperson, worker, consumer, borrower, and lender in the United States and has a major impact on the overall performance of the economy.

The independence that the Federal Reserve must have to insulate monetary policy from political pressures also removes the Fed from the normal processes of accountability that apply to every other agency of the Federal Government. We must address a very difficult and perplexing problem—how to make the Federal Reserve more accountable to the American people without jeopardizing its independence and its ability to conduct monetary policy free of political pressure.

No other Government agency enjoys the Fed's prerogatives. Monetary policy is conducted in secret, behind closed doors. The Federal Reserve is not required to consult with Congress or the administration before setting money or interest rate targets, even though its power affects every American. It waits 6 weeks before releasing policy decisions. The President, who is responsible for the performance of the economy and is blamed if things go wrong, often must wait until late in his term to appoint a new chairman of the Federal Reserve Board, raising the risk that the President and the Federal Reserve Board Chairman might be at odds. President Bush, for example, will not be able to appoint a Fed chairman until August 1991. The Fed's budget is not published in the U.S. Government budget, even though it spends about $1.7 billion per year. Only 7 percent of Federal Reserve expenditures are detailed in the U.S. Government budget for fiscal year 1992—the $115 million spent by the Board of Governors. Even though the Federal Reserve engages in more than $1 trillion in transactions in the money markets each year, most of these activities are exempt from audit by the GAO or any other outside agency.

The bill that Representative DORGAN and I are introducing today aims to make the Federal Reserve more accountable to the American people, not by giving politicians control but by creating a formal channel of communication between the President and the Federal Reserve, and by providing Congress and the American people with more and better information on the Federal Reserve's policies and procedures.

The bill has five major provisions.

First, it would require the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and the Director of the Office of Management and Budget to meet three times a year on a nonvoting basis with the Federal Open Market Committee [FOMC], to consult on monetary and fiscal policy.

Two of the required meetings would take place just before the FOMC sets its annual money growth targets in February and July and reports to Congress, as required by the Full Employment and Balanced Growth Act of 1978. The third meeting would occur in the fall at the start of the administration's annual budget cycle. These meetings will bring together the key members of the fiscal and monetary policymaking teams.

The purpose of the meetings is to improve the flow of information between the administration and the Federal Reserve. Currently, there is no formal channel of communication between the President and the Fed. At times, the administration is reduced to carrying on policy disputes by publicly sniping at the Fed through the press. Under this bill, the administration will have a formal avenue to present its program for the economy to the FOMC and lay out its goals and targets for monetary policy. The members of the FOMC will also have an avenue to convey their concerns about fiscal policy to the administration. Communication will flow both ways.

Second, the bill would allow the President to appoint a Chairman of the Federal Reserve Board—with the advice and consent of the Senate—1 year after taking office, at the time when the first regular opening would occur on the Federal Reserve Board. This would make the Fed Chairman's term basically coterminous with the term of office of the President of the United States.

The current Chairman of the Board of Governors, Alan Greenspan, was appointed by President Bush's predecessor and will hold that office until August 10, 1991, almost 3 years into President's Bush's term. Fortunately, Chairman Greenspan and President Bush have a cordial relationship. The fact that Mr. Greenspan was not appointed by President Bush has not caused any significant problems with monetary policy. But if they were unable to work together, the result could be serious damage to the American economy and a paralysis of economic policy. This is a risk the country should not take.

The Federal Reserve Reform Act would address this by having the President appoint the Fed Chairman to a 4-year term beginning 1 year after taking office, when there will be a new vacancy on the Board in any event. Each appointee will still be subject to Senate confirmation, as under current law. Giving the President 3 years of a term with a Federal Reserve Chairman of his own choosing is surely preferable to the possibility under current law of a lengthy period where the President and Chairman cannot work together.

Third, this bill would require the FOMC to disclose immediately any changes in the targets of monetary policy, including its targets for monetary aggregates, credit aggregates, prices, interest rates, or bank reserves.

The FOMC currently keeps major policy decisions secret for 6 weeks after they are made and carried out. Most other government agencies must not only publish decisions in the Federal Register before they can take effect, most in fact must publish proposed decisions for public comment before they can even be issued in final form.

While secrecy may help insulate the Federal Reserve from criticism, secrecy has two economic costs.

First, secrecy makes capital markets operate less efficiently. The Federal Reserve's position on this can be defended only if you believe that ignorance is better than knowledge. But one of the major conclusions of microeconomic theory is that thorough and complete information is a requirement for markets to work efficiently. This applies to financial markets as well as to markets for goods and services.

Second, secrecy is unfair to small investors. When the Federal Reserve makes a policy change, large investors and Wall Street firms can employ experts to monitor the Federal Reserve and decipher its activities in the financial markets. This gives them an advantage over small investors, borrowers, and others who don't have resources to employ Fed-watchers to interpret and anticipate Fed policy changes.

The solution is immediate release of Federal Reserve policy decisions, as the bill would require. This is a change that is widely supported by economists and participants in financial markets.

Fourth, the bill would permit the Comptroller General to conduct more thorough audits of Federal Reserve operations, by removing selected current restrictions on GAO access to the Federal Reserve.

The General Accounting Office is the watchdog of Congress. It carries out that responsibility through financial and program audits of

government agencies. These audits are of tremendous value to Congress. Not only do they ferret out waste, fraud, and abuse, they perform the even more important function of telling Congress when programs are not working and where programs can be improved.

For many years, from the mid-1930's to the late 1970's, the Federal Reserve was exempt from GAO audits along with the other bank regulatory agencies, on the grounds that its funds were not appropriated by Congress. In 1978, the Federal Banking Agency Audit Act authorized the GAO to audit the bank regulatory agencies, allowing full audits of the Comptroller of the Currency and the Federal Deposit Insurance Corporation and limited audits of the Federal Reserve. Since then, the GAO has conducted numerous audits of the Fed's regulatory activities. These audits have provided useful suggestions for reducing costs at the Federal Reserve, improving regulatory programs, and strengthening the banking system with no noticeable harm to the Federal Reserve or its effectiveness in regulating member banks.

Currently, the GAO is prohibited access to any Federal Reserve function involving: First, transactions with a foreign central bank or foreign government; second, any deliberations or actions on monetary policy matters; or third, any transactions made under the direction of the FOMC. Our bill would remove the last two restrictions while retaining the restriction against GAO access to transactions with foreign central banks or foreign governments.

The final provision of the bill would require that the Federal Reserve's annual budget be published in the budget of the U.S. Government. The Fed would submit its budget for the current year and the two following years to the President by October 16 of each year, and the President would be required to print the Fed's budget in the Government budget without change.

The Federal Reserve's expenditures are not subject to approval by either the President or Congress, unlike the budgets of other Government agencies.

Despite the fact that the Federal Reserve takes in and spends billions of dollars each year, the Federal Reserve's budget is not conveniently available to Congress or the public. Only a small fraction of the Fed's $1.6 billion of operating expenses is included in the U.S. Government budget for fiscal year 1992—just the $115 million of expenses incurred by the Board of Governors in Washington. The details on this part of the Fed's budget, only 7 percent of the Federal Reserve's total spending, appear in part 4 of the budget, at the very end of the section entitled, "Government-Sponsored Enterprises."

During 1991, the revenues of the Federal Reserve System will be about $20 billion. A small fraction of these revenues, less than $1 billion, will consist of payments by banks for services provided by the Fed. Most will consist of interest received from the Treasury on the Fed's holding of U.S. Government securities, which the Fed acquired during open market operations conducted for monetary policy purposes. Out of this $20 billion, paid mostly by taxpayers, the Federal Reserve will incur approximately $1.7 billion in operating expenses. About $1 billion of this will be for personnel costs. The rest will be for supplies, travel expenses, telephone and postage, printing money, maintenance of equipment, amortization of buildings, and so forth. The remainder of the Fed's revenues will be returned to the Treasury, where it is listed in the budget as an offsetting receipt.

The Federal Reserve Reform Act will not reduce the Federal Reserve's control over its own budget. The bill would not subject the Federal Reserve to the congressional appropriations process, nor would it give either Congress or the administration any control over the Federal Reserve's spending. All it does is require that the data be published conveniently in the U.S. Government budget, where spending by every other Government agency is already listed. This includes the Supreme Court, which has its budget published in the Government budget without any loss of independence.

Adopting the bill would thus implement a basic principle of democracy that no Government agency should take in and spend billions of dollars without having its budget readily accessible to the public.

In conclusion, in our Nation the Government must be accountable to the people. The Federal Reserve, with its enormous power over the economy and the well-being of the American people, does not meet the normal standards of accountability in a democracy. The bill that Representative DORGAN and I are introducing today will make the Fed more accountable without impairing its ability to conduct monetary policy. The bill does not impose Presidential or congressional or other outside controls on Fed policy. Instead, our bill addresses the complex problem of increasing Federal Reserve accountability in a democratic society without jeopardizing the Federal Reserve's independence or injecting politics into monetary policy.

The Federal Reserve Reform Act will not cause revolutionary changes at the Federal Reserve. It is a very modest bill designed to improve some of the Federal Reserve's practices and procedures. In the 75 years since the Federal Reserve System was created, Congress has made a number of changes in its structure and procedures, adding responsibilities and powers from time to time and periodically revising its relationship with Congress and the administration. The bill that Representative DORGAN and I are introducing today continues this process by proposing a handful of evolutionary changes in the practices and structure of the Federal Reserve.

THE INTRODUCTION OF THE WOMEN'S EQUAL OPPORTUNITY ACT OF 1991

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Ms. MOLINARI. Mr. Speaker, since January 31, few Americans have contemplated the noble aims or anguished over the terrible tragedies of the Persian Gulf war without saying a special prayer for Melissa Nealy—the first known female prisoner of war of Operation Desert Storm.

She is a part of a war effort aiming to free the citizens of Kuwait from vicious aggression and secure peace not only for the Middle East, but for the world. She is a part of a battle to free men and women from fear. She represents our country as equally and bravely as the men beside her in the trenches.

And she today pays the price few men, fortunately, will be called upon to pay.

Melissa Nealy and her female comrades deserve to return to a nation that recognizes her "equalness" in peacetime as we did during the war.

For them, for myself, and for our daughters, I am pleased and honored to introduce this legislation in the House, and to join with my colleagues today in emphasizing our support for its essential objectives.

The position of women in American society continues to change, propelled by social, economic, and military forces—and we need to ensure that our public policies and our judicial system adapt to this change.

That is what this legislation endeavors to do. It aims to conform certain Federal statutes and programs to the realities of women in America today. In the areas of Federal workplace harassment, sexual violence, and employment opportunity, this legislation takes needed steps to both protect and sustain the advances women have made.

It strives to guarantee opportunities, it does not create a false promise of success as some other bills pending before Congress proclaim.

I think it bears noting that from the founding of our Nation, women were given a lesser status in the country's political and economic structures; and from our earliest history, efforts have been made to replace these inequities with the true moral promise America should hold for all citizens. In recent decades, the advancement of women's rights and opportunities has been significant. Nevertheless, this advancement is not complete. It will need to reach into future generations and it will require consistent attention and support to be sustained.

This bill deals very directly with the issue of sexual harassment in the workplace and with domestic and street violence against women. These problems have affected the lives of millions of American women and should be the concern of all Americans. The bill expands the remedies available to respond to sexual harassment through Federal civil rights statutes.

There are provisions in the bill which address some of the most compelling areas of concern regarding sexual violence and the rights of those who have been victims of such crimes. It makes a very clear statement that violent sexual crimes will be dealt with more seriously through increased penalties and reforms in Federal, civil, and criminal procedure. It also gives victims new rights to respond to concerns about potential AIDS transmission in the course of a violent attack.

These provisions and others in the bill, such as those addressing the issue of sex crimes on campus, violence within families, and the distribution of controlled substances to pregnant women, focus on some of today's most widespread problems.

We, men and women, have for far too long looked the other way when these issues became too painful to address. By even today's

action, we are ensuring a decrease in these incidents. We are once and for all letting the country know we demand a nation where women are healthy, where women are given opportunities, where women are safe.

The legislation also takes some necessary steps in looking at the problem of the "glass ceiling" through the establishment of a Commission to study this question and make recommendations for the removal of artificial barriers to the advancement of women and minorities in business.

We may shatter the ceiling with our accumulated frustrations from the years of inequities, but I would rather direct my energies and those of all women and men toward dismantling the ceiling thoroughly and quickly—together. With our efforts and the legislative support of this bill, I believe we will find the way to remove the barrier without showering ourselves with damaging glass shards.

Let me conclude by expressing to Senator DOLE my respect for his leadership on these important issues. I hope that this Congress will count the passage of this legislation as one of its most prominent achievements. The future of our daughters and sons depends on it.

IN MEMORY OF PAUL EARL PEROTTI

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DYMALLY. Mr. Speaker, Californians recently witnessed the loss of a brave and committed law enforcement officer from the California Highway Patrol. I had the pleasure of knowing Paul Earl Perotti when I served as Lieutenant Governor in California. Paul provided security for my family and me.

Paul had the distinction of working with three Lieutenant Governors in California. He was highly respected by those for whom he worked and by his colleagues. He was born on April 12, 1946, and passed away on February 20, 1991. He is mourned by his wife Carole and children David, Michelle, and Karrie.

His family dedicated these lines by Judy Dimbleby to him:

SMILES IN SORROW

I saw you smile, I felt befriended
It was a beautiful smile, it never ended.
I shared it with many friends that day.
They passed it along, in the very same way.
It will come back to you on some thoughtful face.
When you need it most, at the right time and place.
A friendly smile, a casual touch.
These are the things that mean so much.
To know you are with us in our time of sorrow.
Sharing our prayers, today and tomorrow.
God give us comfort in the form of good friends.
May his peace be with you, his love never ends.

May he rest in peace.

SHABBAT ZACHOR

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ATKINS. Mr. Speaker, I rise today to commemorate Shabbat Zachor, the Sabbath of Remembrance, which was observed over the weekend in memory of four young Jewish women from Damascus who were killed in 1977 while trying to escape into Lebanon from Syria. While the division of Lebanon by the vicious regime of Syrian President Hafez al-Assad has been well-documented in the media, the brutal activities of that government against its Jewish citizens has not received nearly as much attention as it deserves. Mr. Speaker, the behavior of the Syrian Government is particularly disturbing given our present alliance with that regime against Iraq.

Mr. Speaker, the 4,500 Jews in Syria live with constant fear and intimidation. Although they are allowed to conduct their daily affairs, they are under continual surveillance by a special branch of Syria's secret police, the Makhabarat. Like blacks in South Africa, Syrian Jews are forced to carry identity cards and are not allowed to vote or participate as candidates in elections. The majority of the Jewish community in Syria is concentrated in the ghetto in Damascus. The Syrian Government has placed Palestinians in houses which were once Jewish owned. Attempts at destroying Syria's Jewish community is also evidenced by the government's confiscation and destruction of Damascus' Jewish cemetery, replacing it with a highway.

The Syrian Government does not allow Jewish emigration, leaving Jews to attempt illegal escape routes. If caught, such escapees are imprisoned without charge or trial, and are often subject to interrogation and torture. Furthermore, given the number of successful escapes by able-bodied men, many women are unable to marry within their faith and are forced to convert and marry outside their community. In this way, Mr. Speaker, the Jewish community of Syria is in danger of annihilation.

In addition to the denial of emigration rights, travel abroad by Jewish citizens is severely restricted by Syria's Government. No complete Jewish families are allowed to leave Syria at any one time. Those few who are allowed to leave are forced to post bonds as ransom for their return.

Although President Assad agreed in 1989 to consider the reunification of divided Jewish families and to consider granting visas denied to Syrian Jews, to date he has done nothing. Despite petitions from our State Department, Assad's cruel treatment of Syria's Jews continues. Mr. Speaker, it is my firm belief that the Assad government's treatment of Jews ought to be placed high on our bilateral agenda with Syria, regardless of Syria's opportunistic participation in the coalition against Iraq.

SOVIETS MARCH WHILE WORLD LOOKS AWAY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. RICHARDSON. Mr. Speaker, Prof. Arpad von Lazar has written an insightful article on the dangers of the world closing its eyes to the Soviet activities in the Baltic States. Professor von Lazar's thesis is that the leaders in the U.S.S.R. are unreconstructed brutish manipulators, and the United States and its European allies, having never recognized the annexation of the Baltic Republics, should support the independence movements in Latvia, Lithuania, and Estonia by making clear to Mr. Gorbachev that essential food, credits, and economic assistance are at stake. I urge my colleagues to consider this well-timed and informative message.

SOVIETS MARCH WHILE WORLD LOOKS AWAY

(By Arpad von Lazar)

(Arpad von Lazar is currently on sabbatical from his post as professor of international politics at Tufts University's Fletcher School of Law and Diplomacy.)

The winds of the Gulf crisis partly muffled the sounds of conflict in another part of the world. While armies march over the sands of the Arabian desert, a few thousand Soviet paratroopers and KGB units were extinguishing the flames of freedom in Lithuania with surgical efficiency and calculated coldbloodedness.

During the past two weeks slowly but with great determination, the central Soviet authorities have been forcing the Lithuanian authorities to give up nearly all of the day-to-day vestiges of freedom, which they fought for and won during last year when perestroika was in its heyday.

That includes radio and television programming free of government censorship, at least partial freedom to act independently in foreign affairs and the option for young men from the Baltics to refuse to be drafted into the Red Army.

Now all this freedom and exhilaration seems to be slipping away. And while the world is much too preoccupied with the drumbeat of war in the Gulf, the Baltic republics are slowly slipping under the icy waters of intervention ordered by Moscow.

The world is much too busy, much too preoccupied and much too frightened by the Gulf to notice anything chillingly peculiar about the timing or method of the Soviet crackdown.

But there is an uneasy sense of deja vu to the entire Baltic scenario. Actually, we have seen it twice during the past decades. In 1956, when Soviet tanks crushed the Hungarian Revolution and in 1968 when the Czechs found out what the limits of liberalization and independence were under the oppressive predecessors of Mikhail Gorbachev.

While the Soviets were "cleaning up" in Budapest and Prague respectively, the French and the British were preoccupied with the Suez crisis in 1956, and in '68 the Americans were totally consumed with the punishing impact of the Vietnam war and a near fratricidal electoral campaign.

Thus while the great powers, and the world press, turned their attention elsewhere, the Red Army cleaned up with brutal efficiency. In the name of "fraternal socialist assistance," independent governments were

thrown out, freedom of press muzzled and puppet governments were installed.

Up to this point last week's events in the Baltics bear an eerie resemblance to that of 1956 and 1968.

But surely the world of the Soviet empire has changed, argue some analysts and observers of perestroika and glasnost. Is there a distinction between the crushing of independence movements and anticommunist uprisings of decades ago and today's predicament in the Baltic republics? Why are the Soviets doing it now? What is the likely outcome in case of further bloody confrontations? And what should the U.S. and Western response be?

To sort out all the complicating factors is not exactly an easy task, but a few considerations might well be mulled over by our policy makers:

The Soviets, even the hardliners, have accepted the notion that the Soviet "external" empire is lost for good, no satellite in Eastern and Central Europe, no outposts in Asia and Africa—the lone exception being a bankrupt Fidel Castro limping along on dramatically reduced subsidies from Moscow.

It appears that in the long raging dispute between hardline central power-oriented conservatives in Moscow and the secessionists in the provinces, Gorbachev decided to throw in with the "centrists," who insist that all secession efforts should be stopped with force, if necessary.

Gorbachev must have also decided that the somewhat chaotic and disorganized independent administrations of the Baltic republics would not be able to mount a successful internal opposition to Moscow's orders or elicit enough international pressure to reverse a hardliner-instigated coup from within—after all, the U.S., the Western allies, the United Nations and just about everyone is much too busy with the thoughts and reality of war in the Gulf. "We will talk about Lithuania after this other mess is over," they insist.

Of course, the question remains for the U.S., are the events in the Baltics an internal Soviet affair? Or, if the Baltics deserve their freedom and independence do the Moldavians, Georgians, Armenians and all the rest deserve it too?

The unfortunate fact of life is that political expediency and principles of self-determination do not mix well. Yet there are some fundamental considerations to observe for our policy makers.

First of all, the Baltic republics are not just nationalistic inventions. They were annexed and raped as the result of the Nazi-Soviet pact, an act we never recognized. Second, if the Moscow hardliners squeeze Vilnius and Riga, there is no reason on earth why we and our European allies should not make it clear to Mr. Gorbachev that food, credits and economic assistance are not a matter of entitlement for them in this winter of deep popular discontent in the Soviet Union.

And third, we should not fool ourselves by our own wishful thinking and media-hype in search of a "nice-guy" Soviet leader. The Soviet leadership is still a largely unreformed nasty and brutish collection of orthodox power manipulators.

Let us not forget that in the Soviet Union the revolution of democracy has not yet begun.

PENALTY-FREE WITHDRAWALS OF INDEPENDENT RETIREMENT ACCOUNTS IN THE EVENT OF A FEDERALLY DECLARED DISASTER

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PANETTA. Mr. Speaker, I rise today to reintroduce legislation from the 101st Congress that will bring further relief for those who have suffered from recent natural disasters.

As we all know, these disasters have caused extensive damage to homes in these areas. In my area alone, hundreds of residences have either been partially or totally destroyed by the Loma Prieta earthquake. The victims of this devastating earthquake are still literally picking up the pieces of what their lives once were and are facing enormous financial liabilities.

My legislation would allow individuals to make penalty-free withdrawals from individual retirement accounts for the repair of damages to a principal residence caused by a federally declared disaster. By waiving the 10-percent penalty for early withdrawal of individual retirement accounts, victims of these catastrophic disasters will be able to use their own funds without incurring additional liability. I believe that this type of exception to the law is entirely appropriate. The waiver would only apply to those who wish to repair a primary residence and would not cover personal damages. This bill is designed solely to help rebuild homes with one's own resources. This is not only better for the Federal Government because it frees up these resources for those who do not have these funds, but it also allows the victims of these disasters help themselves. I believe that both of these aspects of the bill are important.

I strongly encourage my colleagues to join me in supporting additional relief to these victims by letting them help themselves.

The text of the bill follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION FROM EARLY DISTRIBUTION PENALTY FOR WITHDRAWALS FROM INDIVIDUAL RETIREMENT PLANS FOR REPAIR OF RESIDENCES DAMAGED BY FEDERALLY DECLARED DISASTERS.

(a) IN GENERAL.—Paragraph (2) of section 72(t) of the Internal Revenue Code of 1986 (relating to exceptions to 10-percent additional tax on early distributions) is amended by adding at the end the following new paragraph:

"(E) DISASTER REPAIR EXPENSES.—Any distribution out of an individual retirement plan to pay expenses incurred by the distributee for the repair, rehabilitation, reconstruction, or replacement of a principal residence damaged or destroyed by reason of a federally declared disaster occurring after September 1, 1989. For purposes of this subparagraph, the term 'federally declared disaster' means any disaster referred to in section 165(i)(1).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts distributed out of individual retirement plans after the date of the enactment of this Act, in taxable years ending after such date.

THE WOMEN'S HEALTH EQUITY ACT OF 1991

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. MINK. Mr. Speaker, I rise in support of the Women's Health Equity Act of 1991. The status of women's health is vital to our country. Children, families, the national economy are all dependent upon the well-being of women. Yet, this has been an area of irresponsible neglect.

The Women's Health Equity Act is comprised of 22 bills that address women's health concerns in the areas of research, health services, and prevention.

In the area of research, women have long been excluded in clinical study populations. In a long-term study of coronary heart disease risk factors, the multiple risk factor intervention trials included 15,000 men and no women. The physician's health study demonstrated the value of aspirin as a preventive therapy for coronary disease in a study of 22,071 men and no women. A 1990 study of the correlation between coffee drinking and heart disease included no women in its study population of 45,589. The extrapolation from this data of this type has long been questioned but the practice of excluding women continues.

Research funding on diseases that traditionally afflict women is scant. The National Institutes of Health spends only 13 percent of its budget on women's health.

The Women's Health Equity Act includes funding for research on ovarian cancer, breast cancer, osteoporosis, and infertility as well as legislation that would ensure the equitable treatment of women in health research.

The Women's Health Equity Act also includes legislation addressing adolescent pregnancy, infant mortality, mammography standards, and AIDS prevention.

These issues are important not only to women. They are important to families, employers, and communities because the health and well-being of women is essential to all of us.

ENHANCING FEDERAL EMPLOYEE'S RIGHTS UNDER ADEA

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GREEN of New York. Mr. Speaker, today I rise to introduce legislation which would amend the Age Discrimination in Employment Act of 1967 [ADEA] with respect to administrative proceedings applicable to claims of discrimination in Federal employment. My legislation seeks to provide Federal employees who allege age discrimination the same procedures and remedies as those af-

forded Federal employees alleging other forms of discrimination.

Since 1974, when the Age Discrimination in Employment Act was amended to include Federal employees, the Equal Employment Opportunity Commission [EEOC] and the courts have reached disparate conclusions on the rights of Federal employees who file age discrimination complaints. Overall, Federal employees have been afforded fewer rights and remedies.

Currently, Federal employees who allege age discrimination and chose the administrative adjudication process are not entitled to attorney's fees and costs at the administrative level, even though Federal employees with other types of discrimination complaints are entitled to such fees and costs. The courts have held that fees and costs may not be awarded to Federal employees who prevail at the administrative level [*Kennedy* v. *Whitehurst*, 690 F.2d 951, (DC Cir. 1982) and *Palmer* v. *General Services Administration*, 787 F.2d 300, (8th Cir. 1986)]. The Comptroller General has also issued a decision that "sufficient statutory authority does not exist which would allow the agency [EEOC] to award attorney fees at the administrative level." [B–215672] Accordingly, a settlement agreement in which the agency awards attorney fees at the administrative level is prohibited. The legislation that I offer today would eliminate this inconsistency by making it clear that attorney fees and costs could be awarded at the administrative level to a Federal employee alleging age discrimination.

In addition to the attorney fees issue, there are conflicting decisions as to whether the statute of limitations is tolled when a Federal employee alleging age discrimination files a complaint with the EEOC or whether a Federal employee must file a civil action to preserve his or her rights. [*Purtill* v. *Harris*, 658 F.2d 134, (3rd Cir. 1981), *cert. denied*, 462 U.S. 1131, (1983)] The court in Purtill held that, if a complainant chooses the option of filing a complaint with the EEOC, then that individual may not file a civil action until the EEOC takes final action on the complaint.

Unless the EEOC takes final action before the statute of limitations expires, the complainant, by having elected to pursue an administrative remedy, would foreclose any opportunity to sue. My legislation seeks to remedy that problem by allowing Federal employees who file timely complaints with the Commission the ability to commence a civil action 180 days after filing such a complaint. This option would expire 30 days after final action on such a complaint is taken by the Commission.

In closing, I should like to take this opportunity to commend the American Bar Association for adopting a resolution in support of the proposed changes to the ADEA. I should also like to encourage my colleagues to cosponsor this important initiative. After all, I do not believe that it was or is the intention of Congress to treat Federal employees alleging age discrimination any differently from Federal employees alleging other forms of discrimination. Adoption of this legislation will ensure fairness and equity to all Federal employees fighting age discrimination.

CAN WE AFFORD AN UNCERTAIN TRUMPET?

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues a recent Los Angeles Times editorial by Mr. Amos A. Jordan, president of the Pacific Forum of the Center for Strategic and International Studies, Honolulu, regarding the necessity for the American people to support the U.S. policy and military operation in the Gulf. Although I respect the fundamental right to freedom of speech, demonstrations in opposition to the gulf war may shape its outcome. For this reason, it is imperative that the American people support the events in the Persian Gulf.

Currently, demonstrators against the war have given false assurances to Saddam Hussein, who has misinterpretated the American public's opposition to the war. Though the American opposition to the war is only 20 to 30 percent, Saddam Hussein has interpreted this opposition as support for his policies. Thus, giving him the jurisdiction to carry out his own objectives. He clearly views them as allies in helping him to evade the U.N. mandates to reverse his aggression against Kuwait.

The ramifications of Saddam Hussein's misinterpretation of American opposition could prove detrimental. The opposition gives Saddam an unwarranted premise to carry out his policies. As a result, the war may be needlessly prolonged. The possibilities of casualities directly related to this issue are evident.

Moreover, domestic dissent, especially during wartime involvement, fundamentally contradicts the policies being carried out in the Middle East. Mr. Jordan refers to the evolution of the current war situation to illustrate his point:

> . . . the votes having been taken, the troops committed, the battle joined, can we afford to sound an uncertain trumpet?

Dissent and protest during wartime activities contradicts, undermines, and criticizes the very essence of the policies being carried out. However, Americans should be capable of supporting the troops, while still dissenting the ongoing policies. Ultimately, it will be the morale of the men and women fighting for our country that will suffer, and that will be the greatest injustice of all.

The people of America need to realize that their voice and actions has a direct impact on the happenings in the gulf. While currently involved in wartime operations, the dissenting American public opinion has unfavorable effects. These risks encompass misinterpretations by Saddam Hussein. His assumptions may prolong the war, and thus increase casualties. On the one hand, supporting our troops can only promote morale, and show Saddam Hussein that he has no allies in this country.

[From the Los Angeles Times, Feb. 10, 1991]

CAN WE AFFORD AN UNCERTAIN TRUMPET?

(By Amos A. Jordan)

In his State of the Union Address, the President tried yet again to convince the American people of the rightness of his stance in the Gulf. But, despite his arguments and similar efforts over the last six months by his secretary of state, other senior Administration officials, and many of our friends and allies, a substantial number of Americans seem unconvinced. True, 75 or 80 percent of the American people, according to the latest polls, support U.S. policy in the Gulf, including the military operation there. But that leaves millions opposed, some violently, and no amount of explanation of war aims or visions of a new world order seems to move them.

Does it matter that we differ? Aren't we entitled, as a basic freedom, to dissent, to debate the pros and cons of such great issues as war and peace?

I believe it does matter, for Saddam Hussein and others who do not have a clear understanding of our system can misinterpret the dissent they see and hear as American weakness. Indeed, in a recent interview on CNN, he pointedly thanked anti-war demonstrators for their efforts; he clearly views them as allies in helping him to evade the U.N. mandates to reverse his aggression against Kuwait. If his misinterpretation prolongs the war and costs thousands of lives, is that an appropriate price to pay for the privilege of appearing on network news shouting slogans?

I do not mean to trivialize the issue of free speech during wartime, nor do I argue against protests prior to the beginning of hostilities. But once the battle has been joined, the case is dramatically altered. In his State of the Union Address, the President reaffirmed the right and value of dissent: "The fact that all voices have the right to speak out is one of the reasons we've been united in purpose and principle for 200 years."

The President should have added that prior to battle all the arguments, pro and con, were brought out in Congress during the longest continuous debate in that institution's history, and in discussions, town meetings, demonstrations and news programs. But, the votes having been taken, the troops committed, the battle joined, can we afford to sound an uncertain trumpet? The question is not one of "right" but of wisdom. Surely it is now time to close ranks and demonstrate not 75 percent or 80 percent for the men and women putting their lives on the line, but 100 percent.

It is not possible to support the troops while continuing to criticize the policy that has placed them in the Gulf. If the policy is worthless, then so is the cause that our soldiers are fighting for, and continued opposition will ultimately sap their morale.

Beyond the risks their actions raise—of being misinterpreted, of prolonging the war and increasing casualties as a result—the war protestors should contemplate another risk: What if they succeed, stop the war and cause the international effort against aggression to fail? Are they prepared to live with the results of their actions—the catastrophic consequences for Kuwait and its Gulf neighbors, for the future of the United Nations, for the prospects of a new world order and America's role as a contributor to international peace and stability?

The press shares an especially heavy responsibility for the way the American public will respond as hostilities proceed. The con-

flict between the military's desire to deny the enemy information and the media's insistence on the right of the people to be fully informed is an old one. It can reach new heights in the Gulf area, both because of the instantaneous and simultaneous transmission of electronic information into America's living rooms and Saddam Hussein's headquarters and because of the intensity of the media's Gulf coverage—something like 800 reporters are now there, chafing to get a story.

Somehow a better balance must be struck. As Pulitzer Prize-winning journalist John Hughes recently wrote: "The reporters need to learn and develop more perspective on what is reasonable to report. The military needs to develop much more sophistication of its handling of the press. To some soldiers, the press seems a nuisance in wartime. But the quest for public support of the Bush Administration's objectives in the Gulf is as important as the military's drive and valor on the battlefield."

Above all, we as a people need to recognize that we have direct impact—whether for good or ill—on the course of events in the Gulf and will bear a large measure of responsibility for the ultimate outcome of the conflict. All of us, but particularly those inclined to continue opposing the war, need to face the consequences of the policy choices we make.

(Amos A. Jordan is a member of the President's Intelligence Oversight Board and president of the Pacific Forum of the Center for Strategic and International Studies, Honolulu.)

DODECANISIAN SOCIETIES OF MARYLAND CELEBRATE 43D ANNIVERSARY OF THE UNIFICATION OF THE DODECANISIAN ISLANDS WITH GREECE

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. BENTLEY. Mr. Speaker, on Sunday, March 3, I will have the honor and pleasure of attending the 43d anniversary celebration of the unification of the Dodecanisian Islands with mother Greece hosted by the Dodecanisian Societies of Maryland.

The Dodecanisian Societies of Maryland is composed of three groups: the Rhodean Society, Diagoras of Maryland, the Halkian Ladies Society of St. Johns of Maryland, and the Olympus Society of Karpathos of Maryland. All three will join together on Sunday, March 3, to celebrate the unification of the Dodecanisian Islands with Greece.

These beaufitul islands located in the Aegean Sea were ruled by the Turks for approximately 500 years. Yet the people of these islands never relinguished their religion, culture, or language. More recently, the Italians governed the islands for approximately 36 years until the British occupation near the close of World War II and were united subsequently with Greece in 1947. During the Second World War, the islands fought valiantly to keep the Germans from entering Greece. The perseverance and fortitude of character which the people of the Dodecanisian Islands embody is truly remarkable.

The Dodecanisian Islands are undeniably Greek in character. Aside from their obvious beauty, perhaps one of the most intriguing aspects of the islands is their unique variety of classical, Byzantine, Crusader, Turkish, and Italian influence which add to their character and charm.

The islands of Greece are indeed a beautiful and enchanting land. Rich in history and culture, they are unlike any in the world. The people of Greece and the Dodecanisian Societies of Maryland rightfully are proud and I share in their joy on the occasion of this anniversary.

Likewise, our own country is rich in history and tradition thanks to the diverse culture which we all bring to this great land. Groups such as the Dodecanisian Societies of Maryland have kept alive their traditions and history for future generations to enjoy.

Mr. Speaker, my fellow colleagues, I congratulate the Dodecanisian Societies of Maryland on the occasion of the 43d anniversary of the Dodecanisian Islands unification with Greece and wish them prosperity in the years to come.

BEEPER ABUSE PREVENTION ACT OF 1991

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MFUME. Mr. Speaker, I rise today to acknowledge the efforts of the many telecommunications companies who have taken the initiative to address the growing problem of drug dealers using beepers and pagers to facilitate drug transactions on every level. Many companies have found that their circuits have been overloaded by the continuous use of the switchboard by drug dealers.

More companies are now turning to the idea of imposing a surcharge for every call made over a certain number as a way to deter drug activity. Revenue from these measures will be channeled to drug counseling efforts. Appropriately, the surcharges will not be applied to public safety and emergency medical professions.

Though such efforts are noteworthy in the war on drugs, they are minuscule when compared to the benefit drug dealers realize as a result of transactions made with the use of beepers and pagers. I am convinced that the telecommunications industry must take a more aggressive stand and become directly involved in abating this blight on society.

Mr. Speaker, overall, I am pleased to see that many paging companies have taken a positive approach to this problem and are now realizing that we can no longer allow these devices to be used to facilitate drug deals of any type. I believe that the industry should join others, unrestrained, in their efforts to stem the trafficking of drugs in our communities. They should take the initiative in this regard rather than take the back seat.

The drug problem is multifaceted and has permeated many areas. Therefore, it stands to reason that the fight against drugs must also be waged on diverse fronts as well. While the paging industry currently employs measures which may potentially deter abuse—credit checks, proof of ownership, and fees—it is apparent to me that this is not enough. Additionally, despite these policies, a phenomenal number of young people have been arrested with pagers in their possession than in previous years according to law enforcement officials. It is clear that not enough in this regard is being done; we need to do more.

Far too much rhetoric about this issue has been spewed; decisive action is what is needed to affect any noticeable change in this regard. While the circular rhetoric on the issue continues, impotent and ineffectual, drug dealers are busy talking their way into successful drug deals, to greater society's detriment. Let's put the rhetoric aside and move ahead.

Mr. Speaker, the bill I have introduced is one of many measures needed to solve the problem of young people misusing beepers and pagers. I believe that we can, in fact we must, do more to curtail the alternatives which drug dealers have to clandestinely peddle their wares, unchecked and untraced.

My proposal is not only directed at young people, but also at those individuals who operate by using young people to run drugs. I have put forth a mechanism that will lead to and expose the older drug dealers and suppliers. In the past, older dealers have eluded police investigations by distancing themselves from the actual transaction, thus making it difficult to prosecute and convict them in drug-related crimes. Now we have an opportunity to take decisive steps to combat drug trafficking by regulating some of the tools of the drug trade.

We simply cannot miss this opportunity because of the many lives at stake, especially those of young people. Nor can we allow drugs to flow uninhibited into our communities, in the open air drug markets, and in our yards.

Although the legislation I have introduced will not solve the drug crisis in its entirety, I am convinced that this is a definitive step in the right direction and is indicative of the kind of efforts we must consider if we are serious about illicit drug trafficking.

A TRIBUTE TO FRANKLYN JENIFER, PRESIDENT OF HOWARD UNIVERSITY

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DYMALLY. Mr. Speaker, I rise today to pay tribute to Franklyn Jenifer, president of Howard University. His distinguished career spans over 20 years of academic and administrative services. His struggle to overcome obstacles and setbacks should be inspirational to many of our youth. However, his vision of involving Howard University in the problems of the developing world and in promoting economic empowerment in the African-American community should be inspirational to us all.

I would like to share with my colleagues, the following February 10, 1991, Los Angeles Times with President Jenifer.

[From the Los Angeles Times, Feb. 10, 1991]

FRANKLYN JENIFER—TAKING HOWARD UNIVERSITY INTO SLUM NEIGHBORHOODS

(By Jacob Weisberg)

WASHINGTON.—Franklyn G. Jenifer has written articles on diseases of the turnip and the effect of test results on minority college admissions. A plant-virologist-turned-academic-administrator, Jenifer began to attract national attention last spring, when he was named president of Howard, the nation's premier black university.

He is no stranger to the place. Born and raised in Northeast Washington, Jenifer, 51 first applied to Howard in 1957, but was rejected because of his poor grades and test scores. He took a job as a messenger at the Library of Congress and studied Russian in his spare time. A semester later, he was accepted.

Jenifer completed a B.S. in microbiology in 1962 and an M.S. in 1965. After receiving his Ph.D. from the University of Maryland, he taught at Rutgers, where he was named associate provost in 1977. Most recently, Jenifer served as chancellor of the Massachusetts Board of Regents of Higher Education, where he oversaw three universities and 24 colleges with a total enrollment of 170,000.

Brought on in the wake of student protests that led to the resignation of his predecessor, James E. Cheek, Jenifer was chosen by the board of trustees in part to help Howard compete for top black students and raise the university's flagging reputation. His ambitions, however, go far beyond that. Jenifer says he wants Howard to become more involved in the problems of the developing world and in the ghettos of the District of Columbia. He intends to use the institution's considerable resources to promote black economic empowerment and to assist in revitalizing neighboring slum areas that abut the campus.

The product of a broken home—his father abandoned the family when he was 5 and didn't return until Jenifer was in college—he has been married for 27 years. His three grown children live in New Jersey.

Speaking in his office overlooking the campus, Jenifer began guardedly but became more animated and jovial as the conversation continued. His manner is understated, donnish. He spent the better part of an hour filling and fidgeting with his pipe, but did not manage to get it lit until after he finished talking.

Question: The need for separate black universities was clear at the time you were a student here before integration. How can you explain the place of black universities now?

Answer: When you say black institutions, the opinion . . . most people have is that these are exclusively black institutions. One has to keep in mind at Howard University that the first students who attended were white. It's always had an integrated faculty. I'm only the fourth black president. Our population of faculty members who happen to be white is higher than the population of people in predominantly white institutions who happen to be black. If America's higher education was integrated as well as Howard University is, we wouldn't have any problems in the nation.

It is the same if you were to go to Yeshiva, or Notre Dame, or Georgetown. The concept there—as the concept here—[is] that people feel they have a rich culture, and that education should reflect that culture and those values. It's not exclusively Jewish or exclusively Catholic, but if you go there, you expect to understand and get a feel for that particular culture. . . . It just so happens that when they say black university, people have the sense of separatism and nationalism, where it's nothing but as much a part of the American higher-education scene as the others.

Q: What's life like for white students at Howard?

A: We don't ask them. We don't think of them as anything other than students.

Q: I wonder how it compares to life for black students at predominantly white universities.

A: Considerably better, I can guarantee you . . . . Black students at white institutions have, for the last 10 or 15 years, been victims of racial problems. I don't think Howard has ever had a situation like that, at least to my knowledge. [Whites] may feel uncomfortable because they're in a majority black environment, but in terms of the way they're treated, you don't go into our lavatories and see comments like: Get out white students.

Q: Race has become an obsessive preoccupation at college campuses. Is it less of an issue at a predominantly black institution?

A: It's an issue, but it manifests itself much differently. At white institutions, you see the issue of race regularly. Often it's raised in fits of anger. When it's raised on black colleges and campuses, it's not raised in the context of chauvinism or bigotry. It's usually raised in a political context. By political context, I mean students being concerned that their institution may lose its flavor, its heritage, or its cultural orientation.

Q: Are you distressed to see Howard losing those who would be among its best students to schools like Harvard and Yale because of affirmative-action programs?

A: I don't think so. I think each student has to make those kinds of judgments. Howard University is not the place for all students. We like to think we are, but clearly a lot of students will have other options, and they may do much better at Harvard or Yale or any other school.

The semantics of affirmative action lead people to think that individuals are admitted when they have lesser qualifications than the majority of the population. No matter how well they perform, it is always the view of the majority that they've been given some kind of a break and they are not as good as they are. I think that is not a pleasant and healthy environment for any population, particularly black students.

When we talk about affirmative action, it should not be—and has not been in my interpretation—a circumstance of giving special breaks to a population or people. What it should mean, and hopefully does mean, is that you've looking for a diverse population of individuals and you give weight to an individual's differences. That should be no more the case for black students than it should be for students from the Midwest or from the East. You try to choose a student population of different socioeconomic circumstances, so that the classroom is not a monotonous environment. That, I believe, is appropriate affirmative action . . . .

Unfortunately, that's not the way it has worked in America. And many people believe that people are allowed to get in when standards would not normally admit them. Where that is the case, I think those people have bastardized it. That was never its intent.

Q: How do you have an affirmative-action program that increases the number of minority students yet does not create the stigma, both internally and externally, that those who benefit are less qualified?

A: I think what you have to do . . . is make sure that people understand that there are standards for admission, and no student should be admitted that is below those standards.

Q: There have been some demands that Howard adopt a more Afrocentric curriculum. What would that mean?

A: I have believed all my life that historical black institutions have a responsibility to ensure that young people who come [to Howard] should receive some understanding of their culture, their history. That does not mean scholarship changes. It is something that exerts itself in the being of the institution. It manifests itself when you walk across the campus.

In certain courses where it lends itself to it, one would expect a more expansive interpretation of sociology or history than you would find in other institutions. . . . If you wind up taking a history course at a female institution, one would expect that the role of women in history would be magnified and spoken about, so that those students feel good about that. If you were talking about European history in a Jewish class or school, I would expect that you would talk about the role the Jews played in it. That's legitimate history.

The press and the public make it appear that those who talk about Afrocentrism are doing something unique. In fact, they're talking about nothing more than what has been going on in America for years. When blacks talk about it, people view it as separatist, as negative, as nationalistic. When others do it, they see it as pride in their background and their culture. Why that is the case is something that stretches my imagination.

Q: Do you think there is any merit to the proposal to introduce Afrocentric principles to the D.C. public school system?

A: One has to be very careful when one is talking about public schools and the public environment. Public schools by their definition are schools that are open to all people, and should be cognizant of the needs of all of the people. . . . The thread that has to be constant is that there should be no dilution of quality. There should be no creation of non-existent history.

Q: What other kinds of changes would you like to see in D.C. schools, or in urban school districts around the country?

A: I think it's very important that we ensure, we give every individual in our city—regardless of the circumstances of his or her birth and environment—a true opportunity to be successful. Even when we are imaginative, there is always a small population, usually a city within a city, where things are the most desperate and people live under the most difficult circumstance. Often there is one parent at home. Often that one parent is working or, if not working, is involved in some activity that is not conducive to a healthy home environment. The neighborhoods are rough. Drugs are prevalent. Their colleagues and friends are dying off at a very rapid rate, not from disease but from homicide.

Our present structure to try to change their lives during school time is crying in the wind. These young people have to go home and suffer very bad situations.

We've got two choices. We can either change the environment in which those young people live—which I don't see occurring any time in the next, I won't say millennium—or we can take them artifically

out of that environment. For that population of students, I would recommend there be urban residential schools—schools that run 24 hours a day, where not only do they get the good things that other kids get to have in the daytime, but they also get the same good things that they get during the other hours. That sometimes scares people to death, especially liberals. But the point I make is—that's not unusual. . . . Rich people have always had residential schools to send their kids to.

Q: Where would you get the money to pay for this idea—in the middle of an expensive war?

A: The 24-hour boarding-school model is one extreme. The other extreme is simply an extended day. The point is not to choose one or the other model, but to address the problem of the relationship of a student's life in school to his life after school. You don't anticipate doing many of these schools—only for those parts of the city where students are in serious jeopardy. In large cities, I wouldn't anticipate more than one or two. In these cities, the cost of educating a child is already very high, and I expect the difference would not be significant But even if it costs a lot to do it, it would cost 10 times as much not to.

Q: There has recently been something of a debate about the term "underclass." Some liberal sociologists such as Herbert Gans have argued that it stigmatizes the poor as responsible for their own conditions. Do you think it's still an appropriate term?

A: Again, too often, we get caught up in semantics. To the degree that occurs, I think he's right, but I think if we focus too much attention on it, it can be a problem. Clearly, the reality is that poverty has become almost a genetic phenomenon, with generation after generation bred back into that same circumstance. To talk about semantics of the word, whether they're underclass or not underclass, serves scholarly intent, perhaps. But when someone has their foot on your neck, you don't want a definition of what is a shoe or a heel or a black or a white foot. You want the foot off your neck.

Q: Are programs that replace welfare with workfare on the right track?

A: I think too often they do not take into consideration all the circumstances of people who are on welfare programs now. It's very difficult for people who don't understand that culture to try to act as though they have the solution. I think we have to create an environment that is conducive to bringing more and more poor people into the economic mainstream. We've talked about incentives to encourage businesses to move into urban centers, we've talked about incentives to encourage minority people to go into business. That is the kind of thing that I think goes to the heart of our problem.

Q: Jack Kemp talks about incentives and privatization and uses some of the same language you do. Is he on the right track?

A: I think he uses some of the same language I do. I don't know how serious he is. I do believe there are some similarities between the things that he and I say. I don't think these things are right or left philosophically; I think we have become much more cognizant of the importance of economics, and more cognizant of the nature of the struggle that we're involved in. I'm not saying throw away the social agenda. I'm saying open up a second front. I just think that heretofore we've only done one, and I don't think that's productive.

Q: How about former drug czar Bill Bennett? Did you think he was on the right track?

A: I don't think he's on any track. . . . The whole notion that one is going to cure the drug problem in America by stopping the supply is contradicted by history. . . . Wherever there is a demand, there will always be somebody who is creating the supply. The demand has to be addressed. I think education is the long-term answer.

Q: Howard is one of the wealthiest black institutions in the country. How can it use resources to promote the kind of black economic empowerment you talk about?

A: That's a big part of my agenda. I think economics is critical. To be a player, you have to have assets. If you're in a poker game, you need to ante up. If you don't have assets, you can't play. . . . Black colleges and universities have financial power. We can help ourselves as we help our community if we use the wherewithal of our institutions to develop businesses, develop our neighborhoods. If we spur economic activity, we can reap financial rewards, at the same time ensuring that our minority community partners are major players. Everybody benefits. It's the American way.

LEGISLATION TO PROTECT THE SANTA BARBARA CHANNEL

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. LAGOMARSINO. Mr. Speaker, last week, the U.S. Department of the Interior's Mineral Management Service issued the draft proposal of the comprehensive Outer Continental Shelf [OCS] National Gas and Oil Resource Management Program for 1992–97. In accordance with President Bush's recommendations made last year, under this plan more than 99 percent of the California coast will be off-limits to new oil and gas leasing until after the year 2000. The plan also includes a moratorium on leasing in the Santa Barbara Channel until the year 1996.

Today I am introducing legislation that would allow the environmentally sensitive Santa Barbara Channel to enjoy the same leasing prohibition shared by almost the entire California coast. My bill would prohibit the Secretary of the Interior from issuing any new oil and gas leases in the Santa Barbara Channel until the year 2001. Additionally, my bill would permanently ban any leasing activity in the Channel Islands National Marine Sanctuary and the Federal ecological preserve and buffer zone.

The waters off the coasts of Santa Barbara and Ventura Counties have experienced more OCS drilling activity than any other area of California. For more than two decades, the memories of oil-soaked beaches and thousands of dead sea birds that were the result of a 1969 offshore blowout in the Santa Barbara Channel have haunted onshore communities and added an ominous shadow to the platforms that can be seen from the coast. Though I believe that some offshore development can proceed responsibly and safely, I also believe that the Santa Barbara Channel has borne more than its fair share of the burden of OCS production.

Twice in 1989, I submitted testimony to the President's OCS leasing and development task force at hearings in Washington, DC, and in Santa Barbara. Among the major points in my testimony, I expressed by opposition to placing the full burden of OCS development on the environmentally sensitive Santa Barbara Channel. The environmentally sensitive and highly valuable resources of the Channel Islands National Park and the Channel Islands National Marine Sanctuary deserve additional consideration before making a leasing decision.

Until Americans can reduce their high levels of oil consumption, conservation, renewable and alternative energy sources, and research and development of new energy sources must accompany strong domestic oil production in order to reduce our country's dangerous dependence on imported foreign oil. However, it is both unwise and unfair to focus further production on the California OCS in one environmentally delicate area.

The legislation that I am introducing today will provide needed permanent protection to the Channel Islands National Park and the Channel Islands National Marine Sanctuary, and it will allow the rest of the Santa Barbara Channel to receive the additional consideration that its valuable natural resources demand.

CALVIN STATHAM SINGERS CELEBRATE 40TH ANNIVERSARY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to congratulate the Calvin Statham Singers on the celebration of their 40th anniversary.

For 40 years the Calvin Statham Singers have been performing inspirational music as a community-church oriented group in the small steel company town of Sparrows Point, MD. To invest four decades of hard work and dedication to such an endeavor truly is commendable.

In addition to providing a beautiful compliment to church services, the group is also well known for its secular performances. The group has appeared on nationally broadcast television shows and literally has traveled the world, including a trip to Vietnam in 1966 to perform for our troops.

The talent and ability of the group exemplifies its members' commitment and devotion to their work. Union Baptist Church and the communities of Dundalk and Sparrows Point truly are fortunate to be graced with the Calvin Statham Singers. Through providing inspirational and gospel music, the work of the Calvin Statham Singers has benefited the church, the community, and the entire Nation.

Although it may not seem that their work directly has changed the world, we all play our own part in shaping the world for better or for worse with our actions and deeds, and it is for this reason I commend the Calvin Statham Singers.

I salute the members of the Calvin Statham Singers and congragulate them on 40 years of faithful and dedicated work. May they continue

their fine tradition and may God bless them in the years to come.

BLACK EAGLES

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, I am proud to rise and bring to the attention of my colleagues a theater production, "Black Eagles," currently in performance at the historic Ford's Theatre here in Washington. "Black Eagles" is a fictionalized dramatization based on the heroic exploits of the first African-American combat pilots who fought with great distinction in World War II and who were known as the Tuskegee Airmen. "Black Eagles" can be seen at the Ford's Theatre through March 3, 1991 before it moves to the Manhattan Theatre Club in New York City where it is currently scheduled to run from March 26 through May 17.

Leslie Lee's "Black Eagles" was developed at Crossroads Theatre Company in New Brunswick, NJ and had its world premiere there in February 1990. It was conceived and directed by Ricardo Khan, the producing artistic director at Crossroads. Dr. Roscoe C. Brown, president of Bronx Community College and a Tuskegee airman who is credited as being the first black fighter pilot to shoot down a Nazi jet fighter during the war, provided technical assistance.

Now in its 13th season, Crossroads Theatre under the leadership of Mr. Khan is recognized as one of the country's preeminent African-American theater companies and a leader in today's professional regional movement. Crossroads has in recent years had great success in producing new plays in New Brunswick that have then moved into New York City. In 1989–90, while they were producing a full season in their home theater, three Crossroads productions—"Spunk, and Further Mo," and "Ground People" (also known as "The Rabbit Foot") had New York runs. In addition, a third play, "Sheila's Day," had a run at Symphony Hall in Newark before moving to the Ford's Theatre and then on a tour of the northeast and Canada. More recently, Crossroads' production of George C. Wolfe's "The Colored Museum," was broadcast as a feature in WNET's Great Performances Series. Crossroads productions always enjoy enthusiastic audience responses and usually receive broad critical acclaim.

The success that Crossroads now enjoys is no accident. It grows out of 12 years of dedication to an ideal, hard work, and the willingness to take great artistic risks. Ricardo Khan who is one of the founders of Crossroads articulates the theater's mission as an endeavor to create a theater company where black actors, writers, directors, and other artistic staff can practice their craft. Crossroads has produced many works by Black playwrights that present honest, positive images of black-American life for audiences of all backgrounds.

From modest beginnings 13 years ago in an old garment factory in New Brunswick, Crossroads will move next season into a new $3.8 million facility.

The play "Black Eagles" celebrates the struggles and achievements of black fighter pilots during the campaigns for Italy and Germany during 1944–45. This fictionalized story is told on the stage through reminiscences of three veterans of the war. It is through flashbacks to characterizations of their younger selves in wartime Italy that the courageous story of these American heroes is told. This is entertainment with a punch. There are some light moments of the airmen passing time in the barracks, but there are also scenes of confrontation with institutionalized racism. Arch Campbell, theater critic for WRC–TV, has said of the show: "'Black Eagles' is the most emotional show on the stage this month. It's a mixture of heartbreak, pride, and redemption that I guarantee will lift your spirits and gladden your heart."

Nevertheless, these fictionalized characters are based on the real black aviators who were genuine heroes in action during World War II and who served in segregated units of the U.S. military and therefore struggled for freedom on two fronts. Their success in the battle of the skies and their courage and determination in overcoming the established prejudices of the day were principal elements which influenced President Harry Truman to order the U.S. military desegregated in 1948. To borrow a line from Leslie Lee: "They paved the way * * *."

I was fortunate enough to have attended the opening night of "Black Eagles" at Ford's and was there to see Gen. Benjamin O. Davis, an American hero and the leader of the Tuskegee Airmen, honored during the festivities. He was presented with a crystal eagle by Frankie Hewitt, executive producer at Ford's Theatre, to a standing ovation by an audience which appropriately enough included Chairman of the Joint Chiefs of Staff Gen. Colin Powell, Brig. Gen. Marcelite Harris, and a complete contingent of the real Tuskegee Airmen. It was a moving, historic moment.

I would like to congratulate Leslie Lee and Ricardo Khan for a collaboration which has brought to public attention these long-neglected American heroes, the Tuskegee Airmen, and their heroic exploits as they defended their country and fought for freedom.

I would also like to congratulate the cast and artistic staff for their fine work in bringing this story to life. They include cast members Graham Brown, Norman Bush, Brian Evaret Chandler, Illeana Douglas, Milton Elliott, Larry Green, Michael Barry Greer, Keven Jackson, Lawrence James, Damien Leake, David Rainey, Raymond Anthony Thomas, and Scott Whitehurst. The artistic staff includes choreographer Hope Clarke, fight director Rick Sordelet, set designer Charles McClennahan, costume designer Beth A. Ribblett, lighting designer Shirley Prendergast, sound designer Rob Gorton, music designer Robert La Pierre, ventriloquy consultant Robert Aberdeen, production stage manager Cheri Bogdan-Kechely, stage manager Michael Harrod, company manager Patricia Humphrey, and casting by Aisha Coley.

THE WOMEN'S EQUAL OPPORTUNITY ACT OF 1991

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Ms. MOLINARI. Mr. Speaker, today I am introducing the Women's Equal Opportunity Act of 1991 along with 12 of my colleagues. This bill is a companion to one that Senator DOLE introduced last week.

This legislation will address problems that exist for women in the following areas: On-the-job sexual harassment, sexual and domestic violence, and employment opportunity. The Women's Equal Opportunity Act of 1991 takes the needed steps to both protect and sustain the advances women have made in these areas.

The position of women in American society continues to change, propelled by social, economic, and military forces—and we need to ensure that our public policies and our judicial system adapt to this change.

The Women's Equal Opportunity Act of 1991 strives to gurantee opportunities, it does not create a false promise of success as some other bills pending before Congress proclaim.

I think it bears noting that from the founding of our Nation, women were given a lesser status in the country's political and economic structures; and from our earliest history, efforts have been made to replace these inequities with the true moral promise America should hold for all citizens. In recent decades, the advancement of women's rights and opportunities has been significant. Nevertheless, this advancement is not complete. It will need to reach into future generations and it will require consistent attention and support to be sustained.

This bill deals very directly with the issue of sexual harassment in the workplace and with domestic and street violence against women. These problems have affected the lives of millions of American women and should be the concern of all Americans. The bill expands the remedies available to respond to sexual harassment through Federal civil rights statutes.

There are provisions in the bill which address some of the most compelling areas of concern regarding sexual violence and the rights of those who have been victims of such crimes. It makes a very clear statement that violent sexual crimes will be dealt with more seriously through increased penalties and reforms in Federal, civil, and criminal procedure. It also gives victims new rights to respond to concerns about potential AIDS transmission in the course of a violent attack.

These provisions and others in the bill, such as those addressing the issue of sex crimes on campus, violence within families, and the distribution of controlled substances to pregnant women, focus on some of today's most widespread problems.

We, men and women, have for far too long looked the other way when these issues became too painful to address. By even today's action, we are ensuring a decrease in these incidents. We are once and for all letting the country know we demand a nation where

women are healthy, where women are given opportunities, where women are safe.

The legislation also takes some necessary steps in looking at the problem of the glass ceiling through the establishment of a commission to study this question and make recommendations for the removal of artificial barriers to the advancement of women and minorities in business.

We may shatter the ceiling with our accumulated frustrations from the years of inequities, but I would rather direct my energies and those of all women and men toward dismantling the ceiling thoroughly and quickly—together.

Mr. Speaker, with our efforts and the legislative support of this bill, I believe we will find the way to remove the barrier without showering ourselves with damaging glass shards. I urge all of my colleagues to support this vital legislation.

THE WOMEN'S HEALTH CARE COVERAGE EXPANSION ACT OF 1991

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. SCHROEDER. Mr. Speaker, we all know about the health crisis in America. For many Americans the emergency room is the only health service available. Insufficient preventative sevices for the poor turn treatable illnesses into terminal illnesses.

That is why I am reintroducing the Women's Health Care Coverage Expansion Act. This bill expands Medicare and Medicaid reimbursements to include obstetric and gynecologic services provided by nurse practitioners.

By expanding Medicaid and Medicare reimbursement, more women will have the chance to stop deadly diseases, like cancer, before they start. We can treat them in clinics, not emergency rooms.

In addition, women needing obstetric services will receive the kind of preventive care that saves lives and money.

Forty thousand babies die each year in the United States, and many of these deaths are preventable—through early prenatal care. But many State Medicaid offices face shortages of Medicaid providers. While States search for Medicaid providers, pregnant patients wait for prenatal care. At the same time, well-trained nurse practitioners are willing to see the patients, but cannot be directly reimbursed for their services.

The range of services that nurse practitioners can provide is impressive: preconceptual and prenatal care; contraceptive management; the management of common gynecological care, including management of sexually transmitted diseases; and cancer screening for women of all ages.

We have taken steps recently to increase women's health services. In 1989 Congress expanded Medicaid coverage to include pediatric nurse practitioners and family nurse practitioners. In addition, Congress provided pap smear coverage for women who had not had the test in the previous 3 years. But further steps must be taken to provide adequate health care to women.

I hope my colleagues will join me in supporting this important bill. Nurse practitioners can help alleviate some of America's health woes. It is our responsibility to let them help.

THE CITY OF LYNWOOD AND THE BOROUGH OF POINT FORTIN, TRINIDAD, JOIN AS SISTER CITIES

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DYMALLY. Mr. Speaker, I am pleased to know that the city of Lynwood, CA and the Borough of Point Fortin, Trinidad, West Indies, are joining as sister cities. It is my good fortune to represent Lynwood as well as having grown up in the county of St. Patrich in which Point Fortin is located.

The sister city concept was introduced in 1956 by President Eisenhower at a White House conference as part of his People-to-People Program. His idea was to involve people and organized groups at all levels of our society in personal diplomacy. I share this goal for both of these fine cities. It is my hope that this program would provide residents of both Lynwood and Point Fortin with an opportunity to learn about and share each other's rich culture.

The borough for Point Fortin is a pleasant and growing community which was created in 1980. It was the first and only borough to be created since the country achieved its independence from Britain in 1962. It was my pleasure and honor to be the first U.S. Congressman to visit Point Fortin. I was well received and enjoyed the people's friendly hospitality. Lynwood is known for its ethnic diversity and is a sample of the fabric which comprise the mosaic of our society. It also has been recognized as a city that is committed to the development and support of its youth.

It is my hope that these two cities might be able to promote exchanges in culture, business, trade, or other projects of mutual interest. I believe this relationship will strengthen ties between the American people and the Republic of Trinidad, Tobago.

MICKEY LELAND MEDAL PRESENTATION CEREMONY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. RICHARDSON. Mr. Speaker, my late colleague Mickey Leland was recently honored by the U.N. Food and Agriculture Organization for his international work as an advocate of the poor and hungry. Mickey worked tirelessly to seek long-term solutions for world food problems, not just in Congress through the Select Committee on Hunger which he founded and which keeps alive his heritage, but also through concerned individuals and organizations. Like the FAO, I would like to record my appreciation for Mickey's idealism and integrity by having this tribute printed in the RECORD.

MICKEY LELAND MEDAL PRESENTATION CEREMONY, WASHINGTON, DC, FEBRUARY 21, 1991

(Address by Edouard Saouma, Director-General of the Food and Agriculture Organization of the United Nations)

Mrs. Leland, Congressman Hall, Members of the Select Committee on Hunger, Distinguished Guests, Dear Friends, Mickey Leland has been greatly missed, and the country he left behind has already done much to honour and preserve his memory. But he did not serve only the United States; he served the world.

The aim of ensuring humanity's freedom from hunger, which guides FAO as an international organization, guided Mickey Leland as an individual. It took him from the plains of Texas to the highlands of Ethiopia.

I bring today a tribute from FAO to the international work of Mickey Leland. It is offered with all the humility which we, the living, must show toward the memory of one who has made the supreme sacrifice. It takes the form of a medal specially struck, which it is my privilege to offer to Alison Leland in honour of her late husband.

Mickey Leland was an advocate of the poor and the hungry. Thanks to his skills in working with the Standing Committees of Congress, with prominent individuals and with outside organizations, he kept world hunger high on the national agenda of this country. He was also a man of action. He went straight to the heart of the worst famines in Africa.

The flight that was his last—and the last for his travelling companions—was his sixth visit to victims of starvation in the remoter areas of Ethiopia. The help he was able to mobilize saved innumerable lives.

Alas, Africa today needs another Mickey Leland. The deadly combination of poor harvests and civil strife again threatens millions of lives in Ethiopia and the Sudan, in Liberia, in Angola and Mozambique. Massive international aid is once more vitally important and tremendously urgent.

While we perhaps remember most easily the actions of Mickey Leland to bring relief to the starving, he was fully conscious of the need to seek long-term solutions for world food problems. His underlying philosophy was to promote food self-sufficiency in developing countries, and the socio-economic progress of the poorest strata of society.

In commemorating this man of compulsive idealism and passionate integrity, I wish also to pay tribute to the Select Committee on Hunger, which he did so much to found and to guide. The aims of the Committee, and the aims of FAO, converge in the struggle for a world that is free from hunger—man's oldest enemy. The continuing vitality of the Select Committee is one of the finest legacies that Mickey Leland has left behind.

The Select Committee could hardly thrive if it did not respond to an aspiration of the people of this country. The existence of the Select Committee—a body unique among the legislatures that I know—is witness to the commitment of the United States to the aim of ending world hunger. This is the commitment that inspired the Conference on Food and Agriculture, held at Hot Springs, Virginia, in the midst of the Second World War: the Conference that led to the creation of FAO. A host of later American initiatives fashioned the system of international cooperation that we know today. It is a system that will surely be even more important—and even more dependent on United States support—in the world of tomorrow.

In presenting this medal to Alison Leland I honour the achievements, the courage and the sacrifice of Congressman Mickey Leland. In honouring his memory I honour the idealism and generosity that mark the finest impulses of the spirit of America.

ISRAEL UNDER ATTACK

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ATKINS. Mr. Speaker, I rise to express my support and admiration for Israel and her citizens during this particularly difficult times in her history. Over the weekend, even as the ground war against them had begun, Iraq attacked Israel again with two more Scud missiles. Although such missiles attacks have become a regular occurrence in Israel, her citizens nonetheless live with the constant specter of massive death and destruction from chemical and biological weapons. And, despite such dangers, the Israelis have shown tremendous fortitude and courage. Our hearts are with them.

Regardless of differing opinions among Americans over U.S. involvement in the Persion Gulf conflict, we have all watched the actions of Saddam Hussein with shock. Saddam Hussein is clearly a madman. He proved this years ago when he used poisonous gas against his own citizens. His attacks against Israel are further evidence that he will stop at nothing to achieve his goals.

The Scud attacks have accomplished little militarily, but in time the cost of the damage inflicted could reach $3 billion. Only a wanton despot would deliberately subject noncombatants to terrorist acts, especially when such acts are of no strategic advantage.

But $3 billion is not the only cost of the Scud attacks to Israel. From a strategy standpoint, Israel's security has always been based on a policy of swift retaliation against any military or terrorist attack. This reputation may become seriously impaired by Israel's present policy of restraint. Although such restraint is admirable and prudent, it does raise the question of Israel's famous resolve when attacked and what she is likely to do in the future.

But more importantly, perhaps, the Iraqi attacks have taken an immeasurable psychological toll on the citizens of Israel. The emotional strain is seen especially among children who cannot easily understand why they have to be forced to wear gas masks. Like the childern caught in wars in other lands, such as Northern Ireland, Southeast Asia, and elsewhere, these are the most innocent of war's victims. Unlike the minimal physical casualties of the Scud attacks, we do not yet know what psychological casualties there are. As each missile is indiscriminately lobbed into Tel Aviv or Haifa, parents throughout Israel are forced to explain to their children why a man whom they don't even know and is so far away is trying to kill them. This is a duty no parent should have to undertake.

As each Scud attack is reported, everyone wonders whether this will be the assault that will finally bring about a military response from the Israelis. It would indeed be quite understandable should the Israeli Government decide to launch its own attack in response to Iraq. Clearly, Israel's refusal to launch a counterstrike against Iraq is in deference to the United States policy. Our coalition partners in the Persian Gulf might well be tempted to break away should Israel undertake such an action. The coalition partners are now our allies and it is my sincere hope that reasonable friendships with these nations might grow after the conflict ends. This friendship, however, should never come at Israel's expense. With its restraint, Israel has made a remarkable statement of friendship and displayed great faith in the United States. Americans can be proud of such a friendship and must never allow it to be breached.

AMERICA'S CULTURE AT RISK

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GREEN of New York. Mr. Speaker, as the National Commission of Music Educators looks forward to its national symposium on America's Culture at Risk, I should like to commend the members of the organization for their efforts to achieve national recognition for the value of music and the other arts in education.

During the 1980's, educational reform made it onto the front pages of American newspapers for the first time in decades. But when the discussion turned to making sure every child receives an education in music and the other arts, there has been silence. This nearsighted approach to education denies our children the opportunity to develop their human potential.

Every child should have a quality education in music and the other arts because knowledge and skills in the arts are vital for their aesthetic, historical, and cultural values.

Music education fosters creativity, teaches effective communications, provides basic tools for a critical assessment of the world around us, and instills the abiding values of self-discipline and commitment.

We must call upon all parents, educators, school board members, and administrators in communities nationwide to work together at the State and local levels to ensure that music is basic to the core curriculum in every school.

IN HONOR OF 50 YEARS OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN BRANCH IN WATSONVILLE

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to the Watsonville, CA, branch of the American Association of University Women [AAUW] on its 50th anniversary, March 16, 1991.

The Watsonville branch was organized to join with other university women as molders of public opinion, to encourage and participate in activities for life-long learning, to work for the protection of women in business and industry, and to involve members in support of public education.

In its early years, the Watsonville branch was instrumental in helping the war effort in World War II. In 1942, it cosponsored "Nutrition for Defense," a series of lectures that were set up to teach women how to prepare nutritious foods in wartime. Branch members also contributed their services during World War II in training Red Cross workers and volunteer nurses, staffing the servicemen's canteen, serving as airplane observers at the Air Watch Stations, and helping with local crop harvesting.

The Watsonville branch has also been heavily involved with children's events. It sponsored children's theatrical performances at the Fox Theater and in school auditoriums from 1945 to 1964. Its goal in the performances was not only to bring drama to children, but also to raise money for scholarship funds to enable European women to study for advanced degrees in the United States. Many European universities had been destroyed during World War II, and the Watsonville branch provided an unmatched opportunity for these women to further their education.

Throughout the years, the branch has organized and sponsored numerous community services. A few of these services include the establishment of the Watsonville Cooperative Nursery, Cabrillo College, the new Watsonville Public Library, numerous Girl Scout troops, Friends of the Library, the Investment Club, and the Oral History Project.

Since the 1940's, the branch has awarded scholarships for Cabrillo College students in addition to the national AAUW Fellowship Program. The branch also received a grant from AAUW to provide a video/slide presentation promoting "Reading is Fundamental."

The branch has been instrumental in bonding the Watsonville community together by sponsoring several key events. It received the Event of the Year Award from the Watsonville Chamber of Commerce for its sponsorship of the First Victorian Homes Tour in 1974. It also sponsored the town meeting in 1975 in honor of the bicentennial of the United States, and jointly sponsored the 1987 "Peace Symposium."

The Watsonville branch members have developed leadership skills within the association and have been elected to community college boards, local public school boards, city councils, official commissions, and boards. It is undoubtedly one of the most influential groups in the community to press toward the advancement and equality of women in Watsonville, throughout the country, and the world. Mr. Speaker, I ask my colleagues to join me now in congratulating the Watsonville Branch of the American Association of University Women on its 50th anniversary. It is with great respect that I pay tribute to its achievements and contributions to the 16th Congressional District of California.

RECOGNITION OF THE HAWAII CREDIT UNION LEAGUE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. MINK. Mr. Speaker, this week Washington, DC, is hosting a great grassroots event which represents the way that our democracy works at its best. Thousands of citizen volunteers are amassing in the Capitol to speak their minds on pending legislation which they feel threatens the viability of their local credit unions.

I was very happy to be able to welcome to our Nation's Capitol, 70 members from Hawaii, representing dozens of credit unions which count as members over 500,000 persons of the 50th State.

These folks come from all walks of life, and for the most part contribute their time and effort, without any compensation whatsoever. They do this because they believe in the unique service which credit unions offer ordinary people. They work hard to keep their organizations fiscally healthy, and they invest their deposits in safe conservative institutions as a matter of policy.

This is why it is hard for me to understand why, in the desire to correct the ills that have plagued savings and loans and banks that have plunged many into bankruptcy, some are looking to punish the credit unions for their accomplishments and achievements. Instead or rewarding the credit unions for their excellent record and keeping their organization independent and autonomous, some would merge them under one single management authority with one single insurance fund together with the S and L's and banks.

I rise today, to join with all the leaders and members of the Hawaii Credit Union League, in expressing my outright opposition to any and all efforts to merge them under one umbrella agency, causing credit unions to come under the same regulation and management authority that has already failed the S and L's and banks.

I urge my colleagues to support the credit unions of their States by urging the Congress to keep their regulation, management and insurance fund separate from any other financial institutions.

Credit unions are stable financial institutions. They are the epitome of successful volunteerism in America. They must not be subverted under the shadow of management rules that will be enforced on failing savings and loans and banks. Credit unions must be kept independent. They have proposed as community-based organizations. The crisis faced by the other embattled financial institutions must not be allowed to smother credit unions under the giant rule of uniformity.

Mr. Speaker, let's do fix the savings and loans and the failing banks; but let's not do it at the expense of the credit union movement.

To this end, I applaud the grassroots efforts of the Hawaii Credit Union League and I take this opportunity to recognize its delegation:

Farouk Wang, Chairman of the Hawaii Credit Union League.

Peter Leong, President of the Hawaii Credit Union League.

Michael Leach, Government Liaison for the Hawaii Credit Union League.

Noreen Wang, of the Hawaii Credit Union League.

Toshio "Tata" Fujimoto, of the Hawaii Credit Union League.

Scotty Bowman, of the Hawaii Credit Union League.

Larry Chun, of the Hawaii Credit Union League.

Ariel Chun, of the University of Hawaii Federal Credit Union.

James Mimaki, of the Hawaii Credit Union League.

Masao Nakashima, of the Kauai Community Federal Credit Union.

JoAnne Nakashima, of the Kauai Community Federal Credit Union.

Richard Wong, of the Kauai Community Federal Credit Union.

Richard Wong, of the Kauai Community Federal Credit Union.

Harue Wong, of the Kauai Community Federal Credit Union.

Mr. and Mrs. Dean Arakawa, of the Maui Pine Federal Credit Union.

Peter Dyer, of the University of Hawaii Federal Credit Union.

Kenji Sumida, of the University of Hawaii Federal Credit Union.

Toshi Ikezaki, of the EKE Federal Credit Union.

Dr. Harold Kozuma, of the Big Island Federal Credit Union.

Richard Matsunaga, of the Big Island Federal Credit Union.

Donald Miles, Windward Community Federal Credit Union.

Al Kayatani, of the Pacific Corporate Federal Credit Union.

Robert Jaworski, of the Pacific Corporate Federal Credit Union.

Mel Chiba, of the Kauai Community Federal Credit Union.

Hilda Inouye, of the Kauai Community Federal Credit Union.

Wallace Otsuka, of the Kauai Community Federal Credit Union.

Fred Ho, of the Dillingham Federal Credit Union.

Sharon Horita, of the Dillingham Federal Credit Union.

William Paik, of the Dillingham Federal Credit Union.

Helen Young, of the Onomea Federal Credit Union.

Humio Okimoto, of the CUNA Mutual.

Jean Okimoto, of the CUNA Mutual.

Shirley Liu, of the Hawaii Stevedores/C&C FCU.

Glenn Ikemoto, of the Kauai Government Employees FCU.

Karen Ikemoto, of the Kauai Government Employees FCU.

Itsuyo Kusuda, of the Maui County Employees FCU.

June Ono, of the Maui County Employees FCU.

Mr. and Mrs. Paul Perry, of the Hawaii County FCU.

Norman Kong, of the Pearl Harbor Federal Credit Union.

Michael Asam, of the Hawaii Community Federal Credit Union.

John Iwane, of the Hawaii Community Federal Credit Union.

David Hauser, of the Honokaa Community Federal Credit Union.

Robert Iwamoto, of the Honokaa Community Federal Credit Union.

Gay Matthews, of the Honokaa Community Federal Credit Union.

Warren Mizutani, of the Kauai Teachers Federal Credit Union.

Marsha Mizutani, of the Kauai Teachers Federal Credit Union.

Warren Nakamura, of the Honolulu Federal Employees FCU.

John Sabas, of the Molokai Community Federal Credit Union.

Timothy Albao, of the Lihue Credit Union.

Toshio Miyashiro, of the McBryde Federal Credit Union.

Wallace Moura, of the McBryde Federal Credit Union.

Shigeo Uyeda, of the McBryde Federal Credit Union.

Calvin Choy, of the Hawaiian Tel Employees FCU.

Mabel Perry, of the Hawaiian Tel Employees FCU.

Stanley Hidani, of the Papaaloa Federal Credit Union.

Hideo Abe, of the Kahului Federal Credit Union.

Masa Emoto, of the Kekaha Federal Credit Union.

Ed Mederios, of the Kekaha Federal Credit Union.

Owen Moe, of the Kekaha Federal Credit Union.

Joe Sylvester, of the Kekaha Federal Credit Union.

Fran Lucier, of the First Insurance Federal Credit Union.

Milton Lum, of the Hawaii Central Credit Union.

Virginia Kam, of the Hawaii Teamsters Federal Credit Union.

Vernon Ching, of the Honolulu City and County Employees FCU.

Darwin Hamamoto, of the Honolulu City and County Employees FCU.

Moses Lum Choy, of the Honolulu City and County Employees FCU.

Wyman Au, of the Honolulu Federal Employees FCU.

William Lee, of the Oahu One Credit Union.

Koozo Okamoto, of the Oahu Teachers Number Two FCU.

Kyle Kurata, of the Star Markets Federal Credit Union.

Rodney Watanabe, of the Hawaii Community FCU.

U.S. ARMY CORPS OF ENGINEERS BLACK EMPLOYMENT PROGRAM THANKS FOR CARING AND SHARING

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues the fine sense of responsibility and social consciousness of a group of employees at the U.S. Army Corps of Engineers. In observance of Dr. Martin Luther King's birthday, the Black Employment Program Committee of Headquarters, U.S. Army Corps of Engineers, National Capital Region and Field Operating Activities, sponsored a food drive. This food which was collected during the weeks following Dr. King's birthday will be presented tomorrow, February 28, 1991, the last day of Black History Month, to Father Adams of So Others Might Eat [SOME] organization. The

presentation will be made by Col. Robert L. Herndon, Chief of Staff, Corps of Engineers.

The Black Employment Program was established in 1989 to address problems and concerns of blacks in achieving equal employment opportunities. In realizing the need to support each other, the members of the organization also realize that they must reach out. By reaching out to others—inside and outside of the Corps—the Black Employment Program is assisting many segments of our society. By participating in a seemingly simple program like collecting food, this organization is showing that it wants to share, that it wants to help feed those who are less fortunate. When we act collectively to help our fellow man, the burden will never, ever be too much for any one individual. And that is what is most important.

Mr. Speaker, I am sure my colleagues will want to join me as I congratulate the Black Employment Program membership and its leadership which includes Jeane D. Williams, chairperson; Michael Tolson, vice chairperson; and Elvire Bourisquot, recording secretary; for their paticipation in the food drive, for caring and sharing.

INTRODUCTION OF WOMEN'S HEALTH EQUITY ACT OF 1991

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. SCHROEDER. Mr. Speaker, I am pleased today to introduce the Women's Health Equity Act of 1991, and to be joined in this important endeavor by Representative OLYMPIA SNOWE, the Republican cochair of the Congressional Caucus for Women's Issues, and by 70 of my colleagues.

This legislation seeks to address the appalling lack of attention given to women's health care needs in this country. The facts speak for themselves. The death rate from breast cancer increased 24 percent between 1979 and 1986; one in nine women can now expect to develop breast cancer in her lifetime. Women are now the fastest growing group of those infected with AIDS. Heart disease is the number one killer of women but the majority of the research has been conducted on men.

Despite these facts, women's health issues have received scant attention both in terms of funding and research. The National Institutes of Health [NIH], the Nation's major source of funding for medical research conducted in the United States, spends only about 13 percent of its budget on women's health. It is time for Congress to act to protect the health of American women.

The Women's Health Equity Act of 1991 contains 22 individual bills divided into three titles: research, services, and prevention. Taken together, these bills represent a broad agenda for addressing a number of critically important issues, including the permanent authorization of an Office for Research on Women's Health at the National Institutes of Health and at the Alcohol, Drug Abuse, and Mental Health Administration, and an end to the arbitrary exclusion of women from research studies.

The package also calls for increased research on breast and ovarian cancer, osteoporosis, the development and treatment of AIDS in women, alcohol abuse in women, and contraception and infertility; better information on treatment options for women facing breast cancer surgery; health and social services for pregnant adolescents and parenting teens; prevention of infertility through improved screening and treatment of sexually-transmitted diseases; and, coverage of infertility and adoption services for Federal employees.

Inclusion of mammography and pap smear services under State Medicaid programs and the establishment of new Federal standards to ensure the quality of mammography screening is included, as is reimbursement for nurse practitioners specializing in women's health and certain osteoporosis prevention technologies under Medicare. Improved access to health care services for pregnant women and children under the Medicaid Program and for displaced homemakers through an expansion of existing health insurance continuation provisions is also contained in the package.

The basic issue is one of equity. Women constitute 52 percent of the population and make 25 percent more visits to doctors than men, are more likely to undergo surgery and to be hospitalized. The Women's Health Equity Act of 1991 will begin to address the important deficiencies that exist for women in the health care system. I urge the support of my colleagues.

WHEN MOMS GO TO WAR

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. BEREUTER. Mr. Speaker, the U.S. military action in the Persian Gulf has vividly demonstrated the value of the All Volunteer Force. The professionalism, the extremely high morale, and the dedication to duty in a austere and harsh environment have inspired us all. Our troops have had a very demanding mission. United States soldiers and sailors have been the first line of defense against Iraqi aggression, and they have had to be dip-lomats in a foreign culture. Our forces have been the leaders of a 31-nation alliance, and coordination with our partners has been a demanding challenge, and throughout this crisis, our troops have behaved magnificently.

Desert Storm has also demonstrated the strains and pressures upon the All Volunteer Force. In particular, we have witnessed the pain of separation of military mothers from their children. This is the first time that moms have gone to war, and the strong emotional undercurrents have become clear. It is, I suppose, not surprising that there would be calls to rethink the concept and current disposition of relying on an All Volunteer Force so that women would not be expected to serve in a war zone.

This Member would urge, Mr. Speaker, that this body not rush to change the foundation elements of the All Volunteer Force. If changes are necessary in the personnel program that is fundamentally working so well, then this body should move only after careful deliberation. Following the completion of Desert Storm, there will no doubt be a careful examination of our military's performance, and how it can be sustained or even enhanced. Only after the current conflict is completed, when we are engaged in the lessons learned phase, should this body examine the role of mothers and sets of parents serving in Desert Storm.

Mr. Speaker, this Member would ask to insert into the RECORD an editorial from the February 25, 1991, edition of the Lincoln Star. Entitled "'When Moms Go to War," this editorial urges that: "Let's work our way through this war without any quick overhaul, using the hardship system already in existence to look at individual cases. This Nation may want to make some changes in how it uses moms in the military. But those decisions should be the result of thoughtful assessment, not a tear jerk reaction."

Mr. Speaker, this Member commends this thoughtful editorial to his colleagues.

[From the Lincoln Star, Feb. 25, 1991]

WHEN MOMS GO TO WAR

This war includes pictures of moms at war and stories of their children at home, children who feel abandoned because they are too young to understand the rules of big people.

These are heartbreaking dilemmas.

But we need to balance that emotional response to the pain and trauma of individual incidents with a thoughtful consideration of the potential effects of changing policies.

The volunteer army has worked hard to provide expanded opportunities for women who join. Under pressure from a changing culture, the military has removed many barriers to women.

Waging war is part of the military's job. Being sent to wage war is inherent in the responsibility of someone who joins the military.

Obviously the reality of war is only a distant possibility during long periods of peace. In peace, the military is just another job with decent benefits and potential for advancement. Or it is a chance to make extra money and go to college.

Historically many parents have gone to war. Generally the parent has been dad. We have accepted that as a part of the reality of war—even when the children of these male parents suffer as a result.

There are strong emotional undercurrents at work in this current debate. We are trying to adjust to two new cultural trends—women doing a job traditionally belonging to men (soldiering near a war zone) and the growing number of single parents in our society.

The two trends collide in the Persian Gulf. And the result has been a tumultuous emotional response.

But we shouldn't let emotions dictate precipitous changes in policy. For every policy change today will have echoes into the future.

Creating a different system for moms during this war will mean a dual career system in peacetime. In order to prepare for war the military must know who it will be able to send to war and who it won't. If we let moms opt out today, the military will understand that it can't count on women with children (or single parents) as part of the team in any future war.

This knowledge will inevitably be translated into a dual track system where parents can choose a track, or a dual system where

certain parents are automatically assumed to be not available for combat arenas.

And those who choose the mom track, or are forced into the mom track, inevitably limit their career options.

Some critics of the current system have described it as ignoring the needs and rights of children.

That is true if today is the only time frame.

Half of these children are girls, whose future choices we also affect by the policies we create today.

Let's work our way through this war without any quick overhaul, using the hardship system already in existence to look at individual cases.

The nation may want to make some changes in how it uses moms in the military. But those decisions should be the result of thoughtful assessment, not a tear jerk reaction.

HONORING THE NEW YORK CITY EMERGENCY MEDICAL SERVICE

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Ms. MOLINARI. Mr. Speaker, it is with great pleasure that I honor today the New York City Emergency Medical Service. I am pleased to join the Kings County Conservative Party in saluting the NYCEMS on Sunday, March 3d.

Excellence has been the hallmark of New York's emergency service since 1870. Today, the 20,000 employees of the NYCEMS are still setting the pace, widely recognized as the largest and most sophisticated emergency medical service in the world.

The NYCEMS was established in its present form in 1970. The first two NYCEMS paramedic units began operating in July 1975, achieving spectacular results. Their efforts significantly reduced the prehospital mortality and morbidity rates.

Today, the Emergency Medical Service Training Academy is solely responsible for the training of new paramedics, as it has been since 1984. The program is a 2-year evening course, which graduated its first paramedics in 1986.

The fleet of ambulances has grown dramatically since 1870, when New York had only five horse-drawn ambulances. Today, NYCEMS provides the city with a large number of ambulances constantly on patrol in the five boroughs. Approximately 20 percent of the ambulances are paramedic units and the remainder are basic life support units. For multiple casualty incidents, EMS operates five major emergency response vehicles [MERV's].

The NYCEMS strives to keep up with technological innovations. As late as 1972, when the "dial 911 for emergency" system was established citywide, emergency operators were still using hand-written cards and a conveyor belt system to get calls to the ambulance dispatchers.

In 1977, NYCEMS received Federal funding to develop and install state-of-the-art computerized digital communications consoles and status monitor screens.

However, computer equipment quickly becomes obsolete. To combat this, NYCEMS recently installed a new computer aided dispatch system [CAD], which sends call information directly to a CRT monitor located on a console in the cab of the vehicle. This reduces verbal error. The NYCEMS is now on the cutting edge of dispatch technology, and light-years beyond the conveyor belts and index cards of 1972.

Nearly 1 million calls for ambulance assistance come in every year—over 2,400 per day. Yet, despite this incredible number of requests, since 1980 the NYCEMS has cut the average response time nearly in half for life-threatening assignments. Average response time has dropped from 18.2 minutes to less than 10 minutes.

Anyone who has ever waited for an ambulance while a loved one was in danger knows that the minutes pass like hours. And a 50-percent cut in response time dramatically increases the chances of a favorable outcome for the patient. The hard-working staff of the NYCEMS really are the personification of mercy.

But with the Nation's largest city facing difficult financial times, it will take hard work and innovation to maintain this efficiency level. I am committed to this.

Recognizing the great work done by the NYCEMS, I have cosponsored House Joint Resolution 109, Congressman MANTON'S resolution to designate the week of May 12, 1991, as "Emergency Medical Services Week." I salute the New York City Emergency Medical Service.

RECOGNIZING LA FAMILIA DE HOY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. RICHARDSON. Mr. Speaker, by the year 2010 Hispanic Americans will represent this country's largest minority population. While many of our Nation's Hispanics are recent immigrants, hundreds of thousands of other Hispanics came to this country 300 to 400 years ago. Regardless of when they arrived, most came to seek a better life for their families and themselves. Many new arrivals as well as longtime Hispanic residents have encountered difficulty adapting to life in the United States because of a lack of information sources available to them in their native tongue, Spanish.

Now more than ever, our Nation's Hispanic Americans are seeking insightful sources of information to help them attain their goals as they assimilate into American society. For the past year, they have found that La Familia de Hoy [Today's Family] has delivered the information they need.

La Familia de Hoy combines a bimonthly magazine, a series of informational features on the Univision network and an "800" hotline to disseminate critical information and give Hispanic Americans a better chance to navigate the complexities of daily life here. La Familia de Hoy, developed by Whittle Communications, has created a communications bridge for U.S. Hispanics by addressing issues which face the American public at large.

Since last March, La Familia de Hoy has covered topics such as drugs, education, AIDS, and the environment—topics which hold tremendous bearing on the lives of Hispanic Americans.

An example of the dramatic impact La Familia de Hoy is having on its Hispanic audience are the requests it has generated from police departments across the country to use an article, "Threat to Gangs," as part of their gang task force collateral. The article details the psychology behind the development of gangs and provides information on parents' roles in counteracting their childrens' attraction to violent youth gangs.

Another example of the interaction between La Familia de Hoy and its audience was the phenomenal response to a La Familia de Hoy TV segment on advice to battered women. More than 15,500 calls were received by the National Domestic Violence Hotline between April and June, 1990 as a result of the broadcasts.

La Familia de Hoy has also featured aspirational stories depicting the successful personal triumphs of "First Daughter-in-Law" Columba Bush, educator Jaime Escalante, Congresswoman Ileana Ros-Lehtinen, and astronaut Franklin Chang Diaz.

Mr. Speaker, I urge my colleagues to join me in recognizing this outstanding information source, La Familia de Hoy, that is helping improve the quality of life for Hispanic Americans in New Mexico and the Nation.

NATIONAL RECREATIONAL TRAILS FUND ACT OF 1991

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PETRI. Mr. Speaker, today I am introducing the National Recreational Trails Fund Act of 1991 which would create a trust fund out of the taxes currently being paid on nonhighway recreational fuel used on or near trails. Money from the trust fund will be used to maintain and enlarge the Nation's recreational trail system.

The bill would also create an advisory committee comprised of hikers, cross-country skiers, off-highway motorcyclers, snowmobilers, horseback riders, all-terrain vehicle riders, bicyclers, and four-wheel vehicle drivers.

This bill would not produce higher taxes. When you tank up your snowmobile or other recreational vehicle, you pay a Federal gasoline tax. Currently, that tax on gasoline used for recreation goes to build highways. Even more absurd is the fact that you pay a tax on the fuel you use to fill your camp stove, and that money also goes to the highway trust fund. I think it makes more sense, and would be more equitable, to spend that money on recreational uses to benefit those who have paid the taxes.

A little over a year ago the Government Accounting Office reported that the Nation's Recreational Trail System was in serious disrepair. In the national forests alone, nearly 59,000 miles of trails desperately need upgrading and reconstruction. The GAO report also pointed

out the harm that such neglect does to both recreational opportunities and the environment—making trails unusuable and dangerous, and causing significant resource damage. GAO's explanation for this failure: funding that has fluctuated from year to year and has been consistently less than that needed to keep trails in good condition.

This bill creates a mechanism to alleviate this problem. Structured similarly to the motorboat safety fund—Wallop-Breaux fund—the trails fund receives the taxes paid on nonhighway recreational fuel—that is, fuel used on or near trails—and reserves that money expressly for maintaining and improving recreational trails. All money received by the fund is disbursed annually to the States, which must have programs of their own at a State level. The States then select the trail proposals to fund.

The most sensitive part of the bill is its provisions for allocating moneys that result mostly from motorized recreation so that nonmotorized recreation can still benefit. The bill strikes a careful balance in this area, guaranteeing both motorized and nonmotorized recreation a minimum of 30 percent of each State's Trails Act funding. The remaining 40 percent will be allocated by the State to fund projects that provide for the greatest number of recreational purposes and provide for innovative recreational trail sharing to accommodate motorized and nonmotorized recreational trail use.

It should be noted that the bill explicitly does not alter existing land management practices. Current use designation would not be affected by any provision in the act.

Recreational opportunities are part of the quality of life in Wisconsin, and they should be part of the quality of life in all regions of the country. Our Nation has many miles of snowmobile, all-terrain, hiking, biking, and other recreational trails and this legislation would provide needed financial assistance for these facilities.

The bill has support from a wide range of organizations that recognize the importance of maintaining safe and well-managed recreational trails for all users. Supporting organizations include:

American Horse Council.
American Recreation Coalition.
Brackenridge Stables, Inc.
Back Country Horsemen of America.
Blue Ribbon Coalition.
Cowboy Symposium.
Fox Creek Pack Station.
International Snowmobile Tourism Council.
Low Country Equine Association.
New Jersey Horse Council.
Minnesota Office of Tourism.
Montana Horse Council.
National Campers and Hikers Association.
National Campground Owners Association.
Natrona County Parks Department.
New Hampshire Horse Council.
New Hampshire Parks and Recreation Department.
Southern New England Trails Conference.
Trout Unlimited.
Utah Parks and Recreation Department.
Vermont Association of Snow Travelers, Inc.
Vermont Department of Forests, Parks, Recreation.
Wyoming Department of Commerce.
National Association of Wheelmen.

I insert the bill in its entirety at this point in the RECORD:

H.R. 1155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Recreational Trails Fund Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Highway Trust Fund has successfully and equitably provided the means for improvements in and maintenance of the nation's highway infrastructure, such success being largely attributable to the Fund's "use-fee" structure, that being the directly proportionate relationship between the amount of highway use (as measured in fuel consumption) and the amount each user pays into the Fund;

(2) the "user-fee" concept requires that nonhighway fuels not be taxed to pay for highway benefits, a noticeable deviation from this policy being the taxation of recreational fuel not used on Federal highways.

(3) like highways, the national infrastructure of recreational trails and back country terrain must be constructed and maintained, but such construction and maintenance has historically received less than adequate funding;

(4) efforts to more perfectly apply a "user-fee" concept to the financing and maintenance of a national infrastructure, both on highways, and for recreational purposes off the highway, will likely enhance the success of both endeavors; and

(5) it is both equitable and prudent, for safety, environmental protection, and recreational reasons, to assure availability of financial means to maintain and improve recreational trails and back country terrain by reserving for those purposes a portion of fuel use taxes imposed on fuels for recreational use not occurring on Federal highways.

SEC. 3. CREATION OF NATIONAL RECREATIONAL TRAIL TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end thereof the following new section:

"SEC. 9511. NATIONAL RECREATIONAL TRAILS TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'National Recreational Trails Trust Fund', consisting of such amounts as may be appropriated, credited, or paid to it as provided in this section, section 9503(c)(6), of section 9602(b).

"(b) EXPENDITURES FROM TRUST FUND.—Amounts in the National Recreational Trails Trust Fund shall be available, as provided in appropriations Acts, for making expenditures to carry out the purposes of the National Recreational Trails Fund Act of 1991."

(b) DEPOSIT OF UNREFUNDED HIGHWAY TRUST FUND MONEYS.—Section 9503(c) of the Internal Revenue Code of 1986 (relating to Highway Trust Fund) is amended—

(1) by adding at the end thereof the following new paragraph:

"(6) TRANSFERS FROM THE TRUST FUND FOR NONHIGHWAY RECREATIONAL FUEL TAXES.—

"(A) TRANSFER TO NATIONAL RECREATIONAL TRAILS TRUST FUND.—The Secretary shall annually pay from the Highway Trust Fund into the National Recreational Trails Trust Fund amounts (as determined by the Secretary) equivalent to 0.5 percent of total Highway Trust Fund receipts, as adjusted by Secretary pursuant to subparagraph (B).

"(B) ADJUSTMENT OF PERCENTAGE.—

"(i) IN GENERAL.—Not more frequently than once every 3 years, the Secretary may increase or decrease the percentage of Highway Trust Fund receipts paid into the National Recreational Trails Trust Fund to more accurately reflect, in the Secretary's estimation, revenues received from nonhighway recreational fuel taxes.

"(ii) AMOUNT OF ADJUSTMENT.—The amount of an adjustment in the percentage stated in clause (i) shall be not more than 10 percent of that percentage in effect at the time the adjustment is made.

"(iii) USE OF DATA.—The Secretary shall make use of data on off-highway recreational vehicle registrations and use in making an adjustment under clause (i).

"(C) DEFINITIONS.—For the purposes of this paragraph—

"(i) NONHIGHWAY RECREATIONAL FUEL TAXES.—The term 'nonhighway recreational fuel taxes' means the taxes under sections 4041, 4081, and 4091 (to the extent attributable to the Highway Trust Fund financing rate) with respect to fuel used as nonhighway recreational fuel.

"(ii) NONHIGHWAY RECREATIONAL FUEL.—The term 'nonhighway recreational fuel' means—

"(I) fuel used in vehicles and equipment on recreational trails or back county terrain, including use in vehicles registered for highway use when used on recreational trails or back country terrain; and

"(II) fuel used in campstoves and other outdoor recreational equipment."; and

(2) by striking paragraph (2)(C) and inserting the following:

"(C) EXCEPTION FOR USE IN AIRCRAFT AND MOTORBOATS, AND AS NONHIGHWAY RECREATIONAL FUEL.—This paragraph shall not apply to amounts estimated by the Secretary as attributable to—

"(i) use of gasoline and special fuels in motorboats or in aircraft, and

"(ii) use of gasoline as nonhighway recreational fuel as defined in paragraph (6)(C)(ii).".

(c) CONFORMING AMENDMENT.—Section 6421(e)(2) of the Internal Revenue Code of 1986 (defining off-highway business use) is amended by adding at the end thereof the folowing new subparagraph:

"(C) EXCEPTION FOR USE AS NONHIGHWAY RECREATIONAL FUEL.—The term 'off-highway business use' does not include any use as nonhighway recreational fuel as defined in section 9503(c)(6)(C)(ii).".

(d) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end thereof the following new item:

"Sec. 9511. National Recreational Trails Trust Fund.".

SEC. 4. NATIONAL RECREATIONAL TRAILS PROGRAM.

(a) IN GENERAL.—The Secretary, using amounts available in the Fund, shall administer a program allocating moneys to the States for the purposes of providing for and maintaining recreational trails.

(b) STATE ELIGIBILITY.—

(1) TRANSITIONAL PROVISION.—Until the date that is 3 years after the date of enactment of this Act, a State shall be eligible to receive moneys under this Act, a State shall be eligible to receive moneys under this Act only if such State's application proposes to use the moneys as provided in subsection (d).

(2) PERMANENT PROVISION.—On and after the date that is 3 years after the date of enactment of this Act, a State shall be eligible to receive moneys under this Act only if—

(A) the State has established a State Recreational Trails Advisory Board on which both motorized and nonmotorized recreational trail users are represented;

(B) in the case of a State that imposes a tax on nonhighway recreational fuel, the State by law reserves the revenues from that tax for use in providing for and maintaining recreational trails;

(C) the Governor of the State has designated the State official who will be responsible for administering moneys received under this Act; and

(D) the State's application proposes to use moneys received under this Act as provided in subsection (d).

(c) ALLOCATION OF MONEYS IN THE FUND.—

(1) ADMINISTRATIVE COSTS.—No more than 3 percent of the expenditures made annually from the Fund may be used to pay the cost to the Secretary for—

(A) approving applications of States for moneys under this Act;

(B) paying expenses of the National Recreational Trails Advisory Committee; and

(C) conducting national surveys of nonhighway recreational fuel consumption by State, for use in making determinations and estimations pursuant to this Act.

(2) ALLOCATIONS TO STATES.—

(A) AMOUNT.—Amounts in the Fund remaining after payment of the administrative costs described in paragraph (1), shall be allocated and paid to the States annually in the following proportions:

(i) EQUAL AMOUNTS.—50 percent of such amounts shall be allocated equally among eligible States.

(ii) AMOUNTS PROPORTIONATE TO NONHIGHWAY RECREATIONAL FUEL USE.—50 percent of such amounts shall be allocated among eligible States in proportion to the amount of nonhighway recreational fuel use during the preceding year in each such State, respectively.

(B) USE OF DATA.—In determining amounts of nonhighway recreational fuel use for the purposes of subparagraph (A)(ii), the Secretary may consider data on off—highway vehicle registrations in each State.

(d) USE OF ALLOCATED MONEYS.—

(1) PERMISSIBLE USES.—A State may use moneys received under this Act for—

(A) maintenance of existing recreational trails, including the grooming and maintenance of trails across snow;

(B) restoration of areas damaged by usage of recreational trails and back country terrain;

(C) construction of new trails where a recreational need for such construction is shown;

(D) acquisition of easements;

(E) acquisition of fee simple title to property from a willing seller, when the objective of the acquisition cannot be accomplished by acquisition of an easement or by other means;

(F) development of trail-side and trail-head facilities that meet goals identified by the National Recreational Trails Advisory Committee;

(G) in an amount not exceeding 5 percent of the amount of moneys received by the State, operation of environmental protection and safety education programs relating to the use of recreational trails;

(H) development of urban trail linkages near homes and workplaces; and

(I) in an amount not exceeding 7 percent of the amount of moneys received by the State, administrative costs of the State.

(2) USE NOT PERMITTED.—A State may not use moneys received under this Act for condemnation of any kind of interest in property.

(3) GRANTS.—

(A) IN GENERAL.—A State may provide moneys received under this Act as grants to private individuals, organizations, city and county governments, and other government entities as approved by the State's Recreational Trail Advisory Board, for uses consistent with this section.

(B) COMPLIANCE.—A State that issues grants under subparagraph (A) shall establish measures to verify that recipients comply with the specified conditions for the use of grant moneys.

(4) BALANCE OF MOTORIZED AND NONMOTORIZED BENEFITS.—Not less than 30 percent of the moneys received annually by a State under this Act shall be expended for benefits directed to motorized recreation, and not less than 30 percent of those moneys shall be expended for benefits directed to nonmotorized recreation.

(5) DIVERSIFIED TRAIL USE.—

(A) REQUIREMENT.—To the extent practicable and consistent with other requirements of this section, a State shall expend not less than 40 percent of moneys received under this Act in a manner that gives preference to project proposals—

(i) which provide for the greatest number of recreational purposes including, but not limited to, those directed under the definition of "recreational trail" in subsection (f)(5); and

(ii) which provide for innovative recreational trail corridor sharing to accommodate motorized and nonmotorized recreational trail use.

(B) COMPLIANCE.—The determination as to whether a project or grant meets the requirements of subparagraph (A) shall be made by the State Recreational Trail Advisory Board.

(6) RETURN OF MONEYS NOT EXPENDED.—Moneys paid to a State that are not expended or dedicated to a specific project within 2 years after receipt for the purposes stated in this subsection shall be returned to the Fund and shall thereafter be reallocated under the formula stated in subsection (c).

(e) COORDINATION OF ACTIVITIES.—

(1) COOPERATION BY FEDERAL AGENCIES.—Each agency of the United States Government that manages land on which a State proposes to construct or maintain a recreational trail pursuant to this Act is encouraged to cooperate with the State and the Secretary in planning and carrying out the activities described in subsection (d). Nothing in this Act diminishes or in any way alters the land management responsibilities, plans, and policies established by such agencies pursuant to other applicable laws.

(2) COOPERATION BY PRIVATE PERSONS.—

(A) WRITTEN ASSURANCES.—As a condition to making available moneys for work on recreational trails that would affect privately owned land, a State shall obtain written assurances that the owner of the property will cooperate with the State and participate as necessary in the activities to be conducted.

(B) PUBLIC ACCESS.—Any use of a State's allocated moneys on private lands must be accompanied by an easement or other legally binding agreement that ensures public access to the recreational trail improvements funded by those moneys.

(f) DEFINITIONS.—For the purposes of this section—

(1) ELIGIBLE STATE.—The term "eligible State" means a State that meets the requirements stated in subsection (b).

(2) FUND.—The term "Fund" means the National Recreational Trails Fund established by section 9511 of the Internal Revenue Code of 1986.

(3) NONHIGHWAY RECREATIONAL FUEL.—The term "nonhighway recreational fuel" has the meaning stated in section 9503(c)(6)(C)(ii) of the Internal Revenue Code of 1986.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) RECREATIONAL TRAIL.—The term "recreational trail" means a thoroughfare or track across land or snow used for recreational purposes such as bicycling, cross-country skiing, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long-distance backpacking, snowmobiling, surface water and underwater activities, and vehicular travel by motorcycle, four-wheel drive or all-terrain off-road vehicles, without regard to whether it is a "National Recreation Trail" designated under section 4 of the National Trails System Act (16 U.S.C. 1243).

SEC. 5. NATIONAL RECREATION TRAILS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the National Recreation Trails Advisory Committee.

(b) MEMBERS.—There shall be 9 members of the advisory committee, 8 appointed by the Secretary from nominations submitted by recreational trail user orgnizations, one each representing the following recreational trail uses:

(1) Hiking.
(2) Cross-country skiing.
(3) Off-highway motorcycling.
(4) Snowmobiling.
(5) Horseback riding.
(6) All terrain vehicle riding.
(7) Bicycling.
(8) Four-wheel driving.

In addition, the Secretary or an appropriate government official designated by the Secretary shall be a member of the advisory committee.

(c) CHAIRMAN.—The chairman of the advisory committee shall be the government official referenced in subsection (b), who shall serve as a nonvoting member.

(d) TERMS.—Members of the advisory committee appointed by the Secretary shall be appointed for terms of 3 years; except that the members filling 4 of the 8 positions shall be initially appointed for terms of 2 years, with subsequent appointments to those positions extending for terms of 3 years.

(e) DUTIES.—The advisory committee shall meet at least twice annually to—

(1) review utilization of moneys allocated to States under this Act;

(2) establish and review criteria for trail-side and trail-head facilities that qualify for funding under this Act; and

(3) make recommendations to the Secretary for changes in Federal policy to advance the purpose of this Act.

(f) ANNUAL REPORT.—The advisory committee shall present to the Secretary an annual report on its activities.

(g) REIMBURSEMENT FOR EXPENSES.—Members of the advisory committee appointed by the Secretary shall serve without pay, but, to the extent funds are available pursuant to section 4(c)(1)(C), shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

CONCERN FOR BALTIC SITUATION

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PURSELL. Mr. Speaker, I want to share with my colleagues a resolution passed by the Michigan Republicans at the State Republican Convention in Grand Rapids, MI, on February 16, 1991. This resolution declares the Michigan Republicans' deep concern about the situation in the Baltic States.

For the first time in 8 years a suspension of rules was successfully passed by two-thirds of those present at the convention. The resolution, requested by Eleanora Grigaitis, voices the support of the Michigan Republicans for the independence of the Baltic States, in addition to calling on Congress to acknowledge and reaffirm recognition of Estonia, Latvia, and Lithuania as sovereign nations.

After arguments for each side were given, the resolution passed overwhelmingly: 1,426 yes; 82 no; 8 abstentions. The Michigan Republicans share a great apprehension concerning the freedom movements taking place in the Baltic States.

I, along with the Michigan Republicans, hope that this situation will soon be behind us, and that the people of the Baltic States will soon be enjoying their freedom.

Mr. Speaker, for the benefit of my colleagues and dear friends here in the Congress, I ask that the Michigan Republican Baltic resolution be made part of this RECORD:

Resolved that Michigan shall support diplomatic initiatives and efforts in Congress to acknowledge and reaffirm recognition of Estonia, Latvia and Lithuania as independent, sovereign nations.

Arguments in favor:

On January 14, 1991 the Soviet Union massacred unarmed civilians in Lithuania, threatening to take similar action in Latvia and Estonia. Nevertheless, with 84 percent participation in the referendum of February 9, 1991, 90 percent of Lithuanian voters courageously declared that Lithuania should be a "sovereign, democratic republic".

The U.S. government recognized the independent governments of Lithuania, Latvia and Estonia in 1922 and has never recognized the incorporation of the Baltic Republics into the Soviet Union.

Michigan Republicans should lend support to the efforts of many Congressional leaders who are calling for economic and diplomatic pressures to get Soviet troops out of the Baltic States; i.e. suspension of favorable trade assistance, agricultural subsidies, ceremonial meetings.

In this time of crisis, Republicans must stand by their commitment to the National Platform of 1988 which reads:

"We support the desire for freedom and self-determination of all those living in captive nations. . . . We support the desire of Estonians, Latvians and Lithuanians, Ukrainians, peoples of the Caucuses, and other people held captive in the Soviet Union."

Arguments against:

We are currently allied with the Soviets in the Gulf War.

We want to support Gorbachev in his efforts.

Supporting the Baltic States could cause instability in that region.

AN ENERGY STRATEGY WITHOUT TAXES IS POLITICAL HYPOCRISY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. STARK. Mr. Speaker, the West Germans have announced a serious, realistic plan to deal with paying for the gulf war, a plan that includes a steep hike in gasoline taxes. The West German Government plans to raise gasoline prices by the equivalant of 67 cents a gallon. This would bring their price per gallon to nearly $4. Our gas prices hover around a $1.10.

The West Germans have recognized a reality that we refuse to face. We must raise energy taxes. We must raise energy taxes to improve energy efficiency, increase America's industrial competitiveness, address the budget deficit, and deal with global warming. I have introduced legislation which would impose a tax on the carbon content of fuels. A tax on carbon emissions helps deal with each of these problems.

Robert Samuelson, the noted economist, provided in today's Washington Post an excellent summary of why we need energy taxes. Any energy policy that is not based on energy taxes is political hypocrisy. I would like to include Mr. Samuelson's article in the RECORD:

JUST TINKERING WITH ENERGY—BUSH'S PLAN AVOIDS THE TOUGH STEPS

(By Robert J. Samuelson)

President Bush's "national energy strategy," unveiled last week, is predictably disappointing. Conspicuously missing is an energy tax, which would force Americans to invest more in energy efficiency. Sadly, the omission was virtually preordained. Everyone wants more conservation, a cleaner environment and lower oil imports. But most Americans don't think they should suffer the least inconvenience in the pursuit of these goals—and politicians, despite the object lesson of the Gulf war, won't tell them otherwise.

It's an impossible combination. You can't easily promote conservation without an energy tax. By themselves, market prices are too erratic to provide reliable signals about whether it pays to invest in more fuel-efficient cars or lower-wattage light bulbs. In 1980, "real" oil prices (in constant 1990 dollars) averaged $43 a barrel. By 1986, they had dropped to $17 a barrel. Last year the monthly averages varied between $15 and $33 a barrel. The fickleness of consumers means, in turn, that companies that want to sell energy efficiency can't build a market.

To be fair, the political hypocrisy on this matter is bipartisan. Sen. Timothy Wirth of Colorado typifies Democrats who last week criticized the White House plan for not sufficiently emphasizing conservation. But Wirth's own energy plan also avoids a tax. Given this consensus, what we can expect is an energy debate in which environmentalists and energy producers peddle equally misleading solutions.

Producers think energy should be like popcorn: You should buy as much as you want and can afford. Trust the market. To them, energy policy means removing regulations that limit production. Environmentalists regard energy consumption as a sin that can be curbed—painlessly to most of us—by regulations. Their current pet scheme would raise fuel-mileage standards for new cars from today's 27.5 miles per gallon to about 40 mpg by 2001. There's always a technological fix if only government would order industry to make it.

Interestingly, the Bush plan includes both approaches. It would expand energy supplies by authorizing oil production in the Arctic National Wildlife Refuge. It would also seek to revive nuclear power. At the same time, the plan seeks to cut oil use by forcing—mainly through regulation—the auto industry to make millions of cars that burn "alternative fuels" (such as methanol) in addition to gasoline. By 2005, the plan envisions 80 million dual-use vehicles on the road.

That's ambitious but is it feasible? Methanol may cost 22 to 43 percent more than gasoline, estimate economists Margaret Walls and Alan Krupnick of Resources for the Future, a research group here. Most people won't buy "alternative fuels" unless gasoline prices rise enough to close the gap. Conveniently, the Bush plan assumes that this will happen.

In general, using regulations to shape energy consumption is tougher than it looks. Consider car-mileage standards. To reach 40 mpg, auto companies would probably shift to smaller cars. Americans who want bigger cars would keep the ones they have longer. If fuel prices stay low, people will drive more. This would cut fuel savings. And mileage standards don't affect the half of oil that doesn't go into vehicles.

What's wrong with an energy policy that simply relies on the market is that energy isn't like popcorn. Using energy involves potential costs for society that aren't fully reflected in market prices. The most obvious costs are environmental (air pollution and the possible impact of the greenhouse effect) and economic (losses from foreign supply disruptions). Just because the dangers aren't precise doesn't mean they should be ignored. A good energy policy is like a good army: It should protect us against plausible harm, not merely certain calamity.

There is also another problem. In a normal market, when people want more of something, producers can readily supply it. Not in energy. We limit offshore drilling, don't automatically approve new electricity plants and reject new nuclear power. You may or may not support these restrictions. Some may be modified. But they won't vanish. If demand grows freely and supply doesn't, the system ultimately chokes. Either imports rise or scarcities occur. We've experienced the first, and scarcities—especially of electricity—could emerge in the 1990s.

By dampening demand, an energy tax would bridge the contradiction between energy as a private good (individuals want big supplies, low prices) and as a public good (using too much creates problems for society). There's ample conservation potential. Electricity demand could be cut at least 24 percent by using the most efficient products available, estimates the Electric Power Research Institute, an arm of the utility industry. Significantly, the cost of these savings is less than the cost of new power plants to supply the same electricity.

To work, an energy tax would have to be stiff—at least 20 to 30 percent. But it need not be a monster. It could be phased in over a few years. The tax burden need not rise, because the energy tax could be rebated by lowering other taxes. It would spur the market for energy efficiency, while giving consumers and businesses flexibility. It's the core of an effective energy policy. Until we get it, everything else is tinkering.

DEMOCRACY UNDER SEIGE

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DURBIN. Mr. Speaker, last week I joined a congressional delegation led by Representative STENY HOYER, chairman of the Commission on Security and Cooperation in Europe, which visited Latvia, Lithuania, and Estonia to demonstrate support for the democratic aspirations of the Baltic peoples. Our visit is the first by a delegation of Members of the U.S. Congress to the Baltic States since the bloodshed in Lithuania and Latvia in January. We discussed the recent tragic and brutal crackdown by Soviet military forces with the Presidents of all three Baltic States. We relayed our strong belief that such actions constitute a serious and flagrant violation of the Helsinki Final Act as well as of the spirit and objectives of the recently adopted Paris Charter. In addition to meetings with the presidents we also met with heads of government and other high-ranking officials, parliamentary representatives, and spokesmen of parliamentary opposition, and national minority groups.

We went on to Moscow to hold talks with RSFSR Supreme Soviet Chairman Boris Yeltsin regarding the current situation in the Soviet Union and means of promoting democratization in Russia.

Mr. Speaker, while in Riga Mr. HOYER was invited to address the elected representatives of the people of Latvia. This was the first truly competitive and freely chosen parliamentary body in Latvia since 1940. My colleague, Mr. HOYER echoed the sentiment of the bipartisan delegation, and spoke of the new world order as being reflected in the democratic forces at work in the very room in which he spoke—the newly restructured Latvian Supreme Soviet. Such an order demands our attention and commands our solidarity.

Mr. Speaker, I insert Mr. HOYER's address in the RECORD and commend it to my colleagues.

ADDRESS BY REPRESENTATIVE STENY H. HOYER

President Gorbunovs, ladies and gentlemen, fellow parliamentarians. On behalf of all the members of my delegation, which represents both major parties and speaks for a broad spectrum of America, let me say how pleased we are to be here today and how sad we are to grieve with you the loss of your fallen patriots. We thank you for your kind invitation to come to Riga and to meet with elected representatives of the people of Latvia.

All of you became members of Parliament in the first election in Latvia since 1940 whose process was not controlled by one political party and whose outcome was not decided in advance. We salute and congratulate you. You are the living embodiments of the democratic spirit, all the more praise-worthy for persevering in uncharted waters and remaining hopeful and optimistic throughout.

This is my first trip to the Baltic States. In fact, most of the members of Congress you see have not been here before. Nevertheless, this is by no means just a "get acquainted" meeting. The U.S. Congress has had a long-standing interest in the Baltic States. This is particularly true of the Helsinki Commission, which is a unique, bipartisan body in the United States. It combines legislative and executive branch representation and is mandated by law to monitor implementation of the Helsinki Final Act by all of its signatories, including the United States. The Helsinki Commission has a tradition of close ties with Baltic political activists, many of whom have met with Commission Members in Washington, New York and at CSCE conferences in Europe.

Our presence here signals our commitment to your cause. As Americans we are very concerned about the war in the Middle East and the danger faced by our people in the Gulf. But we are deeply concerned about the unmistakable shift in Moscow's policies which has led to tragic consequences in Latvia and Lithuania. This shift has deeply troubling ramifications for U.S.-Soviet relations and hopes of creating a much longed-for "new world order." If the old world order was symbolized by the grim barrier enclosing Berlin, the new world order is reflected in the democratic forces at work in this room. For in this new world order we are talking about the basic rights and responsibilities of peoples and nations towards each other.

Our primary purpose in coming here is to gather information, to offer support for your magnificent and courageous strides towards democracy and freedom, and to demonstrate our solidarity with your goals. In our talks with you and with your counterparts in Lithuania and Estonia in the next two days we will learn—and we know we will be inspired.

Your labors both reflect Helsinki ideals and nourish and nurture their spirit—a spirit that brought political prisoners into political office and into dialogue with their former jailers. It is our belief that the Helsinki process—which for years grouped around the table contending blocs in difficult and even bitter negotiation—can provide the framework in which neighbors may sit with neighbors to address the sometimes conflicting needs of minority and majority populations.

For those of us who have long been active in the Helsinki process, the values enshrined in the Final Act and subsequent CSCE documents supply the guiding principles for international relations and the relationship between states and their citizens. These values include a firm commitment to human rights and to the right of peoples to self-determination. The Helsinki Commission welcomes the stated willingness of Latvia, Lithuania and Estonia to adhere to CSCE principles and has urged that they be granted observer status in the CSCE.

As you know, after concluding our visit to the Baltic States, we will meet with Boris Yeltsin in Moscow to gain his perspective on the Baltic situation and on prospects for promoting democratization in Russia and the U.S.S.R. I am sure you would agree that without democracy in Russia, democracy and freedom elsewhere are threatened.

We have been following the course of negotiations between the Baltic States and the Russian Republic and we consider it a hopeful sign that the Russian Republic appears ready to recognize the sovereignty of Latvia, Lithuania and Estonia. We look forward to establishing contacts with Mr. Yeltsin and to hearing his views on the future of relations between Russia and the Baltic States.

Our delegation has also requested a meeting with President Gorbachev. We hope that a favorable response will soon be forthcoming because we believe it would be extremely important for President Gorbachev and other political forces in Moscow to see that the U.S. Congress supports his efforts at democratization. But we are deeply concerned by his recent turn from his stated objective of a society under the rule of law.

We would urge President Gorbachev not to abandon the principles and policies that have earned him a role in history. Let me quote from his extraordinary address to the United Nations on December 7, 1988 in New York.

"It is also quite clear to us that the principle of freedom of choice is mandatory. Its non-recognition is fraught with extremely grave consequences for world peace. Denying that right to peoples, under whatever pretext or rhetorical guise, jeopardizes even the fragile balance that has been attained. Freedom of choice is a universal principle that should allow of no exceptions.

It was not simply out of good intentions that we came to the conclusion that that principle was absolute. We were driven to it by an unbiased analysis of the objective trends of today."

We hope that President Gorbachev's appointment of new negotiating teams to the Baltic States indicates a readiness to return to political means of resolving political problems. It would be a tragedy for everyone if he turned his back on his own legacy. Let us recognize anew that it is better to avert wrongs than to atone for them; it is wiser to keep friends than to lose them. And we hope to convey that message to President Gorbachev in person.

In conclusion, ladies and gentlemen, we come to the Baltic States with full hearts and open minds. We mourn the innocent victims of January and we pray that our efforts to foster democracy, human rights and the self-determination of peoples will honor their memory. And we appreciate the opportunity to honor you—their representatives, and our colleagues.

"Visu labāko Jums, un novēlu Jums Dieva svētību." ("All the best to you, and may God bless you.")

LEGISLATION INTRODUCED TO PROVIDE TAX RELIEF FOR PEOPLE WHOSE FUNDS ARE TIED UP IN CLOSED FINANCIAL INSTITUTIONS

HON. JOHN F. REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. REED. Mr. Speaker, I am introducing legislation today that would provide tax relief for people whose funds are tied up in closed financial institutions.

Mr. Speaker, we need this legislation in Rhode Island and I believe we owe it to the thousands of people whose dreams are on hold until this crisis is resolved.

In my home state of Rhode Island, the collapse of the State's private insurance fund forced the Governor to close credit unions and banks on January 1 and unfortunately a number of the credit unions have yet to reopen.

What this means to people around the country are dramatic news stories about the deepening recession and credit crunch in New England. What this means to thousands of people in Rhode Island is a struggle to survive in a State suffering from the same recession that has so severely hurt the entire region. Some people whose funds are blocked are

serving their country in the Persian Gulf. Others have lost their jobs and can't access the savings they thought would see them through this time.

Thousands of working people who have been saving for years to make their own dreams come true are now putting those dreams on hold as they struggle to rebuild their lives—and new bank accounts.

There is no one in the State who has not been touched by this crisis. I hear every day from friends and family members whose money is tied up in closed accounts and my office receives new calls each day from people who are being affected by this drastic crisis.

Last week I joined the other members of the delegation in introducing legislation that would help States in the same situation as Rhode Island by providing emergency loans or allowing the State to issue tax exempt bonds. Representative MACHTLEY and I have also introduced legislation to make Rhode Island small businesses hurt by this crisis eligible for disaster loans from the Small Business Administration.

Today I am introducing a fourth piece of legislation that will help individuals directly affected by this crisis.

If your taxes are withheld from your salary, you don't owe money at the end of the year. But many people who estimate their tax payment or owe taxes beyond the amount withheld from their pay put money aside all during the year to pay taxes in April. And now that money is not available.

The legislation I am introducing extends tax relief to people based on the amount of taxes they owe and the amount of money tied up in a closed financial institution. No one can defer payment of more money than is in a closed account. This measure won't allow anyone to get away with anything, but it will provide justice to people who, through no fault of their own, don't have the money they need to pay taxes due.

These provisions are identical to legislation introduced in the Senate by Rhode Island's Senators JOHN CHAFEE and CLAIBORNE PELL. However, the legislation I am introducing today also includes two provisions drafted in response to calls we received from a group of constituents who have encountered specific tax problems.

When you sell your house the Internal Revenue Service Code allows you to take up to 2 years to buy a new house or otherwise reinvest your profits. At the end of that time, if you have not reinvested the money, you are assessed taxes on the capital gain you made when you sold the house.

Now just imagine that you sold your house in Rhode Island in 1989 and then you were looking for a house to buy. Maybe it took you awhile—you were looking for just the right house at a good price, interest rates were high and you were waiting for them to come down. There are many reasons why you might not have bought the house right away. And besides, you had 2 years according to the IRS rules.

Fast forward to 1991. You're ready to buy and then the credit union where you put the money closes as part of a bank holiday. You may not even have been all that worried at first but then your credit union doesn't get Federal insurance and can't reopen and suddenly the IRS calls and says you owe taxes on that money that's sitting in the closed account. And you can't access that money or the money you need to pay taxes on it.

Thus, in the case that assets have been frozen in a financial institution for more than 5 days, this provision suspends the deadline to reinvest the profits from the sale of a home. The suspension will hold for up to 5 years or until such time as more than 50 percent of the net amount realized from the sale of the home has been released from frozen accounts.

I have constituents who are in this difficult situation and I am introducing this legislation so that no one in Rhode Island or anywhere else in the country will suffer from this type of unwarranted penalty.

The second addition to this legislation will protect seniors over the age of 70 who, under current IRS regulations, are required to withdraw a certain percentage from their IRA account. If that amount is not withdrawn, the money is taxed at a much higher rate. If you're over 70 and you live in Rhode Island, your IRA could be frozen in a closed financial institution. And senior citizens shouldn't be penalized with higher taxes because of something beyond their control.

The situation we face is that IRS regulations that were meant to protect people who sell their home and buy a new one and senior citizens who have saved money in an IRA will not unfairly penalize those same people because of the bank holiday.

I hope that all my colleagues will support this legislation not only because the people of Rhode Island need your help today, but also because others may need this help tomorrow.

WHO WILL STOP THE REIGN?

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GINGRICH. Mr. Speaker, from the early reports Tuesday from inside Kuwait City, it appears that Saddam Hussein's campaign of lies, torture, terrorism, and fear is crumbling at the hands of the U.S. Armed Forces. Tens of thousands of Iraqi soldiers have surrendered in the last 48 hours, many walking toward enemy tanks and thanking their captors. It appears that the liberation of Kuwait is near completion.

However, as we offer our hopes and prayers for our troops bravely fighting on, let us not forget "The Republic of Fear," as one scholar termed Iraq, that Hussein has established in the Middle East.

We cannot erase the memory of the nightly terrorist attacks Hussein leveled at innocent Israelis. Just as recently as Monday evening, as Pennsylvania reservists were preparing for dinner in Saudi Arabia and Saddam Hussein was claiming that his troops were withdrawing from Kuwait, a Scud missile landed, claiming many American lives. Our intelligence reports now confirm our worst fears: Iraqi forces were armed with chemical weapons to use against American soldiers when the ground battle began. For 41 days, we have been witness to the terror and fear that have plagued Iraq's Middle East neighbors for 10 years.

The Republic of Fear must end with this war. We owe no less to the American soldiers and their families who have witnessed first hand the ruthlessness of Hussein's reign of terror. We owe nothing less to our Israeli allies who have been terrorized by the Iraqis, and indeed, we owe nothing less to the citizens of Kuwait who have seen their country and citizens ravaged by this tyrant.

I would like to share with my colleagues two excellent articles written by Richard Cohen which dramatically illustrate why we entered this battle. Cohen correctly points out that "History teaches so many lessons it seems to speak in double talk." The future is both an enormous challenge and yet an opportunity for us in the Middle East. I am hopeful that we meet this opportunity as bravely and as studiously as our soldiers have done thus far in the war.

STOP SADDAM NOW

(By Richard Cohen)

JERUSALEM.—If the prospect of one's hanging concentrates the mind, then the prospect of a poison gas attack absolutely rivets it. Understandably then, the line at the Jerusalem Rubber Shop stretches into the street. Here Israelis buy plastic sheeting to seal rooms, and here they exchange tips on where tape can be found.

Will Saddam Hussein launch a chemical attack by missile on Israel? The betting here is that he will. He has said as much, apparently has the capability to do so, and it is in his interest to get Israel into the fight and possibly shatter the Arab alliance against him. Like America's southern politicians of yore who were easily intimidated by the single issue of race, moderate Arabs are easily intimidated by the single issue of Israel.

Israel, too, has its traditions. One of them is to look out for itself. Another is to make the Arabs pay doubly any price extracted from Israel. Both traditions are logical, based, Israelis say, on the ways of the Middle East. But yet another tradition is emotional as well: Israel will not countenance the killing of children.

Possibly the Israeli position is just another way of telling Saddam that he is taken seriously here—a warning of sorts. But a warning seems beside the point. The consensus is that Saddam will not budge and that war is inevitable. Indeed, Middle East experts—American as well as Israeli—have concluded that Saddam thinks war is the only way out for him. If he can survive the war, he can emerge as the unchallenged leader of the Arab world—champion of the Palestinians and the only leader in recent memory who stood up to Washington. Victory is defined politically. Ask a Texan about the Alamo.

Unlike the United States, there is very little debate here over whether sanctions could eventually cause Saddam to cry uncle. Middle East experts here, exhibiting more than a little contempt for their American counterparts, consider Saddam as metaphorically menancing as President Bush's description of him: a Hitler. They entertain no doubts that his intention was to take more than just Kuwait: the Gulf states for sure and maybe Saudi Arabia as well. The Iraqi army sent into Kuwait was overqualified for the task, they say—a clear indication that Saddam had something grander in mind.

Moreover, Israeli experts were saying last spring that Iraq was gearing up to make

trouble. While they were being assured by Washington that Saddam's threats were just rhetoric (he threatened gas attacks against Israel), they nevertheless took these statements at something like face value: Saddam was up to something, they warned. Now, with windows being sealed and Israeli television showing how to cope with a gas attack, it is small comfort to these experts that they were right.

Otto von Bismarck, the Prussian and, later, German chancellor, once said that "some damned foolish thing in the Balkans" would start World War I. It turned out to be Serbia. Now, something similar has happened. The "damned foolish thing" is Kuwait, a Middle Eastern Serbia.

World War I now comes to mind for another reason. Then as now ultimatums were issued, armies were mobilized, and statesmen, desperately trying to avert war, found themselves hemmed in by the timetables of generals. These soon became controlling, and so each nation went to war before it thought the other was ready. They were all ready.

Something like that seems to be happening now—another deadline, another timetable set by the military, another war that may well convulse and then remake the region and, yes, another war in which "victory" may well turn out to be a prelude to an even worse war. In Israel, for instance, a virtually Balkan mingling of peoples means the situation on the ground could be worse than any in the skies. For both Palestinians and Jews, the coming days may mean even more bloodshed—happy days for the area's abundant crop of zealots.

History teaches so many lessons it seems to speak in double talk. But the sealing of rooms and the storage of food is history itself; a defense against a tryant who has used gas against civilians and might do so again. This in itself speaks volumes about the challenge the West now faces. Oil is a factor, sure, and principle (the rule of law) is yet another, but Saddam is his own lesson. He is a rogue who must be stopped. It is not the Israelis who are convincing about that. It's Saddam Hussein.

FACES OF BAGHDAD

(By Richard Cohen)

She was what you might call a character. She spoke a flamboyant English with a British accent, served tea, offered cookies, felt mildly inconvenienced by the embargo and denounced those who thought war was coming as fools, unschooled in the ways of the Middle East. A solution would be found, a settlement reached. As for her, she was staying right were she lived—in Baghdad.

And so for me the face of the enemy is that woman. It is also an artist I met and a woman whose child, 13 months old, teetered from one near-catastrophe to another—a hot cup of tea, a tray of cookies, a looming coffee table. These people, like the woman with the British accent, thought no war would come. For many reasons, not the least of them being the conviction that their tyrant, Saddam Hussein, was no different than the other tyrants of the region. War would be avoided. It made no sense.

War seldom does. But the reasons for this one are as compelling as any short of immediate self-defense. I say that as someone who initially supported the slow working of the sanctions but whose mind was changed when I spotted a brimming fruit market in Baghdad. I say that as someone who thinks a true victory may well be impossible.

But having been in Baghdad just a week ago, I think of more than the people I met—people not much different from you and me—or even those I did not but can well imagine: for example, soldiers who are our enemy because they have no choice but to wear a uniform. I think also of Saddam Hussein, whose posters, pictures, monuments and statues were everywhere. The presence of the man, never seen but always felt, suffused Baghdad.

In flights of rhetoric, President Bush compared Saddam to Hitler. In one sense, the comparison was ridiculous. Iraq is not Nazi Germany, but that's merely because it can't be. It's a third World country in the Middle East, not a historic power in the heart of Europe. But in other relevant respects, Bush was right on the mark. Iraq is a police state—"The Republic of Fear," one scholar has called it. Moreover, Saddam—like Hitler or, for that matter, Stalin—is a thug.

In whatever manner American policy was implemented—ineptly before the Aug. 2 invasion of Kuwait but steadier afterward—it was nevertheless morally correct. In his 11 years in power, Saddam has made war against Iran and invaded Kuwait. He has ruthlessly dealt with his opponents. The army he assembled for the invasion of Kuwait might well have proceded farther had the United States not intervened. He used poison gas—as the phrase goes—"against his own people." From an Iraqi perspective, the Kurds are not their people, but they are people in Iraq nonetheless. Saddam made a swipe at genocide.

The linkage Saddam concocted under pressure is real enough. The Palestinian question must be settled. It is true also that incredibly rich states of the Middle East must share more of their wealth. Iraq is right, too, when it insists that the oil market, upon which Iraq depends, must be stabilized. These are genuine issues.

I came back to the United States to hear people criticize the president. Yes, his execution has not been tauntless. He should not have called Saddam names, thereby possibly making it impossible for the prideful Iraqi leader to reach a compromise. He should not have said the United States would meet with Iraq at any time and then have rejected the dates proposed, preposterous as they were. Maybe history will fault Bush. But my impression is that nothing would have worked. Saddam was never going to back down.

The residual Vietnam dove in me has had a hard time with this war. The faces of Baghdad, the people I met there, are still fresh in my mind. But so too are those of the former hostages, the Iraqis who died under torture, the bloated bodies of the dead Kurds, the people of Tel Aviv who were attacked by Iraqi missiles last night, and now, the Americans who die in combat. Maybe there is no such thing as a good war, but this one, given Saddam's nature, comes close.

AFRICAN-AMERICAN HISTORY AND CULTURE MEMORIAL

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MFUME. Mr. Speaker, today I am introducing House Joint Resolution 155, a joint resolution authorizing the Association for African-American National Monument to Promote History and Culture, Inc. [AANMPHC] to establish a memorial in the District of Columbia or its environs to honor the history and culture of African-Americans.

My bill authorizes the AANMPHC to establish a memorial in the District of Columbia and/or its environs. The memorial shall be established in accordance with the "standards for placement of a commemorative work on certain lands in the District of Columbia." The AANMPHC will be solely responsible for raising and accepting all contributions of the expenses to establish the memorial. My bill specifically states that "No Federal funds may be used to pay any expense of the establishment of the memorial."

Mr. Speaker, my bill is intended to serve as the vehicle for a national African-American monument. Throughout the United States there are thousands of memorials and other artistic works recognizing the accomplishments of individual Americans of African ancestry. While I am very appreciative that these persons have been honored by millions of Americans, the contributions of the African-American community as a whole have yet to be memorialized.

Our Nation's Capitol is culturally diverse and has many monuments, bridges, museums and other structures commemorating the great men and women who strove to weave the true ideals of democracy and liberty into America's sociocultural fabric. For over 500 years, people of African descent have often put family, life and property on the line to defend their constitutionally mandated rights.

Mr. Speaker, the erection of an African-American monument could serve many purposes for not only the African-American community, but also for all America. A national monument will evoke a sense of pride and accomplishment for African-Americans young and old. With the advent of a monument, it will be much easier to carry black history month from February through January. By recognizing the tremendous service and sacrifice provided this Nation by African-Americans, many young people will be able to identify with their history and culture and be further encouraged to investigate their heritage and learn about from whence they derived.

For Americans, such a memorial will go a long way to promote understanding between African-Americans and other communities. Mr. Speaker, I am a firm believer that cultural education can bridge gaps and act as a healing balm among human beings. The establishment of this monument will let the world know of the important developments of this Nation and the role African-Americans played in nurturing politics/government, music, theater, business, science, exploration, and a whole plethora of areas.

Edward W. Blyden wrote in 1880, "He who writes the history of modern civilization will be culpably negligent if he omits to observe and to describe the black stream * * * which has poured into humanity from the heart of the Sudan." This sentiment not only captures the true spirit of Black History Month, but it also highlights my reasoning for working with the AANMPHC to develop legislation to establish an African-American monument.

In closing, I encourage all of my colleagues to support this bill, and hope that the appropriate committees will give this bill due and prompt consideration.

NO NEED TO EASE RESTRICTIONS ON LONGER COMBINATION VEHICLES

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. FAWELL. Mr. Speaker, I would like to bring to your attention a resolution adopted by the County Board of DuPage County, IL, on February 12, 1991, regarding a proposal pending in the Illinois House of Representatives to increase the current weight limit on trucks and allow longer combination vehicles [LCV's] for freight transport.

Elimination of the 80,000 pound limit on truck weight and current restrictions on LCV's would have a number of deleterious effects on our National Highway System, at a time when we must use our resources to solve the important issue of suburban congestion. The DuPage County Board resolution succinctly outlines the safety issues, traffic problems, and overall stress on highway infrastructure caused by the allowance of larger, heavier vehicles on the road. I share the board's views on this issue, and I commend the resolution to the attention of my colleagues:

RESOLUTION

Whereas, last year in the United States 100,000 people were injured and 4,500 killed in traffic accidents involving trucks; and

Whereas, car passengers are 32 times more likely to die in a car-truck collision than the driver of the truck; and

Whereas, 76% of the trucks in truck-related accidents had broken, substandard or defective parts, and 41% of them were so poorly maintained they were immediately ordered out of service; and

Whereas, longer combination vehicles, such as the "Turnpike Double" (one truck carrying two 48 foot trailers) measuring more than one-third the length of a football field and weighing as much as 134,000 pounds have an accident rate as much as 2-3 times that of standard trucks; and

Whereas, the violent whip-like action which occurs when trucks rapidly change lanes is 3½ times stronger in triple trailer trucks; and

Whereas, highway traffic safety and the prevention of accidents is of the utmost concern to all of us using the Illinois Interstate Highway and Tollway System; and

Whereas, a single truck carrying the maximum legal load causes 9,600 times as much damage to Illinois Highways as a car; and

Whereas, if heavier trucks are allowed, the public cost of necessary upgrades to bridges will exceed $4 billion nationwide; and

Whereas, Illinois Law currently prohibits the vehicle combinations known as the "Turnpike Double" and "Triple" from operating on Illinois Highways; Now, therefore, be it

Resolved, That the County Board of DuPage County hereby expresses its opposition to Illinois House Bill 3618, which would permit any number of 28-foot trailers to be towed by a single tractor; and be it further

Resolved, That the County Board of DuPage County further expresses its opposition to any legislation, whether State or Federal, which permits or mandates that larger and/or heavier combination vehicles be allowed to use Illinois Highways; and be it further

Resolved, That copies of this Resolution be sent to Governor Jim Edgar, Senators Alan Dixon and Paul Simon, Samuel Skinner, U.S. Department of Transportation, Michael Lane, Illinois Department of Transportation, the Illinois Delegation to the U.S. House of Representatives, all State Legislators, DuPage Mayors & Managers Conference through the Division of Transportation, and copies to the Auditor, Treasurer, Finance Department, State's Attorney's Office, Attn: Anna Harkins, County Board, and the Division of Transportation.

TRIBUTE TO THE LATE JACK COOPERSMITH

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ACKERMAN. Mr. Speaker, I rise today with the sad task of informing the House that America has lost one of its best. Jack Coopersmith, businessman, philanthropist, and an exceptional gentleman, passed away on Tuesday after a long bout with cancer.

I first met Jack 8 years ago through his son, Jeffrey, who worked for me at the time as a young and eager legislative assistant. It was perhaps through Jeffrey and his brothers and sister that I recognized Jack Coopersmith's finest attributes. He passed onto his children his burning desire to improve the world, to give more than you take, and never to tread on the easy path.

Jack was a gentleman of much good humor, who delighted in the simple pleasures. He could afford to eat in the finest restaurants in the world, yet his eyes lit up at a well-stuffed corned beef sandwich. I remember, too, how delighted he was a few years ago when I gave him a neighborhood tour of New York City and how interested he was to learn about the various religious and ethnic communities. Well into his 70's at the time, he exhibited a thirst for knowledge that was both profound and innocent.

Mr. Speaker, my heart goes out at this sad time to Jack's loving wife, Esther, and his dear and devoted children, Jeffrey, Connie, Jonathan, and Ronald, all of whom it is my great pleasure to know, and to his brothers Joseph and David and his sister Hilda.

Mr. Speaker, I would like to enclose for the RECORD a copy of Jack's obituary that appeared today in the Washington Post. The obituary is brief, but no article, no matter how long, could begin to capture the essence of Jack Coopersmith.

JACK COOPERSMITH, REAL ESTATE DEVELOPER

Jack Coopersmith, 80, a real estate developer who specialized in service station properties, died of cancer Feb. 26 at Sibley Memorial Hospital.

Mr. Coopersmith, who lived in Potomac, was born in Washington. He graduated from McKinley Technical High School and the Columbus University School of Law, which is now part of Catholic University.

During World War II, he served in the Army in North Africa and Europe, and he was awarded the Purple Heart for wounds received in action.

Mr. Coopersmith began his real estate career after the war. He worked briefly for Shannon & Luchs and then began his own business. He developed gas stations, many of which he owned. He never retired.

He was a member of the Adas Israel Congregation, the Samuel Gompers Masonic Lodge and the Almas Temple of the Shrine.

Survivors include his wife, Esther L. Coopersmith, whom he married in 1954, of Potomac; four children, Jonathan C. Coopersmith of College Station, Tex., Constance R. Coopersmith of Miami Beach, Fla., Jeffrey H. Coopersmith of Seattle, Wash., and Ronald S. Coopersmith of Potomac; two brothers, Joseph and David Coopersmith, both of Silver Spring, and one sister, Hilda Coopersmith of Carmel, Calif.

ADDICTED TO OIL, FOREVERMORE

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. STUDDS. Mr. Speaker, because New Englanders rely on oil more than any other region—and consequently pay more for energy—we are acutely aware of the need for an energy strategy that will sharply reduce the American addiction to petroleum—both imported and domestic. The administration's so-called "national energy strategy" released last week will not accomplish this goal. The weaknesses of the strategy are well delineated by the Cape Cod Times in today's edition. I commend this editorial to the attention of my colleagues:

ENERGY'S STATUS QUO

Given that the Gulf War is to a great extent about Western dependence on Mideast oil, President Bush's version of a domestic energy policy comes as a great disappointment.

According to most of what the president has had to say on the subject, that policy boils down to providing more oil. The alternative—developing and improving additional energy resources—seems to have been rejected.

Mr. Bush's administration has had 18 months to produce an energy policy, six months of which have an oil war written all over them. Yet the energy proposal Mr. Bush sent to Congress this month seems oblivious to the fact that half a million Americans and their allies are under fire in Saudi Arabia, Kuwait and now in Iraq itself.

One of the most controversial elements of the administration's energy program is the decision to open the coastal section of the Alaska National Wildlife Refuge to drilling. The furor over the grounding of the Exxon Valdez in Prince William Sound in 1989 closed that option—but only temporarily, as it turns out. Now the ANWR is back on the table. The reserve would provide a relatively limited amount of new domestic petroleum, while posing an environmental threat to a particularly sensitive area of Alaska's North Slope.

The president's energy policy also would streamline licensing procedures for nuclear power plants, making construction and operation easier. Nuclear power is promoted as oil-independent, which it certainly is. But what has yet to be resolved, and may never be, is how to safely dispose of over-age nuclear plants and their tons of spent but highly radioactive fuel rods once the plants' lifespan of some 40 years expires.

Furthermore, the once-enticing prospect of cheap nuclear-generated electricity quickly proved illusory. These plants require con-

stant maintenance. That means expense-consuming downtime, as any student of the trouble-plagued Pilgrim nuclear plant can attest.

There are, to be sure, conservation measures in the president's energy policy, including a requirement that 10 percent of all private motor vehicle fleets—urban transit buses, for example—operate on cleaner alternative fuels such as methane, natural gas and gasohol by the year 1995. But this is not a White House initiative; the requirement is set forth in the 1990 Clean Air Act.

What's more, Bush's advisers rejected two proposals that should be included in any visionary energy policy—revival of the Carter-era tax credits for power generated by renewable resources such as solar energy and wind power, and funding for energy conservation by the Federal Government itself.

The president's advisers resisted, with Mr. Bush's approval, the concept of raising the fuel efficiency of cars and trucks to an average of 30 or more miles per gallon. And the president's idea of improved transportation efficiency is to build even more super-highways to accommodate even more cars and trucks, which would consume even more oil. The ideal of building fuel-efficient, high-speed intercity rail transportation has probably been derailed.

Mr. Bush has been cautioned that insisting on a tough national energy policy now could be a blow to his re-election plans. The American people, he was told, by Chief of Staff John Sununu and others, do not want to be forced into smaller, more fuel-efficient cars.

Maybe so, now. But a leader who is as strong an advocate for enlightened domestic energy policy as for hammering together a coalition to do war to protect "our way of life" could help change that attitude.

What it comes down to is domestic leadership. Where is it?

INTRODUCTION CERTAIN NOTICE LEGISLATION

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GIBBONS. Mr. Speaker, the primary purpose of my bill is to ensure that charitable beneficiaries of charitable remainder trusts created or funded at death are made aware of their financial stake in these trusts through notices provided by executors and other fiduciaries. The bill will not increase taxes on the charitable beneficiaries nor increase, in any significant degree, the cost of administration of a decedent's estate which contains a bequest to a charitable remainder trust. The measure is self-enforcing in that the ultimate penalty for failure to timely comply with the notice requirements falls on the delinquent executor or fiduciary and not on the estate of the decedent, the charitable remainder trust or the charitable beneficiary.

Last year, the Congress adopted these provisions as section 7301 of H.R. 11, which President Bush vetoed. My colleagues and I remain convinced that rules like these requiring disclosure to charities increase accountability for monies destined for charity, help protect the federal subsidy represented by the tax deductions or exemptions at play and will likely prevent charitable remainders trusts from becoming tax avoidance devices.

The reason for the bill is that public charities including Shriners Hospitals for Crippled Children, Independent Sector, Seventh Day Adventists, Audubon Society, and the American Council on Education, have found that only 2 States out of 50 actually require notice to a beneficiary of a testamentary charitable remainder trust of their interest in the estate. Because it is not required by State law or local probate practice, the failure of notice may lead to administrative abuses or losses. A number of significant abuse situations have arisen in recent years to make these institutions seek the remedies prescribed by this bill. Since the charitable remainder beneficiary often has had no notice of its stake in a testamentary estate, it cannot timely demand accountability at the stages of probate administration where it is most likely or expected of nontrust beneficiaries who get notice.

Another problem addressed by the bill is the charity's lack of information of its financial stake in a fully funded, and functioning, charitable remainder trust. Although the common law of trusts recognizes the requirement that a remainder beneficiary be provided financial information from a fiduciary, it is not mandated by any State statute that a fiduciary provide such information to a charitable remainderman and there is no mechanism, short of a lawsuit in State court, to require the information from the trustee. However, charitable remainder trusts are required by Federal law (IRC sec. 6034) and procedures (Revenue Procedure 83–32) to file information returns with the Internal Revenue Service. Giving the charity a copy of all the IRS returns filed by the fiduciary allows the charitable remainderman the opportunity to exercise supervision with respect to property held in trust for its benefit.

The proposed legislation also directs the Internal Revenue Service to create one comprehensive return rather than the three or four which it now requires. Because of the Federal subsidy that arises through the income tax exemption of these trusts, and the deductibility of charitable contributions, there exists a Federal interest in assuring some accountability of trustees with respect to their responsibility, at no cost to the Treasury.

EXPLANATION: NOTICE TO CHARITABLE REMAINDER BENEFICIARIES OF A DECEDENT'S ESTATE DURING PROBATE ADMINISTRATION

The notice requirement applies to all estates claiming a charitable contribution deduction for the actuarial value of property passing to a charitable remainder trust—including transfers to a pooled income fund. The bill requires the executor or other fiduciary, within 60 days after assuming his duties, to notify each remainderman about: First, the existence of the estate; second, the fiduciaries of the estate; third, other charitable beneficiaries; and fourth, approximate value of the remainderman's stake in the trust. The preliminary notice also requires that the executor give the remainderman a copy of the governing instrument.

Next, on or before the due date for the Federal estate tax return, the charitable remainderman is again notified of its interest in the decedent's estate and is provided with a copy of the Federal estate tax return and such other information as may be required by the IRS. This second notice is to provide the remainder beneficiary with up-to-date information on its actual financial stake in the estate and confirms the information sent in the preliminary notice.[1] The second notice reinforces the knowledge that the charitable beneficiary is to have about its stake in the trust.

If the executor or other fiduciary fails to provide either notice, the charitable contribution deduction for the value of the remainder interest is nondeductible. As soon as the proper notices are provided the charitable remainder beneficiaries, the deduction is allowable without prejudice to the estate. Nonetheless, the executor or other fiduciary may be personally liable for a failure to file penalty—at the rate of $50 a day for each day of the failure—but the penalty is not imposed if there was reasonable cause for not providing timely notice. Ignorance of the law is not reasonable cause.

EXPLANATION: NOTICE TO CHARITABLE REMAINDER BENEFICIARY BY DISCLOSURE OF A TRUST'S ANNUAL INFORMATION RETURN

Under existing law, qualified charitable remainder trusts are exempt from Federal income tax and contributions are deductible for Federal income, estate, and gift tax purposes. Federal law requires these trusts to file with IRS annual information or tax returns—IRS forms 1041, 1041A, 4720, and 5227—on their financial condition, and respond to questions dealing with fiduciary administration.[2] There are approximately 36,000 charitable remainder trusts presently filing form 5227 with IRS. IRS has no audit program for these returns. I am advised that of all the returns filed by these trusts from 1986 through 1989, only 17 have been audited. It is estimated by Federal Government sources that these trusts contain assets worth in excess of $2 billion, destined for charitable beneficiaries.

The second part of the bill requires the fiduciary of a qualified charitable remainder trust to file a copy of all its IRS returns with the charitable beneficiary along with such other information required by IRS. The returns must be filed with the charitable beneficiary at the same time that the return is filed with the Internal Revenue Service. If a fiduciary fails to timely or completely file a return with the charitable beneficiary without reasonable cause, it—the fiduciary, not the trust—is liable for a $10 a day penalty for each day in which the failure continues but the penalty may not exceed $5,000 with respect to the failure to file any one return. The penalty provision also authorizes the Secretary to make a written demand on the fiduciary which failed to copy the charity on the return and if the fiduciary again fails to do so, a further penalty may be imposed. If there was reasonable cause for the

[1] The estate's estate tax return is supposedly available from IRS to a "beneficiary under the will" but before it is available, the Secretary must "find" that the beneficiary has a "material" interest in the estate. IRC sec. 6103(e)(1)(E)(ii). This notice provision creates practical problems and delays and doesn't overcome the basic problem that a charity has to know about the estate before it can learn about the value of its property rights.

[2] IRS apparently believes that form 1041 and 1041A are filed pursuant to IRC sec. 6034 and forms 4720 and 5227 pursuant to IRC sec. 6011. A single comprehensive return is authorized by sec. 6034, which is preferable, because such a filing is subject to disclosure under sec. 6104.

fiduciary not to timely file a copy of the IRS return with the charity, the penalty is abated.

PATRIOT MISSILE AND ARTIFICIAL LIMB ARE BOTH COSTS OF WAR

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MONTGOMERY. Mr. Speaker, developments in the Persian Gulf this week suggest that the war is in its final moments and the men and women serving in our Armed Forces may soon be coming home.

As our soldiers and sailors and airmen and marines return from the Middle East, they have every right to expect from their country appropriate benefits and services to address their concerns and needs.

They have a right to expect information and assistance from counselors to direct them toward needed services.

A combat-disabled veteran has a right to expect that, when he files a claim for compensation benefits or vocational rehabilitation, it will be processed quickly and the benefits will be delivered on a timely basis. They should not have to wait.

Veterans have a right to expect that their claims for benefits to further their education or purchase homes will not be delayed because of lack of staff or inadequate resources.

They have a right to expect our veterans' hospitals to be adequately staffed and capable of delivering quality medical care.

And when the time comes, they have a right to expect that they will not be laid to rest in a poorly maintained cemetery.

As we continue to assemble a package of benefits to meet the needs of these new veterans, as well as the current population, we must keep in mind that these benefits are as much a cost of war as any weaponry or technology.

Testifying before the Joint House and Senate Veterans' Affairs Committees yesterday, the National Commander of Disabled American Veterans, Joseph Andry, very eloquently implored us not to forget the "people" aspect of war and the commitment to the warrior. I have never heard a more poignant statement in this regard and am pleased to share his words with my colleagues:

STATEMENT OF JOSEPH E. ANDRY, NATIONAL COMMANDER, DISABLED AMERICAN VETERANS

Messrs. Chairman and Members of the Veterans Affairs Committees:

On behalf of the over 1.3 million members of the Disabled American Veterans and its Ladies' Auxiliary, may I say that it is indeed an honor and a privilege to appear before you today on behalf of our Nation's wartime disabled, their dependents and survivors.

To those of you who are returning to serve on the Veterans Affairs Committees, and to you who are embarking on such service, we in the DAV wish you "God speed" at the onset of this, the 102nd Congress of the United States of America.

Messrs. Chairmen, I am both proud and humbled to act as a spokesman for veterans at such a time in our Nation's history.

We are presently at war. For the fifth time in some seven decades, America has become engaged in a major conflict and placed her sons and daughters in harm's way on foreign shores.

Wars past and present, have a terrible continuity.

Though the sound and fury of the Argonne during World War I has long since ended, its faint echo was caught up and passed along at Guadalcanal and the Beaches of Normandy; again at Pusan and Pork Chop Hill; and once more during Tet and Khe Sanh. Now, yet again, it crashes and thunders for all to hear in the Persian Gulf.

So too, the human costs of war. The emotional and physical scars of those who served are also passed on from one generation to the next, sometimes fading from public consciousness, only to return and fade again. These too have always been with us.

It is to these human costs and their ensuing obligation on the part of our government that I shall speak to today.

Messrs. Chairmen, I am a Vietnam veteran. That is the context of my experience. And though "my war," if you will, may have been unique in terms of its conduct, outcome and impact upon our society, as a disabled veteran of that war I am no different from, and have shared common experiences with, disabled veterans of prior conflicts.

Whether volunteer or draftee, we found ourselves in uniform and, though we complained and grumbled, we served. In combat, we shared and witnessed both the terrible and the wonderful . . . fear and pain, the death of a friend; and acts of great compassion and love and the making of lasting friendships. And when our wars were over, there was the sheer relief of survival and the joy of returning home.

As veterans, however, our need to depend upon one another did not end with our departure from the battlefield. The memories of what we endured and what we saw, and the needs of our fellow disabled veterans, required our continued association and focus.

As a Vietnam veteran, I returned to a system of benefits and services forged by my predecessors—veterans of World War II, and the Korean conflict, found in service organizations such as the DAV and in public positions of power such as the U.S. Congress.

And in the intervening years since my return, like my predecessors, I have seen our system of benefits both wax and wane, its fortune shift, subject to fading memories, hard economic times and competing interests.

In 1918 I am certain that no returning doughboy could ever have envisioned the realities of the Bonus March and Economy Act of the 1930's. World War II veterans, flushed with victory and public adulation in 1945, could not have imagined the adverse benefit recommendations of the Bradley Commission in the 1950's. My generation, though not regaled with parades and ticker tape, had no idea that it would take twenty years for our service to be placed in a rational perspective.

Messrs. Chairmen, I do not wish these observations to be misconstrued.

America's veterans are proud of their service. The vast majority of us feel that, more than a responsibility, it is a privilege to don our country's uniform. And we are grateful for our system of benefits and the public support upon which it rests and depends.

But as a veterans's advocate, you and I both know our benefit system has been subject to these cyclical changes. And that in the last decade it has undergone a serious decline. And as veterans' advocates, you and I both have a responsibility to speak out and attempt to set things right.

Today, this is absolutely essential—indeed, it is a moral necessity—as the best of our country's young men and women place their lives and well-being on the line in the Persian Gulf.

Do I exaggerate? Is it possible that even as our government sent its youth into battle and assured them of its support, that same government was making decisions to reduce their entitlements should they return wounded and disabled? And that same government now contemplates still other decisions that will undercut its ability to provide care?

Let us look at the budget agreement reached last Fall in the midst of our troop buildup in the Persian Gulf.

Proclaimed as universal belt tightening that would be applied equally to all programs, the VA's portion of this agreement was a $621 million reduction in 1991 existing benefit levels. It will grow to over $3.6 billion during the next five years.

Messrs. Chairmen, no one, least of all we in the DAV and your two Committees, wanted to see this occur. But deficit reduction was upon us, hard choices had to be made and, again, everyone was to bite the same distasteful bullet.

But when the dust cleared, were veterans treated fairly? Were all oxen equally gored? More importantly, did we keep faith with those we were even then sending into harm's way?

Some of the reductions, though not welcomed, were responsibily fashioned and designed to impact upon those most able to receive them. New medical care copayments and reimbursements, income verification for means tested programs, and increased user fees are among their number.

But of the $3.6 billion total figure, over $1 billion was achieved through:

Reducing disability compensation payments to veterans found incompetent to handle their own personal finances;

Removing DIC eligibility from certain widows;

Eliminating vocational rehabilitation training for certain disabled veterans;

Eliminating burial benefits to survivors; and

Delaying the receipt of a COLA adjustment to disabled veterans, their widows and orphans.

Messrs. Chairmen, does anyone think that these decisions, arrived at in the eleventh hour of a behind-closed-door deficit reduction process, could have stood the light of day and been accepted by the American people?

I don't think so. Not for a second.

And did these actions, hidden from public view, reflect a uniform, across-the-board policy that was applied to all programs?

As payments to some 4,100 incompetent veterans were being reduced, this same budget act added reforms to ensure that 3.3 million incompetent Social Security recipients received all entitlements due.

As DIC eligibility was removed from veteran's widows whose second marrige terminated, the same act changed the law so that widows of CIA personnel could continue to draw benefits when they remarried at age 55. This presently applies to all widows under the Federal Employees Retirement System.

And while VA disability and death compensation recipients were required to undergo a one month delay in the effective date of their COLA, all other categories of federal beneficiaries were subjected to no such delay.

Messrs. Chairmen, veterans and their programs, without question, were unfairly sin-

gled out by the Reconciliation Act. There was no uniform standard applied and we see no rational basis that can explain a public policy of such blatant discrimination.

Some might say: Well, this is just another example of the left hand not knowing what the right hand is doing. For those disabled in prior wars and those troops now serving in the Persian Gulf, this explanation is just not good enough.

So much for decisions recently made. What about those now being contemplated?

In the Administration's recently submitted budget request we see more of the same.

In addition to a call for continuation of last Fall's benefit restrictions, and no added health care dollars based on potential Persian Gulf War casualties, we see:

The virtual elimination of all beneficiary travel payments;

Additional termination of vocational rehabilitation eligibility for disabled veterans;

No additional funding for veterans' medical research;

Down payments and increased users' fees in the home loan guaranty program; and

An 80 percent reduction, nationwide, in Disabled Veterans' Outreach Program Specialists.

Messrs. Chairmen, to give you a sense of the anger, bewilderment and frustration that we in the DAV feel, let me draw your attention to an item in the budget request that I have not mentioned above.

Through a legislative change, our government proposes to say this to those now serving in the Persian Gulf:

"Listen, if you get killed and if you have a "stepchild," we're not going to provide war orphans educational assistance to that child. We used to do that for veterans of prior wars, but things are kind of tough these days. Besides, we can save all of $1.1 million during the next 12 months with this change, so we hope you will understand."

Messrs. Chairmen, I doubt if anyone would care to claim authorship of this proposal, but there it is. Its cold insensitivity should repel us all.

A few short months ago, during his State of the Union address, President Bush drew sustained applause and standing ovations from the Congress when he mentioned our troops in the Persian Gulf and the mission given to them. This outburst of feeling was spontaneous and genuine, reflective of the views of all Americans. Without question, it was uplifting to our military personnel.

That same evening, in his remarks to the nation, Senator Mitchell noted that America's support for those now serving in the Gulf would not end when the fighting ended. This message too was uplifting.

Two pledges made before the American people.

After making the agonizing decision to engage in war, if we can find the wherewithal to marshal our resources and pursue it to its conclusion, then we can and should match that same level of commitment to pay for war's continuing cost.

I believe our government has demonstrated its willingness and ability to do the former. I have yet to see it do the latter.

Messrs. Chairmen, this second pledge must be kept. But it is up to you and your two Committees, who are our advocates and in a position of authority, to provide the leadership.

And it is up to the DAV and others in the veterans' community to support your efforts. For if we do not back you every step of the way, competing interests, partisan concerns and ideological differences inherent to our legislative process will block your way.

Our objectives shoud be repeal of last Fall's budget reconciliation restrictions that eliminated the compensation, DIC, education and burial benefit entitlements of disabled veterans and their families.

Secondly, we must secure adequate support for the VA in the coming fiscal year, to include an immediate appropriation of funds for VA health care.

We cannot depend upon the normal legislative process to accomplish these objectives for it is cumbersome, subject to the concerns just noted, and, in the last analysis, concluded behind-closed-doors and out of the public eye.

The all important question is: Where do we get the money?

As stated before, if we can find the funds to wage war, we can find the funds to support the warrior. If we can promise money and cancel debts for our coalition partners, if we can even now talk of a post-war rebuilding of Iraq, then we can darn well make and keep some promises to our own veterans.

One source of funds could be the $50 billion pledged by our various coalition partners and allies who stand to gain by American blood shed to defeat Saddam Hussein. Some of them do not wish their contributions to be used for weapons, munitions or the direct conduct of the war. Fine, let it be used to care for our nation's disabled veterans.

Also, in a few short weeks, the Administration will come to Capitol Hill with a Desert Storm appropriations request. A special rule already exists that exempts this request from the budget reconciliation caps approved last Fall. A portion of this funding should be and can be focused on the VA. Again, a Patriot Missile and an artificial limb are both "costs of war."

And if there are those who say that this cannot be done, that the rules just can't be changed, my answer to them is, that is an excuse, not a reason. You don't hear our troops in the Gulf saying their job is too difficult or too painful.

Messrs. Chairmen, to achieve these objectives, I suggest that a good place to start would be at the White House. I propose that a bipartisan delegation from these two Committees, those on Appropriations, and including Veterans' Service Organization representatives, request a meeting with the President. Putting our case on the table before the President, and in a fashion that draws public attention, is absolutely essential. We must seize the moment or watch it slip through our fingers.

Messrs. Chairmen, at the beginning of my statement I drew attention to my Vietnam experience and I would like to return to that context.

In the last few months, as we approached our involvement in the Persian Gulf war, much has been said about "learning the lessons of Vietnam." Well I believe we have made a conscious effort to do just that.

For the Persian Gulf war, our government has attempted to define its aims to the American public in order to gain their support. We have learned that this is essential.

And once we have committed our troops to battle, we apparently have learned that we must supply our military leaders with all the resources and all the strategic flexibility they need in order to accomplish their mission. This too, is an important lesson.

But what of the lesson on how we treat our veterans once they return home? I hope with all my heart and soul that we will learn this one also.

Messrs. Chairmen, I thank you for allowing me to address you here this morning. On behalf of the DAV, I want to stress how very much we appreciate and value the friendship and advocacy of your two Committees. May God bless your efforts in the days ahead.

GI CHARLIE

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. TALLON. Mr. Speaker, I received a letter from Evelyn Dennis of Kingstree, SC, last week. She told me that she had seen a news broadcast saying that we had GI Joe from previous wars, but so far we had no specific GI for Operation Desert Storm.

In response to this, Ms. Dennis has written a poem for her nephew, "GI Charlie," who is stationed in the gulf. This is a moving and touching piece that I am pleased and proud to share with my colleagues.

Many battles have been fought
  Upon the battlefield;
Many victories were wrought
  Many their lives did yield.

And now we've reached that stage again
  When nations can't agree;
For now our brave women and men
  Shall fight for liberty.

As missiles sound within the night
  From enemy attacks;
You wait and pray the morning light
  Reveals a winner's facts.

Though miles do tend to separate
  You from your family,
We'll stay in prayer until the wait
  Does end in Victory.

Remember that we're proud of you
  As you stand for Freedom's Cause;
You're protecting our Red, White, and Blue
  We now in reverence pause.

DONALD KOONCE HONORED FOR OUTSTANDING ACHIEVEMENT BY NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. LEHMAN of Florida. Mr. Speaker, I would like to extend warm congratulations to Donald Koonce, a chapter 1 supervisor in the Dade County public schools, who has been nominated to receive the 1991 Distinguished Alumni Citation Award from the National Association for Equal Opportunity in Higher Education. The award will be conferred at an NAFEO awards banquet on Saturday, March 23, here in Washington.

Mr. Koonce comes from a distinguished family in Miami and is a graduate of Fort Valley State College. He joins a long list of leaders in business, engineering, law, medicine, and education who are graduates of historically black colleges and universities. The contribution that these institutions have made to our Nation is far out of proportion to their numbers.

Donald Koonce is putting his expertise to work for youngsters who need extra help to develop their skills. He is a credit to both his alma mater and his community, and our hopes for continued success go with him.

CONDEMNATION OF CHINA'S JAILING OF THE PRODEMOCRACY DEMONSTRATORS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. BROOMFIELD. Mr. Speaker, while the world's attention has been focused on the Persian Gulf, China has stepped up the punishment of participants in the 1989 prodemocracy demonstrations in Beijing's Tiananmen Square. While earlier sentences were supposedly lenient by Chinese standards, some activists have recently been sentenced to up to 13 years in prison. The sentences seemed to be based, if anything, only on the degree to which the prisoners gave in to formidable government pressure and recanted.

Congressmen YATRON, BEREUTER, FASCELL, SOLARZ, LEACH, OWENS of Utah, MILLER of Washington, and I wrote to the Chinese Ambassador on this subject on January 14. We joined the administration in expressing strong objection to the trials and sentencing that are taking place, and to the fact that foreign observers—including diplomats and journalists—have been barred from these trials, which have great international interest.

Ambassador Zhu Qizhen responded on February 5, and I am submitting a copy of his letter for the record. The Chinese Government is claiming that the defendants were not prodemocracy demonstrators at all but mere lawbreakers and that the trials were conducted in accordance with Chinese law and international standards.

The point the Chinese leadership seems to miss is that participants in the 1989 demonstrations should not have been charged, much less tried and sentenced. The prodemocracy demonstrators were not undermining the law and order of the country as the Chinese claim. They were, instead, exercising internationally recognized rights of opinion and expression. As our State Department said in reaction to the trials, "We are concerned that these persons were apparently charged, tried, and convicted for actions which under the Universal Declaration of Human Rights any person should be allowed to take without fear of punishment * * * No sentence of any length on purely political charges can be characterized as lenient."

Mr. Speaker, China is a very important country. Until the tragedy at Tiananmen Square, United States-China relations had steadily improved for more than a decade. This policy reflected in great part a belief that a positive approach by the United States could move China in the direction of political as well as economic reform.

We continue to value our historic friendship with the Chinese people. In fact, there are several areas in which we appreciate the actions of the Chinese Government. China has, for example, cooperated in trying to reach a political settlement in Cambodia, and in laying the basis through the U.N. Security Council for the demand of the international community that Saddam Hussein get out of Kuwait.

It is also important for Chinese leaders to recognize, however, the continued abhorrence we feel toward the Tiananmen massacre and the violations of human rights in China. While I join Ambassador Zhu in hoping that United States-Sino relations will again develop in a constructive manner, the Chinese leadership must know that the continuing trials and persecution in China will not bring us back to that point.

THE EMBASSY OF THE
PEOPLE'S REPUBLIC OF CHINA,
Washington, DC, February 5, 1991.

Hon. GUS YATRON.
Hon. DOUG BEREUTER.
Hon. DANTE B. FASCELL.
Hon. WILLIAM S. BROOMFIELD.
Hon. STEPHEN J. SOLARZ.
Hon. JIM LEACH.
Hon. WAYNE OWENS.
Hon. JOHN MILLER.

DEAR CONGRESSMEN: I write to refer to your letter dated January 14, 1991.

With regard to the matter raised in your letter, I wish to make a few points of clarification which I hope will facilitate your understanding of the real situation of the case in question.

First of all, the seven persons mentioned in your letter are not so-called pro-democracy demonstrators but law-breakers involved in the 1989 incident. According to the Constitution, Chinese citizens enjoy all the basic rights including the freedoms of speech and assembly but are forbidden to engage in criminal activities that would undermine law and order. As in any country in the world, such law offenders will be dealt with according to law.

Secondly, I would like to point out that law offenders in China have always been dealt with in strict accordance with laws on the basis of facts. In China, all trials of criminal cases are held in public, except those involving state secrets, juveniles, and personal privacy. This is true with the trials of those law breakers in the 1989 incident, including the seven mentioned in your letter. To my knowledge, the courtroom has always been full when such trials took place. Those attending included family members of the defendant, university teachers and students, and common people of various circles. However, due to limited seating capacity in the courtroom, not all requests to attend court hearings could be met. Moreover, foreigners have been declined attendance according to relevant regulations as such cases did not involve foreign nationals.

Finally, I wish also to avail myself of this opportunity to express my sincere hope that mutual understanding between our two sides be further promoted so that Sino-U.S. relations, which is of great importance to both our countries, will develop in a smooth and healthy way.

Sincerely,

ZHU QIZHEN,
Ambassador.

A DISTINGUISHED CAREER

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Ms. OAKAR. Mr. Speaker, this Saturday, March 2, 1991, Greater Cleveland will pay tribute to John T. Corrigan with a mass to be followed by a brunch in the grand ballroom of the Stouffer Tower City Plaza Hotel. For more than three decades John T. Corrigan has been serving his community with distinction as Cuyahoga County prosecutor, an office he has held since 1957. His many friends and admirers will gather this Staurday to give thanks for his outstanding career and to honor him for his contributions to Greater Cleveland and to the Nation. For truly, John T. Corrigan is not only a Cleveland success story, he is also an outstanding example of what hard work and integrity can give an individual and his community.

John T. Corrigan was born in Cleveland on July 19, 1923. He graduated from St. Ignatius High School in 1941 and entered John Carroll University. He interrupted his college career to enter the United States Army where he served with valor and distinction in the European and Asiatic Pacific Theaters. He left the service in 1946 with three battle stars, a Purple Heart and scars from a battle wound he suffered in Germany.

Like many young men who came back from war, John T. Corrigan rolled up his sleeves and went to work. He was employed as a construction worker, a postal employee and a salesman. At the same time, he continued his college education at John Carroll University where he got his bachelor's degree and at Western Reserve University where he received a doctor of juris prudence in 1951. A year later, as a young practicing attorney, he successfully ran for the Ohio State Senate, where he served his constituents from 1952 to 1957. In 1957, he won his race for Cuyahoga County prosecutor where he served until his retirement earlier this year.

It is impossible to briefly summarize the distinguished career of John T. Corrigan. Those that know him, however, can characterize him in a few words which describe his character—words like integrity, fairness, thoroughness, discipline, organization, cooperation. His office treated accused wrong-doers the same, regardless of the relative fame or obscurity of the individual involved. Many of the cases he prosecuted are now part of Cleveland's history. Most of them never got more than a mention in the newspaper, if that. Yet year after year, the business of the people went forward with efficiency and scrupulousness.

In addition to the exemplary conduct of his office, John T. Corrigan was also an outstanding citizen. He served as president or officer in a great many organizations, including the National District Attorney's Association, the Ohio Prosecuting Attorney's Association, the national as well as Ohio Leukemia Societies and as an advisor and organizer for colleges and universities.

What says the most about this great individual are the last lines on his résume. There he lists first, his wife of more than 40 years, Vir-

ginia. Next to her name, he lists the names and professions of his five daughters and his son. They include Marleen—a nurse, Martha—a legal stenographer, Peggy—an attorney, Michael—an attorney and a judge, Mary V.—a physician, and Maura—a teacher, who died tragically after a long illness resulting from an auto accident. The very last line in his résumé notes that John T. Corrigan is a member of St. Mary of the Falls Parish.

God, family, community, country—those are the institutions and values that John T. Corrigan has always held dear. This Saturday, Bishop Anthony M. Pilla will preside at 10 a.m. mass at Our Lady of Counsel Church in Cleveland. John T. Corrigan, his family and his many friends will pause to contemplate his truly distinguished career as a public servant and his accomplishments as a husband and father. His life has been filled with success, tempered with moments of great pain and tragedy. It has been a pleasure and an honor for me to be associated with John T. Corrigan and his family. I know he will enjoy his retirement, but he will also continue to contribute to his community and enrich all those with whom he is associated.

IN MEMORY OF DR. JOHN A. HANNAH

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. CARR. Mr. Speaker, it is with great sadness that I rise today to pay tribute to the late, Dr. John A. Hannah, the first Chairman of the U.S. Commission on Civil Rights and the president of Michigan State University from 1941 to 1969. I would like to extend my deepest sympathies to his three sons, Robert, Thomas, and David; his daughter, Mary Curzan; his sister, Julia Vandenburg; his 11 grandchildren; and other members of his beloved family and friends who survive him.

Dr. Hannah came to Washington in 1953 as Assistant Secretary of Defense for Manpower and Personnel. Over the next year, he worked on establishing a new military reserve program and directed the completion of the integration of both uniformed and civilian personnel in the Defense Department. In 1954, President Eisenhower awarded him the Medal of Freedom, the Nation's highest civilian award.

During his years as university president, Michigan State University grew from a Midwest agricultural school with a student enrollment of 6,000 to a first-class national university enrolling over 45,000. Dr. Hannah, an enthusiastic football fan, led Michigan State into the Big Ten conference in 1949. He directed the racial integration of Michigan State's dormorities and mandated that his team would not play schools or on fields where minority students were discriminated against.

After retiring as president of Michigan State, Dr. Hannah served as the administrator of the Agency for International Development in Washington until 1973. He then joined the staff of the United Nations, where he was director of the World Food Council in Rome from 1975 to 1978.

Dr. Hannah also led the American Council on Education in 1967 and 1968. He was a past president and executive committee chairman of the National Association of Land Grant Colleges and Universities. He was a member of Phi Beta Kappa and the Cosmos Club. He was board chairman of the Detroit Bank of Chicago from 1951 to 1960. He was a native of Grand Rapids, MI, and received his agricultural doctorate in 1923 from what is now Michigan State University.

Dr. Hannah died on February 23 at the age of 88 at his home in Kalamazoo, MI. His wife, the former Sarah May Shaw, died in 1990.

On a personal note, I am grateful to have had the privilege of knowing Dr. Hannah for many years. He was a good friend, a trusted adviser and a source of great inspiration to those who knew him. He will be sorely missed.

[From the Washington Post; Feb. 26, 1991]

J.A. HANNAH DIES; LED CIVIL RIGHTS COMMISSION

John A. Hannah, 88, the first chairman of the U.S. Commission on Civil Rights and president of Michigan State University from 1941 to 1969, died of cancer Feb. 23 at his home in Kalamazoo, Mich.

He was an assistant secretary of defense from 1953 to 1954, and led the Civil Rights Commission from 1957 to 1969. After retiring as president of Michigan State, he served as administrator of the Agency for International Development in Washington until 1973. He then joined the staff of the United Nations, where he was director of the World Food Council in Rome from 1975 to 1978.

Dr. Hannah, a native of Grand Rapids, Mich., was a 1923 Graduate of what became Michigan State University at East Lansing, where he also received an agricultural doctorate. He then worked as a poultry science extension specialist with the school. From 1935 until becoming university president in 1941, he was secretary of the university's board of trustees.

During his years as university president, the institution grew from Midwest agricultural school, operating in the long shadow of the University of Michigan at Ann Arbor, into a first-class national university. Enrollment grew from 6,000 to more than 45,000 and the university and its faculty gained a reputation for work in science and education.

Dr. Hannah, an enthusiastic football fan, led Michigan State into the Big Ten conference in 1949, which also includes the University of Michigan. Dr. Hannah, who directed the racial integration of Michigan State's dormitories, mandated that his team would not play schools or on fields where minority students were discriminated against.

In 1953, he came to Washington as assistant secretary of defense for manpower and personnel. Over the next year, he worked on establishing a new military reserve program and directed the completion of integration of both uniformed and civilian personnel in the Defense Department. In 1954, President Eisenhower awarded him the Medal of Freedom, the nation's highest civilian award.

Dr. Hannah led the American Council on Education in 1967 and 1968. He also was a past president and executive committee chairman of the National Association of Land Grant Colleges and Universities. He was a member of Phi Beta Kappa and the Cosmos Club. He was board chairman of the Detroit branch of the Federal Reserve Bank of Chicago from 1951 to 1960.

His wife, the former Sarah May Shaw, died in 1990. Survivors include three sons, Robert W., of Kalamazoo, Thomas A., of Dallas, and David K., of Glen Ellyn, Ill.; a daughter, Mary Curzan of Chevy Chase; a sister, Julia Vandenburg of East Lansing; and 11 grandchildren.

INTRODUCTION OF LEGISLATION TO CLOSE SAVINGS AND LOAN TAX LOOPHOLES

HON. BARBARA B KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mrs. KENNELLY. Mr. Speaker, I rise today to reintroduce legislation to close savings and loan tax loopholes and forestall a raid on the Treasury by the bank regulators.

We are all aware of the seemingly never-ending cost spiral of the savings and loan bailout. And despite the fact that Congress repealed the specific tax breaks that are generally believed to be responsible for part of the unprecedented taxpayer subsidies provided failed savings and loans in the so-called 1988 deals, considerable indirect and unintended tax subsidies for this industry remain. The legislation I am introducing would close these loopholes.

The first provision involves the use of net operating loss carrybacks [NOL's]. Thrift institutions may, in general, take a deduction for bad debts equal to 8 percent of their taxable income in a particular year. In the case where a thrift institution has an NOL that is carried back, thereby reducing its taxable income in a prior year, the issue arises whether the taxable income base on which the bad debt reserve deduction for that prior year is calculated is also reduced.

Treasury regulations in effect from 1978 to the present require that taxable income be reduced by NOL carrybacks for purposes of calculating the bad debt reserve deduction of thrift institutions. However, The U.S. Tax Court in Pacific First Federal Savings Bank versus Commissioner held that the regulations on this point were invalid.

My legislation would simply restore congressional intent so that troubled thrift cannot reap huge tax refunds. It is important to note that while troubled thrifts receive huge refunds, this additional expenditure of tax dollars in no way reduces the overall cost of the bailout. Rather, these refunds are simply a windfall from the Treasury.

The second provision would close a classic loophole by disallowing losses on tax motivated transactions. In 1980, the Federal Home Loan Bank Board permitted thrift institutions to enter into reciprocal sales of substantially identical mortgage loans without having to reduce their net worth by the difference between the transferred loans' book value and market value. Many thrift institutions have entered into such reciprocal sales for the sole purpose of generating tax losses.

Since institutions do not report losses on these transactions for regulatory purposes and, in fact, have not altered their business position, the sole purpose of such transactions is to generate losses for tax purposes. The

second provision of my bill would disallow these losses.

But Mr. Speaker, perhaps most disturbing of all, are rumors picked up by staff that banking regulators are considering the implementation of a similar regulation that would allow banks to conduct these same types of swaps. We all know that the banking system needs to be shored up and that the banking regulators are scrambling for cash. However, no matter how bad the situation may be, banking regulators should not be making tax policy. This is exactly what led to the outrageous 1988 deals.

To forestall this raid on the Treasury, Representative RUSSO and I, along with a number of our colleagues on the Ways and Means Committee, are sending a letter to the Comptroller of the Currency, Chairman of the FDIC and the Chairman of the Federal Reserve reminding them that the granting of tax benefits is the prerogative of the Congress, not bank regulators, and demanding that any regulatory activity in this area cease.

In addition, my bill carries a date of introduction effective date to ensure protection of the Treasury regardless of regulatory actions. Also, because this issue is also in the courts—in fact, the Supreme Court just heard oral argument in Cottage Savings Association versus Commissioner—my bill contains a noninference clause with regard to prior law.

Again, I want to emphasize that these loopholes do not reduce the cost of the bailout by one penny. Mr. Speaker, it is time to straighten up this mess and I would urge my colleagues support for this legislation.

EXTENDING U.S. LABOR LAWS TO CERTAIN FOREIGN FLAGSHIPS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. CLAY. Mr. Speaker, today I am introducing legislation to extend coverage of the National Labor Relations Act and the Fair Labor Standards Act to foreign flagships engaged primarily in U.S. commerce. Normally, those doing business in our country are required to abide by our laws. For example, a foreign employer who owns and operates a factory in this country is required to live up to our labor laws. This legal principle, for no apparent reason, stops at the water's edge. A foreign flagship, doing all its business in U.S. ports, is nevertheless free to ignore our labor laws. This ability to disregard our laws also extends to ships owned by U.S. corporations that fly foreign flags of convenience, even when such vessels do exclusive business in the commerce of this country.

This inconsistency in law undermines our already meager U.S. merchant marine. U.S. vessels, meeting minimum labor standards, find it impossible to compete with vessels that are subject to no enforceable labor standards whatsoever. The American maritime industry is fighting a competitive battle that cannot be won. This is unfair to U.S. employers, it is unfair to their employees, and it is tragic for many of those who crew these foreign flagships.

Last Congress, the Subcommittee on Labor-Management Relations held hearings on similar legislation that I had sponsored. At those hearings, we heard from crewmembers, religious officials, international inspectors, and labor officials of conditions of employment that oftentimes can only be described as grotesque. We heard of workers being required to work 18 and 20 hour days for less than a dollar an hour. We heard of workers being fed from food stores in which the highest caloric value may have come from the bugs that infested the food. We heard of sleeping conditions and sanitary conditions that most Americans would think more typical of the 13th century than the 20th century. And, we heard of labor contractors who receive kickbacks from sailors wages that are already well below subminimum and managements that abandon and blackball sailors in foreign ports who speak out for humane treatment.

These are some of the kinds of competitive practices with which U.S. flagships must compete. These are the kinds of conditions with which workers employed in American commerce, but without benefit of American law, must contend. While truly scandalous, it is hardly surprising, given these conditions, that only 3 to 4 percent of our imports and exports are carried by U.S. registered ships, or that 98 percent of the American passenger ship trade is carried by ships registered outside of the United States.

The time is long overdue to put an end to these kinds of employment practices, to ensure that workers are employed with minimal standards of decency, to guarantee workers the opportunity to better their conditions, and to ensure that U.S. flagships are entitled to a fair and equitable opportunity to compete. Toward that end, I am introducing legislation to extend coverage of the National Labor Relations Act and the Fair Labor Standards Act for a 5-year period to foreign flagships operating principally in the U.S. commerce. I am pleased to be joined in this effort by a bipartisan group of colleagues including senior Democrats on the Education and Labor Committee and senior Republicans from the Merchant Marine Committee. I commend this legislation to the attention of my colleagues in the House and urge you to join us in supporting it.

RURAL MEDICAL EMERGENCIES AIR TRANSPORT ACT OF 1991

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ROBERTS. Mr. Speaker, I rise today to introduce legislation that will provide grants to States for the creation or enhancement of systems for the air transport of rural victims of medical emergencies.

The Rural Medical Emergencies Air Transport Act of 1991 allows States to apply through the Department of Health and Human Services for grants that will be channeled through each State's public health agency. The grants will be used for creation or enhancement of air medical transport systems that provide victims of medical emergencies in rural areas with access to treatment.

Access to tertiary care in rural areas is essential to ensure the ability of rural residents to receive highly specialized care. Some of our rural facilities are neither financially able or adequately staffed to provide highly technical services for every resident.

In order for States to receive grant assistance they must demonstrate the following: First, that the geographic areas to be served are rural in nature; second, that a current lack of service in these areas exists; third, that the establishment or enhancement of the proposed program will be cost-effective; fourth, that a duplication of services will be avoided; and finally, States must demonstate the likelihood of a reduction in the morbidity and mortality rates of the areas to be served by the proposed program.

States would have a wide latitude in establishing emergency air transportation services. For example, air ambulances could provide a swift link between remote critical care facilities and full service hospitals in urban areas.

It is my hope that this legislation will alleviate some of the access problems rural areas are facing under the current health care delivery system by providing viable options to those in need.

TRIBUTE TO 1ST LT. AMY STUART

HON. GERALD B. H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. SOLOMON. Mr. Speaker, a young Army nurse from my district, the 24th of New York, has gained a measure of notoriety recently, and deservedly so.

1st Lt. Amy Stuart, daughter of Hugh and Doris Stuart of Germantown, was shown in a Reuters photograph circulated throughout the country and eventually on the front page of the Albany Times-Union.

She was shown catching a few minutes of sleep in between her duties.

Mr. Speaker, this picture brings several things to mind.

Amy has three brothers. Mark is a petty officer in the Coast Guard Reserves. Timothy served 6 years in the Navy. Steven is in the Navy ROTC Program at the State University Maritime College.

One of her high school teachers described her as "a nice bright kid, and always patriotic."

And that's my point, Mr. Speaker. Amy Stuart is typical of the bright, patriotic young women who are playing such a significant role in Operation Desert Storm.

Given a chance, these women have proven that they can do the job and will continue to be an important part of our all-volunteer Armed Forces.

Amy Stuart's parents are proud of her, and so am I.

A TRIBUTE TO HOTELIER PHILIP PISTILLI

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. WHEAT. Mr. Speaker, today I would like to ask my colleagues in the U.S. House of Representatives to join me in paying tribute to Kansas City resident Philip Pistilli, president of the Raphael Hotel Group and one of the Nation's premier figures in the hospitality industry.

On March 1, 1991, Mr. Pistilli's outstanding achievements will be recognized by the Hotel and Motel Association of Greater Kansas City at a dinner in his honor. I am proud to join the association in honoring the efforts of a creative and dynamic force in the hospitality industry who continues to contribute greatly to the growth of his own community.

Mr. Pistilli deserves special recognition for his role in the conception, planning, construction and management of one of America's finest and most successful hotels, the award-winning Alameda Plaza in Kansas City.

With his development of small hotels with old-world atmosphere in San Francisco, Kansas City, and Chicago, he laid the cornerstones of his Raphael Hotel Group and helped usher in an industry trend. The Raphael-Kansas City is one of the jewels in the crown of the Raphael Hotel Group.

Like a modern-day Midas, Mr. Pistilli has reversed the fortunes of several financially troubled hotels around the country. One of his most recent projects was the revival of Kansas City's downtown convention hotel, the Allis Plaza.

A New York City native, Mr. Pistilli found success in his adopted home of Kansas City. Following his graduation from Cornell University with a degree in hotel administration, Mr. Pistilli came to our community to work for the respected hotelier Barney Allis. Honing his skills at the Hotel Muehlebach, Mr. Pistilli went on to preside over two major expansions of the facility as vice president and general manager before his appointment as president of the Alameda Plaza in 1968.

Highly regarded by his peers in the industry, he has served as president of the American Hotel and Motel Association and of the four-State: Arkansas, Missouri, Kansas, and Oklahoma Hotel Associations. His standing in his own community is reflected in his past roles as president of the Kansas City Hotel and Motel Association and of the Convention and Business Bureau of Greater Kansas City.

Mr. Pistilli has been active in numerous civic organizations, including Downtown, Inc., the Sister Cities Commission of Kansas City and the Missouri Governor's Committee on Employment of the Handicapped.

It is with great pleasure that I bring to the attention of my colleagues the contributions made by Philip Pistilli to the hospitality industry and to his community. I am pleased to join the Hotel and Motel Association of Greater Kansas City in honoring a distinguished hotelier and wishing him many years of continued success.

CONGRATULATIONS TO WESTINGHOUSE SCIENCE WINNER

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. HOCHBRUECKNER. Mr. Speaker, I am honored to have this opportunity to extend my heartiest congratulations to a young man, a senior at Ward Melville High School in East Setauket, who was recently named a finalist in the 50th annual Westinghouse Science Talent Search.

Michael John Lopez, 18, of Stony Brook selected a project in nuclear chemistry for the science talent search. Using the chemistry facilities at the State University of New York at Stony Brook, he tested a formula that predicts the spin axis of a compound nucleus formed by the fusing of two reactant atoms. Michael analyzed computer data developed from millions of individual atomic collisions and his results indicated that when more emitted particles are considered, the observed particle emission becomes more random and so the estimate is no more accurate.

A senior at Ward Melville High School, Michael has won a number of awards in mathematics and science competitions and participate in several sports. The son of Mr. and Mrs. Edward Lopez, he plans to study electrical engineering at Duke University.

In addition to Michael Lopez, six other young people from my district made it to the ranks of semifinalists. The six are: Hannah Rebekah Ebin, Sungeun Lee, Maya Levy, and Jennifer Susan Matthew, all of Ward Melville High School; Syeed Mansur of Centereach High School; and Nicole Danielle McGraime of Smithtown High School East.

THE FEDERAL RESERVE REFORM ACT OF 1991

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, today Mr. HAMILTON and I are introducing the Federal Reserve Reform Act of 1991, legislation to increase the accountability of Federal Reserve to the American people by shedding some light into the Federal Reserve's policies and procedures.

One half of this country's economic policy—monetary policy—is made by the Fed. As a result, the Fed has enormous power over the direction that our economy is heading, and thus wields enormous power over the lives of every American.

This legislation is intended to generally increase the Fed's accountability to the American people by establishing more formal channels for coordinating the making of fiscal and monetary policy. The bill makes a few rudimentary changes to ensure that formal communications exist between the President and the Federal Reserve and to provide Congress and the American people with more and better information on Fed operations and policies.

It is not our purpose in this legislation to reduce the independence of the Fed, or otherwise inject congressional or outside control on Fed policy.

Five current changes would be made in the structure and procedures in the Fed:

First, the President's top economic advisers—the Secretary of the Treasury, the Chairman of the Council of Economic Advisors, and the Director of the Office of Management and Budget—would be required to meet three times a year with the Federal Open Market Committee.

Second, the President would be allowed to appoint a new Chairman of the Federal Reserve near the beginning of his term rather than toward the end.

Third, the Fed would be required to disclose immediately any changes in the targets of monetary policy, thus providing all investors, large and small, with equal and timely information about monetary policy decisions.

Fourth, the Comptroller General would be permitted to conduct more thorough audits of Fed operations, including policy procedures and processes.

Fifth, the Fed would be required to publish its budget in the budget of the U.S. Government, and thus implementing a basic principal of democracy that no governmental agency should take in and spend billions of dollars without having its budget open to the public.

These modest steps will inject fresh air and light into the making of monetary policy without impairing, in my judgment, the independence of the Fed. The legislation will help facilitate the coordination of fiscal and monetary policy by establishing formal lines of communication between all of the branches of Government. I urge my colleagues to support this important initiative by cosponsoring the Federal Reserve Reform Act of 1991.

PRAISE FOR 1991 LaMOTTA AWARD WINNERS

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. DE LUGO. Mr. Speaker, I am proud to make a statement today in praise of three outstanding Virgin Islanders and longstanding friends of mine, Helen Kelbert, Allen Richardson and Frank Powell, who have been chosen recipients of the St. Thomas-St. John Chamber of Commerce 1991 Wilbur "Bill" LaMotta Community Service Awards.

Helen has endeared herself to her community through her years of dedicated work with public service organizations, particularly the chamber. Her quiet competence is an example of selfless devotion to the Virgin Islands and its people.

Allen's artistry has been seen on numerous carnival floats and costumes as well as here in the Nation's Capital by the ornaments he has crafted for the National Christmas Tree. He, too, has given years to public service work particularly the Frenchtown Civic Organization.

Frank not only devoted many years to the Department of Public Works, he also served

his community as one of the founders of the St. John Celebration Committee. Since 1958 he has helped to make the Fourth of July celebration a success that thousands of residents and visitors enjoy every year.

It is citizens such as these who truly embody the spirit of the Virgin Islands, and are richly deserving of the honor of the Bill LaMotta Award.

TRIBUTE TO C. RASEH NAGI

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. SCHUMER. Mr. Speaker, today I would like to call attention to a highly respected educator in my community, C. Raseh Nagi. Since 1963, Ms. Nagi has served as an outstanding teacher, administrator, and innovator in the field of education. In recognition of her dedication and her outstanding gifts, she recently left District 22 in Brooklyn to assume the position of superintendent of District 28 in Queens. We are sad to see her go, for she will be sorely missed by the students, parents, and fellow educators of Brooklyn.

Raseh has been a leader throughout her career as an educator. From her first days as a fledgling teacher at Roy H. Mann in I.S. 78, she proved that creativity and dedication on the personal level can have a dramatic impact on the education of our children.

Ms. Nagi has had so many outstanding achievements in her long and distinguished career that there are literally too many to list. Nevertheless, some of her accomplishments are so vital to our community that I cannot pass up this opportunity to mention them. For instance, Raseh developed a foreign language program which received the James E. Allen Distinguished Foreign Language Program Award, and was instrumental in establishing the Center for Intellectually Gifted Students at J.H.S. 240. In her administrative capacity, she personally investigated and wrote proposals which increased the number of competitive grants received by the district by $10 million.

Raseh is also widely respected in our community and throughout the State as an innovative educator of the first degree. For example, she created a student-based computer data bank capable of enabling District 22 to more closely follow the educational progress of pupils from prekindergarten through junior high school. Brooklyn is also extremely proud of the district's Early Identification Learning Disabilities Program, which Ms. Nagi developed and which was the first program of its kind in the State.

Ms. Nagi has been a crusader in education during her career at District 22. The many programs she developed over the years will undoubtedly have an continuing impact on District 22 for years to come. I would like to take this time to commend her for her past accomplishments, to thank her on behalf of the parents and children of Brooklyn, and to encourage her to continue her record of outstanding service in the future as superintendent in District 28.

HONORING LORETTA EDELSON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ENGEL. Mr. Speaker, this week, the family and friends of one of my constituents, Loretta M. Edelson, are gathering to celebrate her 90th birthday. It is with great pleasure that I acknowledge the contributions that Loretta has made to her community over the years.

As a community leader and activist, Loretta has held many important positions, including 30 years of service as an inspector for the New York City Board of Elections. She was the first president of the Union Avenue Police Athletic League in the Bronx, secretary of the Free Sons of Israel in Manhattan, and more recently president of the Casals Senior Citizens in Co-op City.

The most rewarding of Loretta's life work, however, is the family she has seen grow and prosper. With her late husband Saul, a World War I veteran, Loretta raised four sons, all of whom have also served their country with distinction. She has had the pleasure of sharing her experiences with 11 grandchildren and four great-grandchildren. Each person that Loretta has touched, especially within the Edelson family, has been enriched by her wisdom and understanding.

In trying times such as these, it is our families and the values they represent that sustain and strengthen us. That is why it is important to recognize and honor the efforts made by Loretta Edelson, because they create for us a shining example of how to serve our fellow man and manifest our family values.

H.R. 5—STRIKING A BALANCE IN LABOR-MANAGEMENT RELATIONS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ANDERSON. Mr. Speaker, today, I rise in support of H.R. 5, legislation that amends the National Labor Relations Act to prohibit employers from hiring permanent replacement workers during strikes.

The worker's right to strike is inextricably linked to their freedom in the workplace. The National Labor Relations Act, or Wagner Act, of 1935 promoted collective bargaining as the preferred method of resolving labor-management disputes. A key feature of the collective bargaining process is the worker's freedom to withhold his labor; that is, strike, when all other means fail to achieve legitimate labor demands. In fact, the Wagner Act explicitly states, "Nothing in this Act shall be construed so as either to interfere with or impede in any way the right to strike."

A strike is never a welcomed occurrence. It disrupts not only the operations of a business, but also the life of the worker and his family. At times, though, strikes remain absolutely necessary for labor to win fair wages, employment security, health benefits, and safe working conditions. The ability to strike means management must contend with the legitimate needs of its workers.

However, this right was diluted by the Supreme Court's decision in Labor Board versus MacKay. The MacKay decision gave employers the right to hire permanent replacement workers during a strike, thereby effectively curtailing the worker's freedom to strike. Clearly, the freedom to strike is dramatically reduced when the would-be striker knows he will be replaced permanently. The difference between being fired for striking, a practice that is contrary to the Wagner Act, and being permanently replaced during a strike is a trival one. In both cases, the worker loses his job.

The Supreme Court's decision was made to ensure that businesses could continue their operations during strikes. Even though the Court's decision in this case was contradictory to the Wagner Act, the decision was meant to achieve balance in labor-management relations as both business and labor held powerful bargaining tools at the negotiation tables. Supposedly, the incentive would be for both groups to reach a settlement without a labor strike.

Unfortunately, this balance has now been altered, and the discrepancy between the Wagner Act and the MacKay decision has been exposed. The advantage in this relationship has now shifted toward the interests of business, as it has increasingly threatened to hire permanent replacement workers during strikes, thus upsetting the precarious balance that previously existed. The General Accounting Office [GAO] reports that there has been a growing trend of employers to hire replacement workers during the last 10 years. In fact, many employers have advertised for permanent replacement workers during labor negotiations, and have even induced strikes to disband unions. This has eroded the process of collective bargaining, causing the equal playing field in labor-management disputes to shift toward the business community.

As a result, the freedom of workers has been restricted. Those who strike face the risk of being replaced, and workers who consider organizing are faced with the threat of replacement. This is not the guarantee of freedom that the Wagner Act intended.

H.R. 5 attempts to secure a balance in labor-management relations by restoring the full intent of the Wagner Act. This legislation not only protects the striking worker, but also prevents him from being discriminated against once he returns to the job. Thus, the worker is free to use his most powerful bargaining tool, the strike, without fear of recrimination. Without this legislation, employers will hire permanent replacement workers more frequently, continuing the trend reported by the GAO, and the worker's strike will come to signify a futile effort, not an exercise of freedom.

Contrary to the claims of opponents to this legislation, H.R. 5 does not alter 50 years of established bargaining relations. This relationship has already been altered by the increased use of permanent replacement workers by employers. Also, while I agree that a strike should not paralyze an industry, employers are not left defenseless through the enactment of this legislation. They are still free to employ workers in order to continue their business operations. The only difference is that

formerly replacements were prohibited from being hired permanently.

Thus, H.R. 5 is critical to restore a level playing field in the area of labor-management relations. By reasserting labor's right to strike, the MacKay decision will no longer curtail the freedom of workers. I support this legislation and its benefits to the working men of this country.

IN HONOR OF THE 45TH ANNIVERSARY OF VETERANS OF FOREIGN WARS POST 6069, LEBANON, OH

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. McEWEN. Mr. Speaker, for the past 7 months, American troops have been serving in the Arabian desert to protect the American ideals of freedom and opposition to tyrannical dictatorship. During the air and ground combat of the past 6 weeks, our troops have performed with such exceptional skill and professionalism that none of us doubt that Saddam Hussein's brutal aggression will shortly be nothing but a bad memory.

The brave American service men and women of Operation Desert Storm are not unique members of the American Armed Forces. In fact, they follow a long proud line of American troops that have fought to protect American interests and ideals across the globe. Many of the veterans of these battles for freedom returned home, where an association of these special Americans was formed—the Veterans of Foreign Wars.

Mr. Speaker, when I came to serve the people of Ohio in the House of Representatives, I gratefully accepted an appointment to the House Veterans' Affairs Committee. I have been equally grateful for any opportunity to meet or work with those groups who share my respect for the American veteran, who work hard on the veteran's behalf, and who can make a difference for the veteran.

One such group has been Veterans of Foreign Wars Post 6069 of Lebanon, OH. I am pround to announce to my colleagues in the House that Post 6069 will celebrate its 45th anniversary on March 3, 1991. It is, indeed, an honor to have an opportunity to rise and announce this milestone of the Lebanon chapter of this honored organization.

Mr. Speaker, I would like to take a moment to recite the objectives of the VFW:

> The objectives of this association are fraternal, patriotic, historical, and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades to perpetuate the memory and history of our dead; to assist their widows and orphans; to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend the institution of American freedom; and to preserve and defend the United States from all her enemies, whomsoever.

There exists not an organization with more lofty ambitions, nor a fraternity more capable of achieving them. I congratulate Post 6069 on 45 years dedicated to these patriotic objectives, and I have no doubt that the same spirit and dedication to America that guided its membership in war will assure continued vibrancy in the future.

CREDIT CARD GRACE PERIOD ACT OF 1991

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. SMITH of Florida. Mr. Speaker, today I am introducing legislation that will bring more fairness to the credit card industry. Currently, most credit card companies boast of a 25-day grace period in which cardholders have the opportunity to pay their bills without penalty. However, by the time the monthly statement arrives at the cardholder's home, that grace period has already begun to erode. The fact that there is generally a delay between the day the company closes its billing period and the day the statement is actually mailed, plus the occasional postal delay means that the cardholder will inevitably have much less than the offered 25-day grace period. Furthermore, the cardholder must anticipate the time it takes for the payment to reach the credit card company. There is no telling how many late charges have been imposed on otherwise responsible credit card customers by this unfair practice.

My bill will help remedy this situation by requiring credit card companies to use the postmark date as the official start of the grace period. This way cardholders will be provided with a real and substantial grace period.

SIMPLE WISDOM IN LETTER RINGS TRUE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. PALLONE. Mr. Speaker, during the early days of Operation Desert Storm, I received a letter from one of my younger constituents, Evan Juska, a 10-year-old student at the West End School in Long Branch, NJ. Although the spectacular allied successes in the gulf war have, in a matter of weeks, completely transformed the situation in that part of the world, the simple wisdom contained in Evan's letter still rings true:

> My opinion is that you try to communicate with Saddam by explaining to him about the war's effect on the children, the future of Iraq. If he doesn't value the lives of this generation, maybe he should consider the lives of the next one.
>
> If the leaders of Iraq do not see this issue the way we do, you should do everything you can to support our President, and get this war over with, because the sooner this war is over, the more lives saved.

While I, of course, did not have the opportunity to personally communicate to Saddam Hussein the folly and illegality of his continued occupation of Kuwait, that message was brought to him clearly, directly and repeatedly—not only by President Bush and American diplomats, but by leaders and representatives of governments from all over the world, including the leaders of many Arab countries. Saddam ignored all of these appeals—arrogantly, foolishly, and, for his country and his people, tragically. Because it had become so clear by mid-January that Saddam had no intention of leaving Kuwait, and was not about to be moved by any concern about the lives and safety of his own people, there seemed to me to be no alternative but to use force against this tyrant. That was why I voted with a majority of my colleagues in Congress to give President Bush the authorization to use force.

Recently, looking through some of the mail that came into my office during those uncertain days leading up to the beginning of Operation Desert Storm, I was reminded of how fervently the American people had hoped for a peaceful solution to this crisis right up to the eve of the U.N. deadline for Iraqi troops to leave Kuwait. But, as events subsequently proved, Americans will not settle for a peace that allows an expansionist dictator to keep what he has stolen and to further terrorize his neighbors.

Still, Mr. Speaker, it saddens me to think of how much suffering and destruction could have been prevented if Saddam Hussein had given any thought to the values of decency and compassion so eloquently stated in the letter from Evan Juska.

TRIBUTE TO BILL PLASTER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. HUNTER. Mr. Speaker, the people of Imperial County will soon be losing a very important member of their community. Bill Plaster, executive director of the Private Industry Council [PIC] for the last 7 years, is leaving the Imperial area of a new job in Los Angeles.

During Bill's tenure, the PIC has been extremely successful in encouraging business and tourism in the Imperial Valley. PIC's job coordination programs have also been of great benefit to the community. Bill has made the Imperial Valley a good place for businesses to locate, and his accomplishments will survive him.

I've had the pleasure of working with Bill on a number of occasions. Our most successful project was bringing General Dynamics' Imperial Valley facility to Imperial last year. I'm sure that if Bill hadn't worked so hard on this project, the plant would not be there today.

Bill will be going to Los Angeles to become the regional director of the National Alliance of Businesses. The alliance works with educational groups to improve literacy in the workplace. They're lucky to be getting Bill, and I'm sure he'll be as successful in this endeavor as he was in the Imperial Valley. We will miss Bill, and we all wish him the best.

CHARITABLE CONTRIBUTIONS DEDUCTION FOR NONITEMIZERS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. CRANE. Mr. Speaker, recently I introduced legislation, H.R. 310, to restore andmake permanent the charitable contributions deduction to taxpayers who do not itemize their deductions.

The Economic Recovery Tax Act of 1981 allowed nonitemizers, a group consisting of roughly two thirds of all filers, to deduct contributions to charitable organizations through 1986. Because the Tax Reform Act of 1986 included no provision to extend this deduction, it subsequently expired and has not been reinstated.

I believe the 72 million taxpayers who do not itemize their deductions should have the ability to deduct their charitable contributions. The majority of these nonitemizers are low- and middle-income taxpayers, a group which represents our Nation's most generous charitable contributors. In 1982, 91 percent of those using the nonitemized deduction had incomes of less than $30,000, and 99 percent had incomes of less than $50,000. According to figures from a group which tracks such information—Independent Sector—low- and middle-income Americans give, as a percentage of income, 30-percent more to charity than the average American.

While donations to charity are primarily motivated by altruistic concerns, it is clear that those who do not itemize but give to charity are sensitive to tax considerations. Experience from the period of time when nonitemizers were permitted to take a charitable deduction bears this out. In 1985, nonitemizers could deduct 50 percent of their contributions and, according to the IRS, they gave $9.5 billion. In 1986, they could deduct a full 100 percent of their contributions and they gave $13.4 billion—a 40-percent increase.

The figures show that as the availability of the deduction increases the size and frequency of contributions increases as well. If you would like to see the private sector assuming a greater role in addressing community problems in order to help reduce the burdens placed on Government at all levels, it certainly makes sense to have a tax policy that will encourage Americans in this direction.

I strongly recommend this legislation for consideration and support by my colleagues in the House.

TRIBUTE TO MR. NORMAN BERG

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to honor a man whose contributions to our Nation will extend for generations to come. He is a man whose unique career has helped ensure the viability of our farmlands. Mr. Norman Berg, currently a senior advisor to the American Farmland Trust, has spent the last 50 years working for the heart of America, with the people and the land which have made this country great. He may best be characterized as a maverick of soil conservation.

After 2 years teaching vocational agriculture in Minnesota, Mr. Berg accepted a job in southern Idaho with the recently formed Soil Conservation Society [SCS]. In Idaho, he traveled from farm to farm, developing strategies with each individual farmer to control soil erosion. In 1956, Mr. Berg was named the SCS's assistant state conservationist in South Dakota where he continued to show an amazing effectiveness helping farmers. Here also, he exhibited a knack to integrate SCS field workers' interests with the organization at large, thereby assuring that ideas to improve soil strategies became reality on the farms. From 1960 to 1979, Mr. Berg continued effectively improving the SCS, serving as its deputy and in associate administrator positions in Washington. During this time he chaired the U.S. section of the Great Lakes Reference Group for the International Joint Commission and served a 4-year term on the General Administration Board of USDA's Graduate School. As chief of the SCS from 1979 to 1982, Mr. Berg established an international conservation division within the agency and represented the United States at numerous international conferences on conservation issues. Along with his position as a senior advisor to the American Farmland Trust, Mr. Berg is a member of the governing board for the Anne Arundel Conservation District in Maryland. He also serves as treasurer of the Natural Resources Council of America and the Washington representative to the Soil Conservation Society [SWCS].

It is indeed hard to imagine an example of commitment as strong as Norman Berg's to the protection of American farmland. We thank him. Our children, grandchildren, and perhaps many generations to come, will also thank him.

OPERATION OASIS HAS BEEN BIG HELP ON THE HOMEFRONT

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. LEWIS of Florida. Mr. Speaker, The impact of war, even thousands of miles away, can be devastating on all facets of society. None feels that impact more greatly than the family unit. In recent weeks, we have seen otherwise stable families have tremendous difficulties making ends meet because one or more of their breadwinners have been transferred or called up for active duty in the war with Iraq.

As a result of these absences, many families of American servicemen and women are in need of food and other simple necessities. Operation Oasis is helping military families in need by providing those necessities while their loved ones are serving in the Persian Gulf region.

Sponsored by the Feed Children Organization, Operation Oasis has helped gather and distribute tons of food to needy military families all over the country. On Saturday, March 2, Operation Oasis will be at MacDill Air Force Base in Tampa to deliver food to families of Florida defenders in the Middle East.

It is this kind of volunteer spirit and love of our fellow countrymen and women that helps keep America strong. I commend the organizers of Operation Oasis and the hundreds of donors for their tremendous efforts and financial support. They are helping ease the struggles of families of our servicemen and women who answered their country's call to duty.

A TRIBUTE TO THE DADE COUNTY PRINCIPAL OF THE YEAR AWARD PROGRAM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to recognize the annual Dade County Principal of the Year Award Program. Dade County has many outstanding principals and this recognition program is one more effort to acknowledge their contributions to excellence in education. Part of a national project, this program awards $5,000 to the winner, $2,000 to the runner-up, and $1,000 to the other five district finalists. All of these generous awards are made possible by McArthur Dairy, a corporate sponsor of the event.

The Principal of the Year Luncheon took place on Tuesday, January 29, 1991. The winner, Charlene J. Houghton of Leewood Elementary School, was announced at the Omni International Hotel, along with runner-up, Frederick Rodgers of Southridge High School. Our community is truly proud to honor such deserving individuals.

My congratulations go out to these winners, as well as the other five 1990–91 district Principal of the Year finalists: Herbert L. Day of DuPuis Elementary, Florence M. Linden of J.F.K. Middle School, Jeanette H. Goa of Holmes Elementary, Melanie K. Revman of Edison Park Elementary, and Dr. Edward F. Gehret of the Fienberg/Fisher Adult and Community Education Center.

I would like to take this opportunity to acknowledge the wonderful people who made this inspiring occasion a reality. Mr. Octavio Visiedo, superintendent of schools for Dade County has established the Dade County Public Schools' Principal of the Year 1991 District Task Force including: Joseph T. Tekerman, chairman, Peter Bucholtz, Nelson Diaz, Karen Dreyfus, Dr. Barbara Gothard, Billy Isley, Mike McNeal, Alan Olkes, Julie Palm, Geraldine Tisdol, Raquel Viamonte, Dr. Ida Whipple, and Annette Katz and Carol Renick, ex-officios. The Greater Miami Chamber of Commerce Education Task Force Committee members are: Clark Cook, vice-chairperson, executive committee/education; Seth Gordon and Joseph Echeverria, co-chairpersons, education group committees; Jim Green and Peggy Hurst, co-chairpersons, recognition committee.

MOBIL CORPORATION'S NEW SCHOLARSHIP PROGRAM

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. FIELDS. Mr. Speaker, I was delighted to receive a telephone call recently from Mobil Corp., in which I was informed of the company's plan to donate $2 million to establish scholarships at 20 leading colleges and universities for veterans of Operation Desert Shield/Desert Storm or their surviving dependents.

Essentially, Mobil will donate $100,000 to each of the 20 institutions for the scholarships. The colleges and universities themselves will administer the scholarships and select the recipients, based on financial need and academic potential. The program is the brainchild of Mobil CEO Allen Murray, and I commend him for this wonderful idea.

Eight of the 20 universities are located in Texas: Rice University in Houston; Baylor University in Waco; Texas Christian University in Fort Worth; Texas Tech University in Lubbock; the University of Texas in Austin; Southern Methodist University in Dallas; the University of Houston in Houston; and Texas A&M University in College Station.

As a graduate of Baylor University and the Baylor University Law School, and as a trustee of Baylor University, I am delighted that Baylor was included in Mobil Corp.'s scholarship program. This generous program will allow at least some of the young men and women who now are stationed in the Persian Gulf to complete their educations following the completion of their military service. These men and women, who have already given up much for us, will be free to advance their educational aspirations and careers with the help of Mobil's new scholarships.

This scholarship program demonstrates once again that Mobil Corp. is a good corporation neighbor. Texans who live in Houston and Corpus Christi, where Mobil maintains large exploration offices, and Beaumont, where Mobil has a large refinery facility, have known for years that Mobil has done much to help those communities and the men and women who live in them.

Mr. Speaker, again, I want to say how pleased I am that Mobil Corp. has undertaken this effort to assist the young men and women who are serving our country in the Persian Gulf. This is an outstanding example of corporate volunteerism, and I salute Mobil for its concern and generosity.

TRIBUTE TO COL. L.D. "DOC" EVERTON

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. COX of California. Mr. Speaker, I rise today in honor of Col. L.D. "Doc" Everton, who passed away February 15 at his home in Santa Ana, CA.

Born in Crofton, NE, and trained as a pharmacist, Doc Everton accepted an Army Reserve commission in 1937 after serving in Army ROTC at the University of Nebraska. Two years later, he resigned this commission in order to enlist in the Marine Corps for aviation duty.

World War II made Doc a hero. He defended Midway Island when the Japanese attacked on December 7, 1941. He received the Navy Cross for downing 10 enemy planes over Guadalcanal between August and October 1942 and the Purple Heart for combat wounds sustained at that time.

In January 1943, he was assigned as commanding officer of VMF–113, the first fighter squadron to be commissioned at El Toro Marine Corps Air Station in Irvine, CA. Doc led this squadron in the invasion of the Marshall Islands and was decorated with the Distinguished Flying Cross for downing three enemy planes and one probable kill during the campaign at Ponape, Caroline Islands.

After the war, Doc Everton continued to serve his country with dignity in a number of positions, finally ending his long and distinguished military career in 1967 as Chief of Staff at El Toro Marine Corps Air Station. Following his retirement from the Marines, Doc served as general manager of Business Aviation, Inc. of Sioux Falls, SD, which was owned by his brother, Keith.

At a time when our Nation finds itself at war, it is reassuring to know that this generation of American soldiers has had the guidance of genuine American heroes like Doc Everton. His dedication, self-sacrifice, bravery, and love of country serve as the very model of what our soldiers—indeed, all Americans—should strive to emulate. Our hearts go out to the family and friends of Col. Doc Everton—American hero.

TAX SAVINGS AND THE S&L BAILOUT

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GUARINI. Mr. Speaker, today I am introducing legislation which will save the taxpayer more than a considerable amount of money, perhaps billions of dollars. I am pleased that so many of my colleagues, especially those on the Committee on Ways and Means, have joined with me in this effort.

SUMMARY OF LEGISLATION

Section 165 of the Internal Revenue Code permits deductions only for losses that are "not compensated for by insurance or otherwise." Despite this straightforward language, individuals and corporations that acquired failing thrifts as part of the notorious 1988 year-end Federal Savings and Loan Insurance Corporation [FSLIC] deals are taking deductions for losses fully reimbursed by the Federal Government.

This legislation makes explicit what should already be obvious—that any Federal financial assistance received by these acquirers to compensate them for losses incurred is to be considered compensation for purposes of section 165. The effect of this provision will be to end a practice that RTC Chairman William Seidman has referred to as "obviously double-dipping."

Although this legislation clarifies rather than changes existing law, the effective date of the bill is January 1, 1991. This should obviate any claim on the part of the acquirers that we are retroactively changing the rules of the game.

In addition to a January 1, 1991, effective date, the legislation exempts any acquirers from coverage who received in writing explicit assurances from the IRS that these compensated losses were allowable.

I suspect that few if any of the acquirers will be able to meet this standard. But if they took all reasonable steps to provide some certainty regarding the tax aspects of these transactions—that is, if they obtained a private letter ruling or closing agreement on point—then we ought not upset their legitimate expectations.

Finally, many acquirers have charged that this legislation violates their contracts with the Federal Government. In this regard, I am reminded of Justice Scalia's recent admonition to an attorney representing a thrift institution during oral argument. If you don't go to the IRS for a ruling, Scalia suggested, but choose instead to rely upon the Federal Home Loan Bank Board regarding some dubious tax proposition, then, in the Justice's words, "You were rolling the dice."

Many of the affected parties to the 1988 deals did just that. They rolled the dice. Yet, to avoid even the perception of unfairness, this legilsation does not affect any private contractual rights or remedies available to the parties involved.

BACKGROUND OF THE 1988 DEALS

By the end of 1988, FSLIC, the Resolution Trust Corporation's [RTC] predecessor organization, had concluded 96 deals involving 199 failing thrifts with assets over $110 billion. FSLIC offered investors as much as $36 billion in gruarantees and other incentives to acquire the failing thrifts. Estimates now are that the total cost of these 1988 deals will be about $66 billion.

A House Banking Committee study claims that for every dollar investors put into these thrifts, the Government paid $78, consisting of asset protection, direct assistance, and tax benefits. Wealthy investors and corporate speculators put up relatively small sums of money to acquire thrifts with billions in assets. In one notorious case, an individual acquired a thrift for just $1,000. Many of these acquirers have since reaped enormous profits from these investments. Annual rates of return of 30 percent or more are not uncommon.

When Congress enacted the Financial Institutions Reform, Recovery and Enforcement Act [FIRREA], it directed the RTC to review these 1988 FSLIC deals. On September 18, 1990, the RTC submitted its report to the Oversight Board and to the Congress. The report contained several valuable suggestions for saving up to $4 billion. One such suggestion was based on a legal analysis performed for the RTC by the firm of Thacher Proffitt & Wood. This scholarly and extremely well done legal analysis pointed out the need for legislation clarifying the tax treatment of "losses" on

covered assets. The legislation I am introducing today seeks to do just that.

TAX TREATMENT OF COVERED LOSSES

The 1988 agreements provide that the Government will guarantee the book value of the acquired thrifts' assets—"covered assets." This is also known as "capital loss coverage protection." This protection was necessary because, in most cases, the book value of the assets acquired exceeded their fair market value.

The RTC report estimates that direct capital loss payments by the Government under these 1988 assistance agreements will exceed $11.5 billion; that is, the difference between the assets' book value and fair market value is expected to be at least $11.5 billion, and the Government is obligated to make this up. Incidentally, these capital loss payments, or assistance payments as they are sometimes called, are tax-free.

This Capital Loss Protection Program was bargained for, and my legislation would not disturb it. However, it appears that the tax laws are being interpreted, incorrectly I believe, to provide an additional windfall to the acquirers of these thrifts.

Here's how the Capital Loss Protection Program works, along with the accompanying abuse: Assume an asset with a tax basis of $100 is disposed of for $70 and the holder receives Federal financial assistance of $30. Even though the acquirer is made whole through the assistance, it still claims a $30 loss against other income. With consolidated returns, these losses can be used to offset income of the parent corporation. For example, losses from a thrift may be used to offset nonthrift income. These tax benefits are pure windfall; that is, they represent a recovery in excess of 100 percent of the book value of the assets involved.

MORAL HAZARD

The policy of compensating acquirers for their losses while at the same time permitting them to take deductions will increase the total cost to the Government. Simply put, the less money an acquirer receives for an asset, the bigger the tax benefits and the higher the cost to the Government. Economists refer to this phenomenon as "moral hazard."

Some acquirers have pointed out that their agreements contain provisions which allow them to share in any gains if the asset sells, for example, for over 50 percent of book value. These gain-sharing agreements allegedly eliminate this perverse incentive to lose money. Not all agreements contain such gain sharing arrangements. But even if they do, how effective are they?

According to information received from one acquirer with a gain-sharing arrangement that kicks in if the loss is less than 50 percent of the book value of the covered asset, an acquirer in the 30-percent tax bracket who sells an asset with a book value of $100 for $40 receives a $12 windfall. But, according to this same acquirer, if the same $100 asset is sold for $60, the taxpayer receives only a $10 benefit, $2 less than if he had sold the asset for $40. What kind of policy is this, which provides a financial reward for losing the Government money? This must change.

ASSET REPURCHASES AND THE NEED FOR CLARIFICATION

The book value of the assets held by these thrifts is, as we have seen, greatly overstated. The Government is, however, obligated to pay interest to the acquirers on these assets, so-called yield maintenance payments. These tax-free yield maintenance payments are much higher than they should be because they are based on the inflated book value of the assets.

Many experts have recommended that the Government either buy back these assets or require that they be written down to fair market value so as to eliminate or reduce these costs. Such a move would save over $500 million. There is a problem with this approach, however.

If, instead of privately disposing of the asset, the acquirer sells it back to the Government for $100, the entire $100 could be considered tax-exempt assistance. Consequently, the amount realized by the acquirer would be zero, and the resulting loss would be $100. Compare this to a situation in which the acquirer sells the asset for $70 and receives $30 in Federal financial assistance. The amount realized is $70 and the loss is $30. Obviously, the loss to the Government is much greater in the former situation. This possibility would make a repurchase of assets prohibitively expensive, thus denying the Government the opportunity to reduce these costly yield maintenance payments.

LEGAL ANALYSIS

Those who have been taking advantage of the double-dip have naturally argued that it was fully authorized under law, and that my proposed legislation seeks to retroactively change this situation. The Thacher, Proffitt & Wood legal memorandum addresses all these legal issues in a comprehensive, objective, and brilliant manner, and I would be happy to send a copy of it to any Member wishing to pursue this matter in more detail.

The acquirers would like to make this matter seem more complicated than it really is. Here are a few things to remember.

First, section 165 is quite clear. It is explicit. If you are compensated for a loss, you can't deduct it. Direct language like this cannot be overruled by implication. Federal financial assistance to the acquirers expressly serves the function of indemnifying against losses. These compensated losses simply are not allowable.

Second, the acquirers argue that because section 597 excludes Federal financial assistance from gross income—not amount realized—and does not require the institution receiving such assistance to adjust the basis of its existing assets, compensated losses must be allowable. This argument is obscure, to say the least, and runs counter not only to the direct language of section 165, but general principles of tax law.

With respect to the exclusion from gross income, imagine this scenario: You decide to return to school for extra training at a cost of, say, $5,000. Your employer then decides to reimburse you for this expense. This tuition reimbursement is not includible in gross income, thanks to section 127 of the Code. Nonetheless, you try to pull a fast one and decide to deduct the $5,000 from your income, saving about $750 to $1,500 on your tax bill. If the IRS caught you, you'd be in for a lot of trouble. Yet, this is precisely what the acquirers of these thrifts would like to do.

The "no adjustment in basis" rule can also easily be explained. When a nonshareholder contributes capital to a corporation, this amount is not includable in income. But the corporation must reduce the basis of its assets by the amount of the contribution. As a result, the corporation's tax liability is merely deferred. The section 597 rule against basis adjustment ensures that the exclusion from gross income is permanent and not merely a temporary exclusion or deferral, as is generally the case with nonshareholder contributions to capital. Such an exclusion in no way authorizes a deduction for compensated or reimbursed losses.

Third, the acquirers cite a 1986 IRS technical device memorandum which holds that reimbursed losses are allowable. By their terms, technical advice memoranda may not be cited as precedent, nor relied upon by anyone other than those to whom they are issued. Apart from the precedental value of technical advice memoranda, or lack thereof, this IRS ruling does not even discuss section 165 or present any rationale for its holding.

Finally, it bears repeating that this is not retroactive legislation. Many of the tax breaks given to these acquirers were ill-advised, but they were allowable under the law as it existed at the time. This is not the case, however, with respect to covered or compensated losses. Such losses never were allowable. That is why what we are proposing is a clarification rather than a retroactive change in the law.

CONCLUSION

The current tax treatment of covered losses may explain some of the enormous profits reported by some of the acquirers of these failing thrifts. If Congress enacts this legislation, the Government will save billions of dollars that are now needlessly being given away for no legitimate purpose. The Government will also be able to pursue the most cost-efficient strategy for managing these pre-1989 deals.

Secretary Brady has indicated that he has directed the Treasury's Office of Tax Policy to study the issue. Treasury has the advantage of the excellent study done by the RTC and their attorneys, Thacher, Proffitt & Wood on this matter. They should issue a ruling now that such losses are not allowable under current law. But unless and until Treasury acts, Congress needs to address this issue and start taking steps to reduce the enormous costs of the S&L bailout.

TAX CHANGES AFFECTING COLLEGE SCHOLARSHIPS/COLLEGE SPORTS

HON. PAUL B. HENRY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. HENRY. Mr. Speaker, last week I introduced H.R. 969. The bill has two parts: one is identical to legislation which I have introduced in the past, to restore the tax exclusion for education grants and scholarships. To help offset the cost of that change, the bill this year

also specifies that certain income related to college and university sports programs shall be treated as unrelated business income and subject to the unrelated business income tax.

The Tax Reform Act of 1986 changed the tax treatment of educational grants and scholarships, and limited the tax exclusion for such grants and scholarships to the portion used for tuition and course-related fees, books, supplies, and equipment. Portions of such grants and scholarships which are deemed to cover living expenses, travel, and research are subject to tax.

This change in tax policy has worked unfairly against low-income students. It also has presented a contradictory Federal education policy, in which the Federal Government determines the size of grants on the basis of "need" but then subjects a portion of the grant to tax. And it has effectively reduced the buying power of Federal, as well as State and private-funded, fellowship, scholarship, and grant programs.

The second part of my bill not only offers offsetting revenues, but also addresses an increasingly evident fact of life—major college athletic programs have little to do with the educational mission of the universities which sponsor them. They do not produce revenue for the general support of the university. They do not increase alumni contributions to the university, other than to the athletic program itself. They do not operate in order to provide educational opportunity for the students involved. Indeed, as many who have looked at major college athletics most closely have pointed out, the students involved would be better off if they were treated as employees, paid for their entertainment services. In effect, these programs are large scale businesses, operating under the golden dome of higher education. I propose that tax policy simply reflect the reality that has become more and more obvious.

The bill specifies that three types of revenue are unrelated business taxable income—radio and television contract revenue, amounts contributed through booster clubs for the exclusive use of the athletic department, and income from the sales of the right to buy so-called preferred seating at athletic events. It does not affect the current treatment of ticket sales or other forms of revenue. Nor does it affect any other revenues and contributions received by colleges and universities.

Certainly one of the advantages of the pay as you go budgeting rules under which we now operate is that they can force us to look at Federal policies in terms of priorities. One place to recognize the need to change some priorities, it seems to me, is in the tax treatment of higher education—it's time we give the benefits of Federal tax policy to students seeking education rather than to athletic programs.

GEN. MAXWELL R. THURMAN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. SKELTON. Mr. Speaker, in June 1987, an outstanding soldier was prepared to retire, after a most successful Army career. However, he was chosen by the Secretary of Defense and the President of the United States, to become Commander in Chief of the U.S. Southern Command in Panama. That soldier did retire from the Army this past Tuesday, February 26, 1991. He is Gen. Maxwell R. Thurman, whose military career spanned 37 years.

Gen. Maxwell R. Thurman was born in High Point, NC, on February 18, 1931. He received his degree in chemical engineering from North Carolina State University at Raleigh in 1953 and was commissioned through ROTC. General Thurman's military education included the ordnance basic course, the artillery basic and advanced courses, the Army Command and General Staff College, and the Army War College.

He has held a variety of command and staff positions both overseas and in the United States. In Europe, with the 11th Airborne Division and the 24th Infantry Division, he commanded light artillery and rocket units and served as an intelligence officer. His unit deployed to the Middle East with other 11th Airborne elements during the 1958 Lebanon crisis. He served twice in Vietnam, first as a corps intelligence adviser and later as commander, 2d Battalion, 35th Field Artillery during the Tet offensive. In the United States, General Thurman commanded the 82d Airborne Division Artillery and, from 1979 to 1981, was commander, U.S. Recruiting Command. In Panama, from 1989 to 1990, General Thurman was assigned as the Commander in Chief, U.S. Southern Command.

Other assignments have included duty as Hawk missile instructor, Field Artillery School staff officer, tactical officer/instructor at the U.S. Military Academy, Deputy Assistant Commandant for Combat and Training Development, Field Artillery School and Deputy Chief of Staff for Resource Management, U.S. Army Training and Doctrine Command.

In 1977, General Thurman was assigned to Washington as the Army's strategic programmer, the Director of Program Analysis and Evaluation. This was followed by duty as the Army's chief recruiter as commander, U.S. Army Recruiting Command, Fort Sheridan, IL. In August 1981, General Thurman was promoted to the rank of lieutenant general and became the Deputy Chief of Staff for Personnel, U.S. Army. He was promoted to his present rank of general and appointed as the Vice Chief of Staff of the U.S. Army on June 23, 1983. He served as vice chief until June 1987 when he assumed command of the U.S. Army Training and Doctrine Command in Fort Monroe, VA. In September 1989, General Thurman became Commander in Chief of the U.S. Southern Command. As CINC Southcom, General Thurman was responsible for all U.S. military activities in Latin America and for implementing U.S. national security policy and strategy in the region. He was commander of U.S. forces during Operation "Just Cause" in Panama.

General Thurman's awards include the Defense Distinguished Service Medal with Oak Leaf Cluster; Army Distinguished Service Medal with Oak Leaf Cluster; the Legion of Merit with Oak Leaf Cluster, Bronze Star Medal with V Device, with Oak Leaf Cluster; Meritorious Service Medal, with Oak Leaf Cluster; four Air Medals, Army Commendation Medal, with Oak Leaf Cluster; and the Joint Service Achievement Medal. He has been decorated by the Governments of France, Germany, and Venezuela. He is a master parachutist and holds the Army General Staff and Joint Chiefs of Staff identification badges.

I know that the Members of this body wish General Thurman all the best in the days and years ahead.

CONTRIBUTIONS MADE BY HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

HON. BUD CRAMER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. CRAMER. Mr. Speaker, over the years the traditional black colleges and universities have contributed uniquely to the social development of African-Americans. These institutions have been the principal developers of the black professional, the inspiration to black social organizations and the chief promoter of the African-American culture.

Perhaps the greatest and most distinctive contribution of black colleges and universities has been the service they provide to the community. Service that includes: Extension and adult education programs; responsiveness to the needs of the black communities, the State and the Nation; making available financial aid and admission to students who otherwise would have little chance of higher education; and finally teaching racial understanding so that students can be prepared for the racial obstacles they may face in the work force. For the most part, service is not seen by these institutions as a substitute for strong academic programs; however, it is important to the understanding of the relationship between curriculum and the world beyond the college campus.

Alabama is fortunate to be the home to a number of the historically black colleges and universities. I am proud that one of those institutions, Alabama A&M, is located in the Fifth Congressional District, in normal. A&M is an internationally recognized university with a diverse student body. The school has received several research awards, both from the public sector and the private sector. But most importantly, the university has caring educators that are genuinely interested in the well-being and advancements of the students. Such interest and caring is the mark of a fine institution of higher learning.

Mr. Speaker, in conclusion, the progress made by black colleges and universities over the years has not been easy; the road has been long and rough, and its end is not yet in sight. Even so, the change in times and the complexity of today's problems make it necessary for these institutions to move faster and with more precision in order to combat the forces that plague and deny them.

H.R. 781—POSTPONE THE INCREASE IN THE ANNUAL DEDUCTIBLE FOR CHAMPUS HEALTH SERVICES

HON. ALBERT G. BUSTAMANTE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. BUSTAMANTE. Mr. Speaker, despite the good news of our success in prosecuting a ground war against Iraqi positions in the Persian Gulf, military families are under great stress at this time. Under normal circumstances their access to military medical care is restricted and they are forced to use CHAMPUS—the Civilian Health and Medical Program of the Uniformed Services. Since the beginning of Operation Desert Shield/Operation Desert Storm, medical services in military hospitals, both in the United States and overseas have been severely curtailed. In many military facilities, specialty care such as orthopedics and OB/GYN are simply unavailable. For example, as of January 16, military hospitals in Nurnberg, Frankfurt, and Landstuhl are only providing primary clinic care. All other care must be obtained from the German medical system through CHAMPUS.

Currently, the annual CHAMPUS deductible is $100 per family, $50 per individual. The 1991 DOD authorization bill calls for tripling that deductible on April 1, to $300 per family, $150 per individual. Congress' intent was to save money by forcing as many people as possible into the military direct care system and out of the CHAMPUS Program. Operation Desert Shield/Desert Storm has necessitated the deployment of a substantial number of health care personnel. Activated reservists cannot possibly fill all the vacated positions. Military families in need of medical attention have no choice but to use CHAMPUS. Military families—Active, Reserve, and Guard—are facing financial hardship because of Operation Desert Shield/Desert Storm. Many military men and women held second and third jobs. Military family members worked job shifts at the time when their spouse could be home to care for the children. With their military spouses deployed, these family members were forced to give up their jobs because they could not afford child care.

Increasing the CHAMPUS deductible while so many military families are having to sacrifice personally and economically comes at the worst possible time. Many military families are having tough times making ends meet and when the CHAMPUS deductible is tripled, they will have an even tougher time in maintaining a home economy. H.R. 781 proposes delaying the increase in the CHAMPUS deductible until the President declares an end to the Persian Gulf war.

Mr. Speaker, now is not the time to triple the CHAMPUS deductible. We must let military men and women and their families know that Congress stands behind them. I encourage my colleagues to join me in supporting H.R. 781.

NATIONAL HOSPICE MONTH

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GRADISON. Mr. Speaker, today, I am introducing a joint resolution to designate the month of November in 1991 and 1992 as "National Hospice Month." I am delighted that the distinguished gentleman from California [Mr. PANETTA] is once again joining me in sponsoring this resolution. Similar resolutions, which I have introduced each year beginning in 1984, received strong bipartisan support and were enacted.

Hospice—an innovative, comprehensive, compassionate approach to caring for terminally ill persons as well as their families—has become a respected, viable partner in the Nation's health care system. In 1986, hospice care became a permanent benefit under Medicare and an option under Medicaid.

Each year, thousands of American families face the crisis of caring for a family member with a terminal illness. Hospice provides a unique program of support and care, allowing patients to remain in the familiar surroundings of their own homes or in homelike inpatient facilities. The delivery of services by a team of physicians, nurses, social workers, therapists, clergy, and hospice-trained volunteers concentrates on enabling patients to live as meaningfully and as comfortably as possible until their death. Today, there are about 1,700 hospice programs across the country.

This humanitarian method of care has proven to be an excellent way for patients and their families to cope with the stress and emotion of a terminal illness. While awareness of and support for the hospice concept has grown dramatically over the last few years, there remains a need for public education regarding the benefits of hospice care. It is also appropriate that we recognize the significant contributions made by those involved in the provision of hospice services and in the advancement of the hospice philosophy.

The public education and recognition programs conducted during National Hospice Month will continue to expand the knowledge of and support for hospice care.

I am very pleased that a similar resolution is being introduced today in the Senate by Senator BENTSEN of Texas.

THE NEED FOR A CEASE-FIRE IN THE PERSIAN GULF WAR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. RANGEL. Mr. Speaker, I rise to proclaim the need for an immediate cease-fire between the American-led coalition forces and the Iraqi Army, in order to facilitate the withdrawal of Iraqi troops from Kuwait.

Nobody, not even Saddam Hussein, can deny that we've won the war, but we should pause and see what we've won and how much it is going to cost. Since we have assumed the moral leadership for the new world order, we should take advantage of this opportunity to emphasize peace and reconstruction rather than humiliation of Saddam Hussein and further destruction.

The urgency of a cease-fire is increased by reports of atrocities committed by the Iraqi occupiers of Kuwait. Now that the Iraqis are withdrawing, the United Nations should be called in as quickly as possible to assess those claims and provide whatever care is needed by the people of Kuwait. Certainly there were war crimes, and the international community will deal with that, but we should make our first priority assisting the suffering people.

It certainly does not enhance our image to have the Soviet Union—the successors of the evil empire—to appear to be the proponents of peace and negotiations, while we—leaders of the free world—insist on pursuing war and destruction by insisting on impossible conditions.

One of those conditions is Iraq's payment of reparations. Iraq may eventually pay reparations, but how can we use that demand now as an obstacle to peace when some analysts say it will cost Iraq as much as $200 billion to rebuild their own country?

As the conquering nation, we can't stay on the sidelines and see women and children die in epidemics, which may soon be starting in Kuwait and Iraq, because people are drinking tainted water in both countries. Since we've assumed the moral leadership, we have a responsibility to work in the interest of preserving lives first—those of our own troops, whose lives we should not risk needlessly, and those of our defeated enemies.

COMMEMORATING GLENN COUNTY CENTENNIAL

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. HERGER. Mr. Speaker, I would like to take this opportunity to congratulate the citizens of Glenn County, CA, on their centennial in 1991. From their hard fought establishment to the centennial celebration of today, the people of Glenn County have struggled and succeeded to tame the parched lands of California.

The establishment of Glenn County in 1891 was the culmination of Frank Freeman's efforts, which he began in his Orland Times newspaper in 1882.

The new county, which was named for Orland's most famous citizen, Dr. Hugh Glenn, the wheat king of California, established Willows as the county seat.

In the years following its establishment, the growth and prosperity of Glenn County continued along the Sacramento River as river freighting was cheaper than transportation by railroad.

Around 1903, the Central Valley Irrigation District was established and overcame initial growing pains to become the Glenn Colusa Irrigation District. As a matter of fact, the 1910 Orland Water Users District was only the second project of the Bureau of Reclamation in the United States, and the first in California.

These early projects helped to harness the resources of the Sacramento River and provide the basis for a successful economy which has fostered the growth of Glenn County. The abundance of agricultural products, such as rice, almonds, alfalfa, olives, dairy products, and prunes produced by the county is a testament to this success.

These early steps toward the establishment of community and the infrastructure in Glenn County are important to remember on the celebration of their centennial. The efforts and sacrifices of people such as Frank Freeman, K.E. Kelly, and Dr. Hugh Glenn to establish a new county should not be forgotten; especially during the year when their initial efforts have culminated in a county which has thrived and succeeded for 100 years.

Again, I want to offer the citizens of Glenn County my heartfelt congratulations on their 100th anniversary and the best of luck on their next 100 years.

TUITION REFUNDS AND CREDIT FOR STUDENTS CALLED TO ACTIVE MILITARY SERVICE

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. CHANDLER. Mr. Speaker, Americans everywhere have gone out of their way to reach out to our troops in the Persian Gulf and their families. Today, I want to compliment the efforts taken by my State's colleges and universities on behalf of the young men and women serving in our armed services, many of whom also are students.

Last November, the country's major higher education associations asked the Nation's universities and colleges to develop tuition refund and credit policies for students called to active duty as part of the National Guard or military Reserves. As these associations pointed out to their member institutions, "although Federal laws * * * impose obligations on employers and creditors with respect to employees and debtors in active military service, to date these laws have not been extended to colleges and universities regarding students in military service." They went on to say, "we believe * * * tuition refunds or credits—for these students—are appropriate.* * *"

The positive response has been overwhelming.

In my own State of Washington, both private and public institutions answered the call. Schools have not only offered tuition refunds and granted credits, but additional refunds have been made for parking, books, and housing expenses. Washington State University, the University of Washington, Western, Central and Eastern Washington Universities, and the Evergreen State College all have exemplary policies in place. My State's private and community colleges also have responded favorably in extending every consideration to students called to active duty.

I wholeheartedly applaud these schools—and the thousands like them across our Nation—for seeing to it that students who have been called out of class to join their fellow countrymen in the Persian Gulf can concentrate on the mission at hand without having to worry about school payments, fees, or lost credits.

Mr. Speaker, I recognize there may be schools that have not been so responsible. I urge those schools to answer the call—follow the example offered by Washington State's institutions that have done so voluntarily and without Government regulation. Act now to join the ranks of the responsible within our Nation's higher education community.

I encourage my colleagues to join me today in commending and thanking the vast majority of our higher education institutions, their educators and administrators, for their heartwarming and noble support of our Nation's newest heroes.

DRUG CRIME LEGISLATION

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. GOODLING. Mr. Speaker, today, I am introducing legislation which would change Federal law to impose stiffer penalties on people convicted of lesser drug offenses involving firearms. Under current Federal law, a person convicted of a felony crime involving drugs and firearms faces increased criminal penalties and is also prohibited from legally owning a firearm. This is not the case, however, for individuals convicted of less serious drug offenses.

My legislation is simple: it expands current law to treat individuals who commit less-serious drug offenses in the same manner as people involved in other drug crimes, such as drug-trafficking. Any person found guilty of a drug crime not currently classified as a felony, including simple possession of a controlled substance, and who possesses a firearm at the time of the offense, will face jail time and/or mandatory fines in addition to any penalty imposed for the drug offense. For second or subsequent offenses, mandatory jail time and fines are mandated.

Furthermore, regardless of whether a firearm is present during the offense, the guilty party will also be prohibited from owning a firearm in the future, if they are convicted after enactment of the law. Exceptions to this rule can be made, however, depending upon the circumstances surrounding each individual's case. Present law states that a person convicted of a drug crime can petition to the Secretary of the Treasury for an exemption to the firearms prohibition if they can prove that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest.

The effectiveness of current tactics being employed in the war on drugs is the subject of heated debate. In my view, the time has come for serious efforts to convince people who use drugs that the cost of engaging in this activity outweighs any benefits. If my bill becomes law, individuals who use drugs and own firearms for legitimate purposes—hunting, target-shooting, collecting, or personal protection—and who also engage in recreational drug use, will think twice before participating in their drug-related endeavors.

This bill will not affect a law-abiding citizen's right to own a firearm. It will, however, increase the price of drug-use for people who choose to continue this illegal and self-destructive activity. We all know that the drug problem is expensive to society as a whole; let's try to transfer more of the costs to those who use and abuse controlled substances.

SBIC PROGRESS ACT OF 1991

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. LAFALCE. Mr. Speaker, today I have introduced the Small Business Investment Company Progress Act of 1991.

The Small Business Administration [SBA] participates as a financial partner with private companies which provide venture capital to small business. These private companies are small business investment companies [SBIC's] or specialized small business investment companies—that is, SSBIC's—which are restricted to providing venture capital to minority small businesses.

Upon licensing by the Small Business Administration, these private companies invest their own money in the company and then can obtain SBA assistance, generally in the form of a debenture or promissory note which the company issues and which is guaranteed by SBA. The amount of the guarantees which a company may obtain under existing law is up to four times or 400 percent of the amount of the company's private capital, but not more than $35 million per company.

These investment companies, by and large, have been very successful. Over the past 30 years, they have provided venture capital to 97,000 small firms which were financed by these companies for more than $9.4 billion.

However, in the past few years, the program has incurred some dramatic losses. These losses cause us concern but, in some ways, are not surprising, given the status of our economy which has resulted in a number of good firms, not just some SBIC's, going broke.

Last year the Small Business Committee held hearings on the SBIC Program, and, at my direction, the committee's staff has been reviewing the program. it is my belief that the SBIC Program continues to be worthwhile, but should be substantially reformed with two fundamental goals in mind: First, on the basis of safety and soundness, we need to reduce the risk to the Government of providing guarantees of SBIC debentures; and Second, provided that safety and soundness goals are fully met, successful companies should be permitted not only to continue to operate but to grow.

We have found that those companies which have very minimal amounts of private capital tend to be less profitable and hence are more risky than those companies with larger amounts of private capital. Thus my legislation

requires all companies to increase the amount of their private investment. SBIC's would be required to have private capital of $2.5 million whereas specialized SBIC's would be required to have private capital of $1.5 million.

Although I am convinced that this increase is justified and that existing companies should be required to increase their capital, there are some companies which, although small, are nonetheless profitable and thus not as risky for Government investments. Recognizing that it is very difficult to raise additional capital at this time, I believe we should permit small but profitable companies to continue, even if they are unable to increase their private investments to the new threshold. Accordingly, my bill makes an exception and provides them with a limited amount of additional Federal guarantees provided that they have been profitable historically. If they have not been profitable, however, I do not believe we should provide them new guarantees.

Another provision which addresses the level of risk incurred by the Federal Government is the ratio of Federal guarantees to the amount of the private investment in the company; that is, the amount of leverage which a company may receive. I believe that the current law provides too much exposure, and thus the bill eliminates entirely the ability of any SBIC to receive leverage of four times its capital base. On the average, the bill will limit a company to two times its capital base.

Because I believe these changes will improve the safety and soundness of the SBIC industry, I see no reason to continue the maximum amount of leverage at $35 million per company. This level has remained unchanged for 15 years and should be increased, particularly in light of the current credit crunch. Thus, I propose to increase this maximum to $60 million.

Although there a number of other items addressed by my legislation beyond issues of safety, soundness, and growth, at this time I simply direct interested parties to the sectional analysis, and I would like to take this opportunity to address two issues not covered in the bill.

First is the problem of an SBIC servicing or paying interest on its debt. We provide debenture guarantees to investment companies so that they may obtain capital with which to make investments in small firms. These SBIC's, however, must pay interest each year on their debentures, but if they make equity investments in small firms, their investments will not provide any return nor will there be any cash flow for a number of years. Thus it is extremely difficult under the current system for SBIC's to invest in pure equity; instead our current law encourages them to provide debt to small businesses in order to obtain interest income so that they, in turn, can service their debt.

We are attempting to address this situation by developing a proposal under which the SBIC would not have to pay interest for the first few years of the debenture. Then when its investments begin providing money to the SBIC, it would essentially pick up the interest for prior years. In other words, this would be a modified zero coupon bond.

The second area involves the specialized SBIC's and incentives we can provide to encourage their full development. Again we are exploring ways to encourage these companies, which now invest solely in companies owned or controlled by socially or economically disadvantaged individuals, to broaden their investment perspective.

It is my hope to refine both of these proposals and either to introduce them as separate measures in the very near future or to offer them as amendments to the bill I introduced today. Either way, I hope that the Small Business Committee will consider all of these matters this spring.

For the information of my colleagues, a copy of the sectional analysis follows:

SECTIONAL ANALYSIS

CITATION

Provides that this Act may be cited as the "Small Business Investment Company Progress Act of 1991."

Section 2 finds and declares that it is the purpose of this Act to Promote the Restoration of Opportunities for Growth and Rebuilding of Equity with Safety and Soundness (PROGRESS) through the small business investment company program.

MINIMUM PRIVATE CAPITAL REQUIREMENTS

Section 3 amends section 302 of the Small Business Investment Act of 1958 by renumbering existing subsections (b) and (c) as subsections (d) and (e), and by inserting new subsections:

New subsection (a) requires that the private capital of a regular small business investment company of SBIC be not less than $2,500,000 and that the private capital of a minority enterprise small business investment company of MESBIC (i.e., Specialized SBIC) be not less than $1,500,000.

It requires existing licensees to make periodic increases in the amount of private capital until it reaches the new levels on the following schedule:

(1) 25% of the increase shall be due by January 1, 1993;

(2) 25% of the increase shall be due by January 1, 1994;

(3) 25% of the increase shall be due by January 1, 1995; and

(4) 25% of the increase shall be due by January 1, 1996.

Until the increases are made, a licensee cannot obtain new financial assistance from SBA.

Subsection (b) provides that notwithstanding the foregoing minimal private capital standards an existing company may apply for debenture guarantees or preferred stock purchases in an amount equal to 100 percent of its private capital if it has been profitable for three of the last four years.

Subsection (c) provides that also notwithstanding the foregoing minimal private capital standards, an existing company with an outstanding debenture may repay it by obtaining a new debenture of up to 10 years' maturity.

LEVERAGE AMOUNT

Section 4 amends section 303 of the Small Business Investment Act of 1958 by providing that the maximum amount of debentures guaranteed and outstanding by any one SBIC or multiple SBICs which are commonly controlled shall not exceed $60,000,000.

It also amends subsection (c) to provide that the maximum amount of debentures or securities which are outstanding from one MESBIC or multiple MESBICs or a combination of MESBICs and SBICs which are commonly controlled shall not exceed $60,000,000.

LEVERAGE FORMULA

Section 5 adds new subsections to section 303 of the Small Business Investment Act of 1958.

Subsection (g) provides that the maximum amount of leverage (i.e., debentures and securities) provided by the Administration to any investment company which may be outstanding shall be based upon the amount of such company's private capital—

(1) if the company has private capital of not more than $5,000,000, leverage may not exceed 300 percent of private capital;

(2) if the company has private capital of more than $5,000,000 but not more than $10,000,000, leverage may not exceed $15,000,000 plus up to 200 percent of the amount over $5,000,000;

(3) if the company has private capital of more than $10,000,000 but not more than $15,000,000, leverage may not exceed $25,000,000 plus up to 100 percent of the amount over $10,000,000;

(4) if the company has private capital of more than $15,000,000 but not more than $20,000,000, leverage may not exceed $30,000,000 plus up to 300 percent of the amount over $15,000,000;

(5) if the company has private capital of more than $20,000,000 but not more than $25,000,000, leverage may not exceed $45,000,000 plus up to 200 percent of the amount over $20,000,000; and

(6) if the company has private capital of more than $25,000,000, leverage may not exceed $55,000,000 plus up to 100 percent of the amount over $25,000,000.

Subsection (h) provides that for the purposes of this section, companies under common control or common ownership shall be deemed to be one company, and for purposes of this section "leverage" shall include debentures purchased or guaranteed by the Administration or securities purchased by it.

Section 6 provides that on and after the effective date of this Act, leverage shall be made available only under the ratios provided in subsection (g) and not under the old formulas elsewhere specified.

SUBORDINATION

Section 7 amends section 303 of the Small Business Investment Act of 1958 by providing that debentures purchased or guaranteed by SBA shall be subordinate to other debenture bonds, promissory notes, or other borrowings of any licensee in amounts not to exceed the amount of the private capital of such licensee or $5,000,000, whichever amount is less, unless the Administration determines to permit the subordination of larger amounts for any licensee.

DEFINITION OF SMALL BUSINESS CONCERN

Section 8 amends section 103 of the Small Business Investment Act of 1958 by defining a small business for the purpose of the Act as one which is independently owned and operated and which is not dominant in its field of operation. It authorizes SBA to provide a detailed definition based upon either the number of employees or dollar volume of business, but unless the Administration so specifically provides a different standard, establishes the following standards:

(1) for agricultural enterprises: annual sales of $500,000 or less;

(2) for enterprises engaged in mining: 500 or fewer employees:

(3) for enterprises engaged in construction: annual sales of $17,000,000 or less;

(4) for enterprises engaged in manufacturing: 500 or fewer employees;

(5) for enterprises engaged in wholesaling: 100 or fewer employees;

(6) for enterprises engaged in retailing: annual sales of $3,500,000 or less;

(7) for enterprises engaged in providing services: annual sales of $3,500,000 or less; or

(8) for enterprises engaged in another industry: annual receipts of $3,500,000 or less, or employees or annual receipts as specifically determined by the Administration.

It also provides that, solely for purposes of the Small Business Investment Act, at the option of the licensee or the development company providing the financing a concern shall be small if it, together with its affiliates, does not have net worth in excess of $9,000,000, does not have average net income after federal income taxes (excluding any carry-over losses) for the preceding two completed fiscal years in excess of $3,000,000, and has gross assets of not to exceed $50,000,000.

PENSION FUND ELIGIBILITY

Section 9 amends section 103 of the Small Business Investment Act of 1958 by defining the term "private capital" as private paid-in capital and paid-in surplus, which may include public or private pension funds unless the investment of such funds in small business investment companies is prohibited under applicable state or Federal statute or by an appropriate State or Federal regulatory agency with responsibility for pension funds.

USE OF DEBENTURE PROCEEDS

Section 10 amends section 306 of the Small Business Investment Act of 1958 by renumbering subsections (a) and (c) as subsections (c) and (d), and by inserting new subsections.

New subsection (a) provides that financings (of small businesses by SBICs) shall be for the purpose of providing funds to assist in the formation and establishment of new small business concerns, the expansion of small business concerns, or to assist in the change of ownership of businesses but only if the change—

(1) assists in the creation of a small business concern as a result of a corporate divestiture;

(2) preserves the existence of a financially troubled or bankrupt small business concern;

(3) supports the establishment or expansion of a small business concern through the acquisition of assets;

(4) fosters the continuation of a small business concern through family succession;

(5) promotes the continued sound development of a small business concern by new management or by substantially expanding existing management's ownership of the concern; or

(6) facilitates ownership in a small business concern by persons who are socially or economically disadvantaged.

New subsection (b) provides that the aggregate amount of financings of changes in ownership made by a company in any year after December 31, 1991, shall not exceed (1) an amount equal to the sum of the private capital of such company plus private borrowings or (2) an amount equal to 50 percent of the dollar amount of the new financings made by such company. If, however, the company was in existence on or before December 31, 1991, it may exceed the 50% limit during a phase-in period:

(A) in 1992, not to exceed the percentage of change of ownership financings made during 1991;

(B) in 1993, not to exceed the percentage of change of ownership financings made in 1992 or 65 percent of the new financings made in 1993, whichever is less;

(C) in 1994, not to exceed the percentage of change of ownership financings made in 1993 or 60 percent of the new financings made in 1994, whichever is less;

(D) in 1995, not to exceed the percentage of change of ownership of financings made in 1994 or 55 percent of the new financings made in 1995, whichever is less; and

(E) in 1996, an amount not to exceed the percentage of change of ownership financings made in 1995 or 50 percent of new financings made in 1996, whichever is less.

It also provides that a company shall not be deemed to have violated the percentum restrictions in this subsection if it has not exceeded the percentums for three of the last four years, and on the average for all of such last four years, except that the Administration may disregard an amount of change of ownership financings in excess of the maximum permitted in any year prior to January 1, 1997, for any company licensed as of December 31, 1991, and for new licensees until they have operated for four years, if it determines that such company did not willfully exceed the limitations.

It also requires each small business investment company to report to the Administration annually on the amount of such financings it has made during the year and the amount outstanding, classifying such financings into start-up financings, expansion financings or change of ownership financings.

MESBIC ASSISTANCE

Section 11 amends section 303(d) of the Small Business Investment Act of 1958 by authorizing interest rate reductions on MESBIC debentures whose proceeds are used to repay amounts due under maturing debentures.

QUALIFICATIONS OF SBIC DIRECTORS

Section 12 amends section 301 of the Small Business Investment Act of 1958 by specifying that the qualifications of any member of the company's board of directors or the qualifications of a limited partner shall be those prescribed by the laws of the state where its articles are filed, except the Administration may disqualify any individual who has been convicted of a criminal offense or based on moral turpitude.

PERIODIC DEBENTURE SALES

Section 13 amends section 322 of the Small Business Investment Act of 1958 requiring sales of SBIC debentures every three months.

THE PUBLIC TRANSIT AND VAN POOLING RIDERSHIP EQUITY ACT

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MATSUI. Mr. Speaker, I rise to introduce the Public Transit and Van Pooling Ridership Equity Act, legislation designed to promote energy conservation and restore equity to this Nation's tax system.

Under current law, if an employer provides their employees a fringe benefit such as a reduced-cost pass for the local public transit system which is valued at more than $15 per month, then the entire amount of that benefit is considered as taxable income to the employee. However, if an employer offers that same employee a parking space as a fringe benefit, no matter what the fair market value of that parking space may be, not one penny of it is considered as taxable income to that employee. This inequity encourages employees to use their own automobiles to commute to work each day, and actively discourages that employee from using established public transit systems.

Promoting the use of established public transit systems will help our communities comply with the newly enacted provisions of the Clean Air Act. In city after city, auto emissions are the single greatest pollutant in the air.

The legislation I am introducing today will increase the monthly allowance from $15 to $60, and eliminate the so-called "cliff" provision in the law, so that, if enacted, an employee would be taxed only on the amount in excess of $60 per month. In addition, the legislation would reinstate the provision which made qualified employer-provided van pooling arrangements an allowable fringe benefit. Lastly, the bill would allow an employer to provide a parking benefit at a transit or a park-n-ride facility.

By promoting use of public transit systems and van pooling arrangements, we can greatly lessen the burden on our transportation infrastructure, which is facing increasing pressure and dwindling Federal resources. Gridlock, which was once only associated with our largest urban centers, is now rapidly becoming a reality for too many American communities.

PROTECTING MILITARY RETIREES' CHAMPUS BENEFITS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. RAHALL. Mr. Speaker, next year the Federal Government will reduce health insurance coverage for thousands of Americans. On a regular basis we all hear horror stories of people who can no longer afford health insurance. Senior citizens go without health services because Medicare payments are insufficient to cover costs. And private insurance companies are dropping beneficiaries after they begin to draw benefits.

Today Representative CHARLES BENNETT and I have introduced a bill that will guarantee coverage under the Civilian Health and Medical Program of the Uniformed Services to individuals that face a loss of coverage due to disability or age. Under current law a CHAMPUS beneficiary loses his or her coverage once they become Medicare eligible. This conversion to Medicare represents a significant reduction in benefits at a time when an individual is in need of a higher level of coverage.

These CHAMPUS beneficiaries are military retirees and their spouses, that already have sacrificed much on behalf of the United States. They deserve to be able to continue living under the same level of health insurance that they have come to rely on throughout the years. To deny an individual adequate medical care because he or she has become old or disabled is immoral.

Our bill would turn CHAMPUS into a secondary payer once an individual begins to draw Medicare benefits. Medicare would pay that part of the medical costs that it currently

covers and CHAMPUS would make up the difference in benefit levels. In essence acting as a sort of Medigap policy to make up for the difference in benefit levels between CHAMPUS and Medicare.

They have protected our lives. I think it is only fair that we insure theirs.

GEORGE WASHINGTON WILLIAMS; FIGHTING FOR FREEDOM

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. BLILEY. Mr. Speaker, every generation or so, there comes an individual who truly deserves the designation of renaissance man, self-made, self educated, master of many endeavors, an example to all. Mr. Speaker, I rise to share with this House during this Black History Month observance, the incredible and inspiring story of one such man, George Washington Williams: soldier, lawyer, historian, and man of principle.

After the Civil War, many learned black men were dissatisfied with the way in which historians omitted accounts of the contributions and struggles of African-Americans in our Nation's history. George Washington Williams decided to do something about this, so he undertook the role of historian himself.

In 1882, Williams published the first comprehensive historical study by a black author to receive scholarly approbation. This work was the two-volume "History of the Negro Race in America." It was a tremendous success. In 1887, 5 years later, Williams again published a widely praised book, History of Negro Troops in the "War of Rebellion."

Interestingly, George Washington Williams began his career in the military. At the tender age of 14, he lied about his age and joined the Union Army's Sixth Massachusetts Regiment. Williams' true age was eventually discovered, and the Army made him leave the service. But Williams would later reenlist, eventually becoming a sergeant major on the staff of General N.P. Jackson. Fighting in several Civil War battles, Williams was wounded in a skirmish near Fort Harrison, VA in 1864 and discharged a year later.

After the Civil War, Williams still wanted to be a soldier. Thus, he joined the Mexican Army. A year later, Williams joined the U.S. 10th Cavalry, a Buffalo soldier unit defending the western frontier.

While taking part in a campaign against the Comanches, Williams was again wounded and received a medical discharge.

Williams studied theology in Massachusetts and became an ordained minister, pastoring a church in Boston. He later moved to Washington, DC and founded a newspaper. In 1876, Williams moved to Cincinnati, resumed his ministry, but began to study law. After being admitted to the Ohio bar, Williams successfully sought election to the Ohio Legislature. It was while serving in the Ohio Legislature that Williams began work on his two acclaimed books.

Through his literary successes, Williams emerged as a popular lecturer throughout the world. On one of his trips to Europe, Williams met King Leopold II of Belgium who persuaded him to help develop the Congo Free State in Africa. When Williams visited the Congo and discovered the slave-like treatment of its inhabitants by the King's men, Williams wrote an open letter to the King about conditions in the Congo. His letter, denouncing the King's rule in Africa, touched a nerve in the United States, France, and England and led to an international campaign to end cruel conditions in the Belgian colonies.

Williams eventually would work to improve conditions in the Portuguese and British colonies. When he died in 1891, Williams was at work on a followup report on developments in the Congo.

George Washington William , who as a teenager joined the Union Army to fight for freedom in America, would die at age 42 fighting for freedom in Africa.

Through his valor in the military, his scholarly endeavors and his fight for freedom, George Washington Williams made a tremendous contribution to the United States and the world.

MILWAUKEE AIDS PROJECTS

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. KLECZKA. Mr. Speaker, I am honored to acknowledge that, last week, President Bush named the volunteers of the Milwaukee AIDS project [MAP] as the 383d "Daily Point of Light."

This honor is awarded to individuals, such as MAP volunteers, who effectively address our Nation's most pressing social problems through community action.

Since the establishment of MAP in 1985, concerned members of the Milwaukee community have offered emotional support and practical assistance to AIDS patients. Through their actions, these volunteers help ease the burdens on individuals suffering from AIDS. They illustrate that kindness, not fear, is the best way to address the devastating consequences of AIDS.

In addition, these devoted volunteers provide community awareness education about AIDS and related topics. Such education is the most useful method of fighting the spread of this frightening disease.

I would like to congratulate the volunteers of MAP. Their efforts should serve as an example to all Americans that education and compassion are the most effective ways to meet the challenge of AIDS.

IRAQ MUST PAY FOR ITS AGGRESSION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MILLER of California. Mr. Speaker, I am today introducing the Iraqi Post-War Accountability and Liability Act of 1991.

Regardless of our views about the current crisis in the Middle East, we all recognize the enormous cost of this effect both by the United States and our allies. Within the next week, U.S. taxpayers will be called upon to pay billions of dollars for the war effort and probably billions more for postwar reconstruction, including military and economic aid to the region.

In recent days, we have heard much about the renewed commitment of our allies to share the cost of paying for the war with U.S. taxpayers, who are carrying the greatest financial burden. I remain concerned that we have heard more of pledges than we have seen of commitment. We must sustain the pressure on our allies and especially other states in the region to provide essential military and financial support for this effort.

There is another rarely mentioned party to the conflict that must accept its financial burden as well: the postwar Government of Iraq.

Typically, a Government that has been defeated in war has few resources, and those that remain must be used to reconstruct a shattered economy and a destroyed society. I do not seek to deny the Iraqi people an appropriate amount of their national wealth to restore their nation after Saddam Hussein has been defeated.

But let us also note that after the war ends, Iraq will continue to possess 100 billion barrels of oil that are worth hundreds of billions of dollars. Much of that oil wealth has been used to purchase weapons in recent years—a purpose that certainly will not exist after the termination of the war.

My resolution calls upon President Bush to require that postwar settlements assure that portion of Iraq's oil wealth will be devoted to three significant costs of its aggression:

To indemnify the United States, and other allies, for the costs of the war to the maximum extent feasible;

To indemnify noncombatant nations and individuals who have been injured or who have suffered losses; and

To pay for the long-term cleanup of the Arabian Gulf caused by the deliberate oil spill.

I cannot justify asking my constituents to raise taxes, or incur greater debt, or to defer critical policies here at home to address homelessness, or inadequate health care, or education while the new rulers of Iraq sit on 100 billion barrels of oil. Iraq, like other aggressors, must know that it has a burden to pay for the costs of its aggression, and my legislation will assure that they are fully held accountable.

THE REPUBLIC OF CROATIA

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. MURPHY. Mr. Speaker, I rise today to call to the attention of my colleagues the troublesome events happening now in Yugoslavia. After a prudent compromise reached by the Yugoslav authorities and Dr. Franjo Tudjman, President of the Republic of Croatia, to diffuse tension and avert the possibility of a civil war,

it seems that this agreement has not been completely adhered to by officials at the highest levels of the Yugoslav Army.

Reports are that reactionary elements of the Yugoslav Army are arresting Croatian citizens, including members of the Croatian Democratic Union, the party which received an overwhelming mandate from the people of Croatia in the first freely-held democratic elections. This is an indication that violations of the agreement may be occurring.

We should be particularly concerned about the suspicious death of Zvonimir Ostoyic, a distinguished member of the Croatian Democratic Union from the city of Borovo in the Province of Slavonia.

I, as well as thousands of my constituents whose roots go back to Croatia, am deeply concerned that these conservative elements in the Yugoslav Army may move against the democratic government of Croatia, while the United States and the rest of the world are preoccupied in the Persian Gulf.

President Tudjman, who is a personal friend, has told me that the situation is critical. He has urged all of the citizens of Croatia to be calm and vigilant but, if need be, to be ready to defend the freedom, sovereignty and democracy of Croatia.

It would indeed be a tragic and serious setback in Yugoslavia's quest for freedom, human rights and self-determination, if the people of Croatia, a democratic republic with strong pro American orientation, were to be overtaken by these reactionary forces.

According to recent reports in the Washington Post, the Yugoslav Army had become an enforcer of the Republic of Serbia * * * where the leadership is committed to a strong, Communist-style centralism.

I urge my colleagues to express unequivocally our deepest concern over the unwelcomed presence of these oppressive forces which seek to terminate the democratic processes underway in Croatia, Slovenia and Hercegovina.

Today, under the leadership of the United States, the free world is sharing the burden to establish a new world order for a peaceful international community based on the shared values of peace with justice and human dignity. A small but significant part of that burden is carried by the people of Croatia in their struggle to defend freedom and democracy. We must not forget the people of Croatia. Let us help keep the torch of freedom burning bright in Croatia and hopefully the rest of Yugoslavia.

A TRIBUTE TO MARGARET ANN DONOVAN, CONGRESSIONAL STAFFER

HON. CHARLES ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 1991

Mr. ROSE. Mr. Speaker, I am sad to report the death of a congressioanl staff member, Margaret Ann Donovan. Ms. Donovan died on February 24, 1991, at the Washington Home Hospice, after a courageous struggle against cancer.

From 1980 to 1991, Ms. Donovan was on the staff of the Committee on House Administration, House Information Systems. During her service, she produced the "Federal Register Update Newsletter" and "Block Grant Report" for distribution to Congressional offices, useful reports that allowed Members of Congress to locate Federal assistance programs and funds available for their constituents. She was instrumental in directing the collection and provision of detailed information on Federal financial assistance gathered from the officials who managed these programs. Ms. Donovan also provided assistance in records management consulting by advising Member and committee offices on micrographics technology and file management. She authored the "Records Management Reference Manual" enabling staff to complete inhouse processing of their records. In addition, Ms. Donovan helped develop and promote seminars for H.I.S. staff in "Caring for the Elderly" and "Stress Management." Ms. Donovan, herself hearing-impaired, retained a keen interest in activities for congressional handicapped employees and, during the 1988 Presidential Inaugural, assisted in providing sign language interpretation for the hearing-impaired audience.

Ms. Donovan was widely known throughout the Vietnam veteran community in the United States. She spent many, many hours at the Vietnam Veterans Memorial as a U.S. Part Service volunteer assisting veterans and visitors to the memorial. She traveled to every corner of the United States with the "Moving Wall" memorial, a scale replica of the memorial in Washington, providing information and assistance. Understanding the significance of the Vietnam Veterans Memorial to the veterans, Ms. Donovan founded the "Friends of the Vietnam Veterans Memorial." The members of the Friends provide information about the memorial and name rubbings of the individuals listed. On Veterans Day, 1990, she was honored for her service to Vietnam veterans and their families at the commemorative services at the memorial. Ms. Donovan is the author of the book "Everything You Wanted To Know About the Vietnam Veterans Memorial" and, at the time of her illness, was working on a book about the hundreds of Vietnam war memorials in the United States. In her final days, Ms. Donovan continued to show interest in the activities and welfare of the service men and women in the Persian Gulf.

Ms. Donovan is survived by her mother and father, Mr. and Mrs. Robert E. Donovan, of Dayton, OH and her brother, Timothy K. Donovan, of Aspen, CO.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 28, 1991, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 1

9:30 a.m.
Joint Economic
To hold hearings to review the President's proposals to improve Federal economic statistics.
SD-628

10:00 a.m.
Foreign Relations
To hold hearings on the nomination of Jon David Glassman, of the District of Columbia, to be Ambassador to the Republic of Paraguay.
SD-419

MARCH 4

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Defense.
SD-192

10:00 a.m.
Finance
Social Security and Family Policy Subcommittee
To hold hearings to examine child poverty and welfare dependency, focusing on measurement of increases and decreases.
SD-215

2:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Agricultural Research Service, the Cooperative State Research Service, and the Extension Service.
SD-138

MARCH 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings to review global defense programs.
SD-116

9:15 a.m.
Judiciary
Antitrust, Monopolies and Business Rights Subcommittee
To hold hearings to examine restrictive marketing of Clozaril, a prescriptive drug for schizophrenia, focusing on safety and access.
SD-226

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on the nomination of Edward R. Madigan, of Illinois, to be Secretary of Agriculture.
SR-332

Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title XII, relating to two demonstration projects aimed at commercializing advanced nuclear reactor technologies, and Title XIII provisions relating to clarifying the licensing process for nuclear power plants.
SD-366

Environment and Public Works
To hold an organizational meeting to consider pending committee business, to be followed by hearings on the President's proposed budget request for fiscal year 1992 for the Federal-aid highway program and the proposed Surface Transportation Assistance Act of 1991.
SD-406

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.
345 Cannon Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for the Department of Labor, focusing on the Office of the Secretary of Labor, and the Office of Inspector General.
SD-192

Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1992 budget for the Federal Government, focusing on health care issues.
SD-608

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for the Department of Health and Human Services, focusing on the Office of Civil Rights and Policy Research.
SD-192

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on S. 272, to provide for a coordinated Federal research program to ensure continued United States leadership in high-performance computing.
SR-253

Foreign Relations
Western Hemisphere and Peace Corps Affairs Subcommittee
To hold hearings to examine issues relating to a bilateral free trade agreement with Mexico.
SD-419

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for foreign assistance, focusing on multilateral assistance.
SD-138

MARCH 6

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Defense, focusing on Army posture.
SD-192

9:30 a.m.
Governmental Affairs
To hold hearings on the purchase and use of counterfeit and substandard parts.
SD-342

Rules and Administration
To hold hearings on the projected shortfall in the Presidential Election Campaign Fund.
SR-301

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for Amtrak and the Federal Railroad Administration, Department of Transportation.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the U.S. Secret Service and the U.S. Customs Service, both of the Department of the Treasury.
SD-124

Foreign Relations
European Affairs Subcommittee
To resume open and closed hearings on the U.S. response to Soviet disunity.
SD-419

1:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Federal Emergency Management Agency.
SD-138

2:00 p.m.
Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal years 1992 and 1993 for the Department of Defense, and to review the fiscal years 1992-1997 future year defense plan.
SR-222

Small Business
To hold hearings on the nomination of James F. Hoobler, of New York, to be Inspector General, Small Business Administration.
SR-428A

MARCH 7

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Defense, focusing on Air Force posture.
SD-138

Armed Services
To hold hearings on NATO security.
SR-222

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title X provisions relating to natural gas regulatory issues, and Sections 6003 and 6004, relating to natural gas research, development, demonstration and commercialization activities.
SD-366

Environment and Public Works
To hold hearings on the President's proposed budget request for fiscal year 1992 for the Environmental Protection Agency.
SD-406

Governmental Affairs
To continue hearings on the purchase and use of counterfeit and substandard parts.
SD-342

Rules and Administration
To hold hearings on S. 3, S. 6, S. 7, S. 53, S. 91, S. 128, S. 143, and S. 294, Congressional election campaign finance reform proposals.
SR-301

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the Family Support Administration, Human Development Services, and the Office of Inspector General.
SD-192

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the Social Security Administration, and the Health Care Financing Administration.
SD-192

Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 210, to establish the United States Enrichment Corporation to operate the Federal uranium enrichment program on a profitable and efficient basis to maximize the long-term economic value to the United States.
SD-366

MARCH 8

9:00 a.m.
Veterans' Affairs
Business meeting, to mark up the proposed budget for fiscal year 1992 for veterans programs.
SR-418

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Agricultural Stabilization and Conservation Service, the Foreign Agricultural Service, General Sales Manager, and the Soil Conservation Service.
SD-138

Finance
Social Security and Family Policy Subcommittee
To resume hearings to examine child poverty and welfare dependency, focusing on measurement of increases and decreases.
SD-215

Judiciary
Constitution Subcommittee
Business meeting, to mark up S.J. Res. 18, proposing an amendment to the U.S. Constitution relating to a Federal balanced budget.
SD-226

MARCH 11

2:00 p.m.
Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title VII provisions relating to the Strategic Petroleum Reserve, and Title VIII provisions relating to the Outer Continental Shelf.
SD-366

MARCH 12

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title IX provisions which authorize a competitive oil and gas leasing program for the Coastal Plain of the Arctic National Wildlife Refuge in Alaska (ANWR).
SD-366

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the Office of the Assistant Secretary for Health, the Agency for Health Care Policy and Research, and the Centers for Disease Control.
SD-192

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the Alcohol Drug Abuse and Mental Health Administration, the Health Resources and Services Administration, and the National Council on Disability.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for foreign assistance, focusing on development assistance programs.
SD-138

MARCH 13

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the Department of Veterans Affairs and Department of Defense emergency preparedness plan.
334 Cannon Building

9:30 a.m.
Rules and Administration
To resume hearings on S. 3, S. 6, S. 7, S. 53, S. 91, S. 128, S. 143, and S. 294, Congressional election campaign finance reform proposals.
SR-301

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for activities of the Secretary of Transportation.
SD-138

1:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Council on Environmental Quality, and the Environmental Protection Agency.
SD-138

2:00 p.m.
Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal years 1992 and 1993 for the Department of Defense, and to review the fiscal years 1992-1997 future year defense plan.
SR-222

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on proposed legislation authorizing funds for the Motor Carrier Safety Assistance Program.
SR-253

MARCH 14

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on proposed legislation authorizing funds for the National Highway Traffic Safety Administration.
SR-253

Rules and Administration
To continue hearings on S. 3, S. 6, S. 7, S. 53, S. 91, S. 128, S. 143, and S. 294, Congressional election campaign finance reform proposals.
SR-301

10:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the National Institutes of Health, the Office of Director, Buildings and Facilities, the National Cancer Institute, Heart, Lung and Blood Institute, the National Dental Institute, Allergy and Infectious Diseases, Diabetes, Digestive, and Kidney, Child Health and Human Development, Environmental Health, and the Fogarty International Center.
SD-192

Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title XV provisions relating to reform of the Public Utility Holding Company Act of 1935 (PUHCA).
SD-366

1:30 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Health and Human Services, focusing on the National Institutes of Health, the Neurology Institute, the Deafness Institute, General Medical Sciences, the National Eye Institute, the National Institute on Aging, Arthritis Musculoskeletal and Skin, Division of Research Resources, Nursing Research, Human Genome, and the National Library of Medicine.
SD-192

2:00 p.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 12, to ensure carriage on cable television of local news and other programming and to restore the right of local regulatory authorities to regulate cable television rates.
SR-253

Energy and Natural Resources
To continue hearings on S. 341, the National Energy Security Act of 1991, focusing on Title XV provisions relating to reform of the Public Utility Holding Company Act of 1935 (PUHCA).
SD-366

MARCH 15

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, the Food Safety and Inspection Service, and the Agricultural Marketing Service.
SD-138

MARCH 18

2:00 p.m.
Energy and Natural Resources
To hold hearings on S. 341, the National Energy Security Act of 1991, focusing on Title V provisions relating to coal and the applicability of new source review to existing electric steam generating units (WEPCo).
SD-366

MARCH 19

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Education, focusing on the Office of the Secretary of Education and Special Institutions.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for foreign assistance, focusing on aid to Africa.
SD-138

MARCH 20

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, Office of Inspector General, and the National Credit Union Administration.
SD-116

Rules and Administration
Business meeting, to mark up proposed legislation relating to Congressional election campaign finance reform.
SR-301

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the

Urban Mass Transportation Administration and the Washington Metropolitan Area Transit Authority.

SD–138

2:00 p.m.

Energy and Natural Resources

To resume hearings on S. 341, the National Energy Security Act of 1991, focusing on Title XI provisions relating to transportation issues, and on the Administration's proposal contained in the National Energy Strategy relating to alternative-fuel fleets.

SD–366

MARCH 21

9:30 a.m.

Energy and Natural Resources

To hold hearings to review the status of implementation of the Department of Energy's civilian nuclear waste program mandated by the Nuclear Waste Policy Act of 1982 and its 1987 revisions.

SD–366

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs on the proposed Soldiers' and Sailors' Civil Relief Act.

334 Cannon Building

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for ACTION, the Federal Mediation and Conciliation Service, the National Mediation Board, the Railroad Retirement Board, the Federal Mine Safety and Health Review Commission, the National Labor Relations Board, and the Occupational Safety and Health Review Commission.

SD–192

2:00 p.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Physician Payment Review Commission, the Corporation for Public Broadcasting, the National Commission on Libraries, the U.S. Institute of Peace, the National Commission on AIDS, the Prospective Payment Assessment Commission, the National Commission to Prevent Infant Mortality, and the Soldiers and Airmen's Home.

SD–192

MARCH 22

10:00 a.m.

Appropriations

Agriculture and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Food and Nutrition Service, and the Human Nutrition Information Service.

SD–138

APRIL 9

1:00 p.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for certain transportation programs.

SD–138

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for foreign assistance, focusing on aid to Latin America.

SD–192

APRIL 10

9:30 a.m.

Environment and Public Works

Superfund, Ocean and Water Protection Subcommittee

To hold hearings to examine lender liability as related to Superfund.

SD–406

10:00 a.m.

Appropriations

Agriculture and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Farmers Home Administration, the Federal Crop Insurance Corporation, and the Rural Electrification Administration.

SD–138

1:30 p.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Inter-agency Council on the Homeless, and the Department of Housing and Urban Development.

SD–124

APRIL 11

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Research and Special Programs Administration of the Department of Transportation, and the National Transportation Safety Board.

SD–138

APRIL 16

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.

SD–192

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on aid to Eastern Europe.

SD–138

APRIL 17

9:00 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, the American Ex-Prisoners of War, the Jewish War Veterans, and the Veterans of World War I.

345 Cannon Building

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.

SD–192

1:30 p.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the United States Court of Veterans' Affairs, and the Department of Veterans' Affairs.

SD–138

APRIL 18

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.

SD–192

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Federal Highway Administration, Department of Transportation.

SD–138

APRIL 19

10:00 a.m.

Appropriations

Agriculture and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture, focusing on the Commodity Futures Trading Commission, the Food and Drug Administration, the Farm Credit Administration, and the Farm Credit System Assistance Board.

SD–138

APRIL 23

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings to examine the science education programs of various Federal agencies.

SD–138

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.

SD–1902

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on security in the post-cold war era.

SD–138

APRIL 24

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Office of Science and Technology Policy, and the National Science Foundation.
SD–124

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD–192

APRIL 25

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD–192

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the U.S. Coast Guard, Department of Transportation.
SD–138

APRIL 26

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Agriculture.
SD–138

MAY 7

1:00 p.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the National Highway Traffic Safety Administration and the Office of Inspector General, Department of Transportation.
SD–138

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for foreign assistance, focusing on AID management issues and reform efforts.
SD–192

MAY 8

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the National Space Council, and the National Aeronautics and Space Administration.
SD–138

MAY 9

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Federal Aviation Administration, Department of Transportation.
SD–138

MAY 14

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. trade.
SD–138

MAY 15

1:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Commission on National Service, and the Points of Light Foundation.
SD–138

MAY 16

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the General Accounting Office.
SD–138

MAY 17

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD–138

MAY 21

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on international AIDS crisis.
SD–138

3:45 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on the Peace Corps expansion and change.
SD–138

MAY 23

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for certain transportation programs.
SD–138

JUNE 4

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
SD–138

CANCELLATIONS

MARCH 20

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the Department of Education, focusing on the Offices of the Assistant Secretaries of Education, and the Office of Inspector General.
SD–192