

HOUSE OF REPRESENTATIVES—Tuesday, March 19, 1991

The House met at 12 noon.

The Reverend Willard Albertson, Wayzata Community Church, Wayzata, MN, offered the following prayer:

Almighty God, our God of life and amazing grace, we thank You for Your presence at this moment and in this place.

Your grace has rooted this Nation with the uncommon legacy of liberty; we pray for strength of national character and personal integrity to keep this legacy ever alive.

May Your wise counsel instruct the deliberations of this day and keep us mindful of those who struggle for freedom in the face of those who rule through terror, those who plunder the weak, and imprison the just.

We pray our profound gratitude, Almighty God, that our national purpose has been a sacred resolve of life and liberty. May we never forget that liberty is no accident and freedom is not free. 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. The Chair will ask the gentleman from Georgia [Mr. DARDEN] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. DARDEN 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 without amendment a joint resolution of the House of the following title:

H.J. Res. 133. Joint resolution authorizing and requesting the President to designate the second full week in March 1991 as "National Employ the Older Worker Week".

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

S. 331. An act to provide military personnel benefits for persons serving during Operation Desert Storm, and for other purposes;

S. 332. An act to authorize supplemental appropriations for the Department of Defense for Operation Desert Storm, and for other purposes;

S. 483. An act entitled the "Taconic Mountains Protection Act of 1991";

S. 578. An act to authorize supplemental appropriations for fiscal year 1991 for the Department of Defense for Operation Desert Storm, to provide military personnel benefits for persons serving during Operation Desert Storm, and for other purposes;

S. 669. An act to provide a land transfer to the Missouri Housing Development Commission; and

S. 674. An act to designate the U.S. Post Office located at 304 West Commercial Avenue in Monterey, TN, as the "J.E. 'Eddie' Russell Post Office."

WELCOME TO THE REVEREND WILLARD ALBERTSON

(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, I am proud and honored today to welcome the Reverend Willard Albertson, Bill to his many friends in the Twin Cities of Minnesota, minister of our own Wayzata Community Church, as guest chaplain.

Mr. Speaker, as a student, Reverend Albertson was just 2 years behind our own beloved House Chaplain, Dr. Jim Ford, at Gustavus Adolphus College in St. Peter, MN.

As Dr. Ford told me recently, Bill Albertson was one of the great leaders at Gustavus Adolphus College. Dr. Ford also told me that he and Bill ran the political affairs at Gustavus.

Reverend Albertson has had a tremendous impact on my life as well as the lives of the people of our community. His concern for people who are disadvantaged, chemically dependent, and politically imprisoned around the world has been underscored by his own actions.

Bill Albertson has personally led several groups from our community to Haiti to assist in its development and to aid the people there.

Reverend Albertson came to Wayzata Community Church in 1980, the first year I was elected to the Minnesota Senate. I have had the pleasure of working closely with Bill in our church and the Wayzata-Plymouth Chemical Health Commission as well as through Interfaith Outreach in our area.

During my 10 years in the Minnesota Senate, Bill Albertson was one of my closest advisers. As a Member of Congress, I continue to benefit from his wise and compassionate counsel.

Thank you, Mr. Speaker and Members, for giving Rev. Bill Albertson such a warm reception. I know Bill Albertson will serve us well.

INTRODUCTION OF LEGISLATION TO EASE BURDEN ON FDIC FUND

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

Mr. DARDEN. Madam Speaker, last week, this House was called upon to increase the funding for an already costly savings and loan resolution. Additionally, another financial institution insurance fund shows signs of distress. Americans can no longer be held accountable for all financial failures; without some changes both in the deposit insurance provisions and in their enforcement, I am afraid we will find ourselves mired in another costly fiasco. Accordingly, today I am introducing legislation which I believe will ease some of the burden on the FDIC fund.

Madam Speaker, many Americans are unaware of the fact that while the FDIC is funded through premiums assessed on deposits, this agency does not require premiums to be paid on foreign deposits held in American institutions. Yet when these banks fail, the FDIC covers these investments. I believe this is unreasonable, unfair, and irresponsible. The FDIC loses approximately \$600 million per year by not requiring these assessments. With \$30 billion more needed in the fund, this policy can no longer be justified.

Today, I am introducing legislation to require the FDIC to assess premiums on foreign deposits. I believe this is the only fair method of assuring equitable responsibility and benefit, and I urge my colleagues to join me in this effort.

IT IS TIME THE JAPANESE PLAY FAIR

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

Mr. BROOMFIELD. Madam Speaker, 10 pounds of American rice. Display 10 pounds of American rice in Japan and you can get arrested.

That's what our Embassy officials were told last Saturday when the American Rice Council tried to display a small bag of its product at a Tokyo trade show.

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

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

Showrooms all over America display Hondas, Toyotas, and Nissans. But in Japan you cannot display a 10-pound bag of American rice.

I cannot think of a country that has benefited more from our open markets than Japan. And I cannot think of any country that has done less to deserve it.

There are lobbyists all over this town paid huge sums to convince us that Japan is interested in fair trade.

Let them explain why the Japanese Government will not let us display a simple little bag of American rice.

Madam Speaker, I would like to insert an article from the New York Times, which describes this ridiculous situation.

[From the New York Times, March 18, 1991]

JAPAN SHUTS U.S. RICE EXHIBITION

LATEST TRADE DISPUTE EMBARRASSES SOME OFFICIALS IN TOKYO

(By David E. Sanger)

TOKYO, March 17.—The United States Rice Council reluctantly withdrew its exhibition here on Saturday after Japan's Agriculture Minister threatened the exhibitors with arrest for displaying 10 pounds of American rice.

This latest twist in the continuing trade disputes between the United States and Japan began as an amusing standoff, but turned serious as Japanese threats mounted during the week.

Each day, Japanese Government agents arrived at the Foodex international exhibition here and with a perfunctory bow and the look of highway patrolmen who had a speeder where they wanted him, studied the contraband: a few sealed bags of American rice and some plastic containers containing samples of different American varieties.

HAVE A RICE DAY

Not only was the rice in plain view, but the United States Rice Council was also handing out bumper stickers that said, "Have a Rice Day."

Each day the agents from Japan's Food Agency demanded that the Americans remove the rice. Each day, the Rice Council listened politely and ignored them.

For decades, Japan has enforced a ban against selling imported rice, but to the Americans it hardly seemed a violation of the law to invite Japanese to look at rice—under glass.

Then, on Saturday morning, the Minister of Agriculture, Forestry and Fisheries, Motoji Kondo, notified the American Embassy that everyone associated with the exhibit would be arrested if the rice was not taken off display.

I THINK WE MADE OUR POINT

At noon, the Americans reluctantly removed their rice.

"We removed it under threat of arrest, but I think we made our point," David Graves, the president of the United States Rice Millers Association, said Saturday. "It is ridiculous that Japan's 10-million-ton rice industry should feel threatened by 10 pounds of American rice. I hope the Japanese feel pretty foolish."

Parts of the Japanese bureaucracy are likely to feel that way. For months Japanese politicians have been trying to come up with ways to relax the ban on imported rice without angering Japan's weekend farmers, who

make up a key constituency for the ruling Liberal Democratic Party.

These farmers reap enormous tax benefits from growing rice—even on small, inefficient plots in the middle of some of Japan's most overcrowded cities.

The issue has become particularly intense in recent weeks because Japan is afraid it will receive part of the blame if efforts to revive the global trade talks collapse.

Those talks broke off in December, deadlocked by a dispute between food-exporting nations, led by the United States, Australia and Canada and the European Community. The food exporters wanted to slash farm subsidies, saying they led to closed markets and inefficiency; the Europeans refused, saying they needed to protect their farmers.

JAPAN'S JUSTIFICATION

Japan came in for its share of criticism as well, and Japanese trade negotiators acknowledged that the nation's justification for the trade barrier—that its security would be imperiled if it did not produce all its own rice—was convincing no one.

So a senior official of the Ministry of International Trade and Industry, Noboru Hatakeyama, suggested Japan would be wise to ignore the Rice Council's exhibit. "It would be strange to remove something which is not dangerous to national security," he said.

But the Food Agency, which is responsible for distributing the nation's rice at fixed prices, found the exhibit too much, especially after the Japanese press began playing up the fact that consumers here pay two and a half times more for their rice than Americans do.

American officials had armed themselves with a copy of Japan's Food Control Law, which allows educational displays of rice.

"We asked the Japanese to show us the language in the law that makes it illegal to show people rice and teach them about it," Jim Parker, the minister-counselor for agricultural affairs at the United States Embassy said. "We're still waiting."

But one embassy official said this weekend, "It's not our job to ask people to subject themselves to arrest."

At the Food Agency, officials said the exhibit did not look like education to them. "This fair is for market development and sales promotion," Tetsuro Yakushiji, the deputy director of the policy division, said Saturday.

REMEMBERING COURAGEOUS CREW MEMBERS OF DOWNED AC-130 GUNSHIP

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

Mr. HUTTO. Madam Speaker, on February 5 I spoke to the House about the 14 brave Americans who were then listed as missing in action after their AC-130 gunship disappeared during a combat mission in southeastern Kuwait. The plane has since been located in the Persian Gulf. The crew members and the aircraft were based at Hurlburt Field, FL, which is in my congressional district. Last Friday, I had the solemn experience of attending a service memorializing these American patriots. The ceremony was a fitting tribute to those who gave the supreme sacrifice

while fighting for their country and against the tyranny and aggression of Saddam Hussein. Our Nation's history teaches us that the cost of freedom is high. Just as we remember the fallen soldiers of past wars, let us never forget the price paid by these 14 courageous crew members and all the others who died during the war against Iraq.

LET US BE FAIR

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

Mr. COMBEST. Madam Speaker, I rise to introduce to my colleagues my campaign to fight against intrusive regulation, or FAIR. We all have been contacted by our constituents about the increased burden of ridiculous Government regulations. OMB estimates that regulations drain our economy of \$175 billion each year—an average of more than \$1,700 per taxpayer. That is, like writing a check out to the U.S. Government—paid for by the American taxpayer.

Clearly, Government overregulation is like a stranglehold on the throats of the American entrepreneurial spirit—a stranglehold which saps the strength of our Nation's economy. We all agree that responsible, effective regulations are necessary. However, the need for regulatory reform is real.

A survey by the National Federation of Independent Businesses found Government regulation as one of the most important problems small business owners face. The FAIR campaign will try to root out this problem from the grassroots on up. The FAIR campaign will serve as a clearinghouse between those who are experiencing unfair regulations and a network of members and associations serious about affecting meaningful regulatory reform.

During a series of 1 minutes this week, I will highlight examples of the type of overzealous regulations my FAIR campaign will seek to address. If you are interested in bringing about regulatory reform, and if you are interested in canceling this check from the American taxpayer to the U.S. Government, I urge you to contact me and join this bipartisan effort to fight against intrusive regulations.

□ 1210

COMMUNITY GRIEVES FOR BAND MEMBERS KILLED IN PLANE CRASH

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

Mr. CLEMENT. Madam Speaker, the city of Nashville, and its music community in particular, grieve for the country music band members killed

Sunday morning in a plane crash near San Diego.

Among those killed were seven members of Reba McEntire's Band as well as her tour manager. While Ms. McEntire was aboard a different aircraft which flew safely to its destination, the death of the band members highlights the difficult travel conditions under which performers work. It also underscores the close-knit family relationships which develop among performers who spend time on the road and in concert.

Our prayers go to the families and friends of tour manager Jim Hammon, keyboardist and bandleader Kirk Cappello, singer Paula Kaye Evans, guitarist Michael Thomas, bass player Terry Jackson, keyboardist Joey Cigainero, drummer Tony Saputo, and acoustic guitarist, fiddler, and singer Chris Austin.

These individuals were the backbone and core of the band. They were the friends, the dedicated workers, and the perfectionists who helped brighten Ms. McEntire's already brilliant stardom.

They will be sorely missed.

SUPPORT THE VOLUNTEER PROTECTION ACT

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

Mr. PORTER. Madam Speaker, I have reintroduced the Volunteer Protection Act. Last year, the House passed this legislation as part of the National Service Act but it was stripped out in conference. This year, volunteer protection has the support of the House and that of the YMCA, the Women's Clubs, the Farm Bureau, the Air Force Association, Big Brother/Big Sister, and many, many others; 250 national organizations depend on volunteers in all.

Lawsuits against volunteers are a real problem, Madam Speaker, the volunteer organizations know this problem. Twenty percent of association directors report it has hurt recruitment. The States know it is a problem. A number have already enacted volunteer protection laws. The President knows it is a problem. He recently released a model volunteer protection law. Only this Congress has failed to recognize the problem by not enacting the Volunteer Protection Act.

The act is simple. It channels the lawsuit from the volunteer to the organization itself. It protects the injured and supports volunteers.

I urge all Members to, once again, co-sponsor this measure and get behind this Nation's volunteers, not in their way.

TRIBUTE TO ROBERT LEWIS ASACK, DIRECTOR, OFFICE OF AVIATION OPERATIONS, U.S. CUSTOMS SERVICE

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

Mr. ENGLISH. Madam Speaker, I rise today to pay tribute to a good friend and a stalwart in our country's war on drugs, Mr. Robert L. Asack. It is with regret that I stand here today to announce his retirement after having served his country both as a naval aviator and Federal drug agent for a total of 27 years. Following 7 years of service in the U.S. Navy, Mr. Asack briefly ventured into the private sector before reentering the Federal service as a sky marshal in the early 1970's. Thus began an illustrious civil service career which culminated in 1987 with his appointment as the new Director of the U.S. Customs Service's Office of Aviation Operations. His rise to the top was not a fluke. While representing our efforts on the frontlines of the drug war, Mr. Asack rose through the ranks with various assignments to such places as New York, Miami, San Diego, and here in Washington. As he achieved personal goals in his career, the Customs Aviation Program benefited by his insight into the problems confronting a relatively ill-equipped Federal airborne antidrug smuggling effort. His input into the resolution of those problems is the basis for the successful record of achievement compiled by a much modernized Customs Air Program.

Frequently referred to as the godfather of today's modern Customs Aviation Program, Mr. Asack is credited with writing the book on air interdiction in that he identified the airborne smuggling threat and created the strategy for successfully overcoming that threat. In so doing, he was the architect of the design document that was the basis for the modernization of the Customs airborne fleet.

As if that weren't enough, Mr. Asack then oversaw the successful implementation of that strategy and leaves Government service knowing full well that his personal efforts have contributed greatly to the successful prosecution of the war on drugs.

Mr. Asack's commitment to public service has truly been exemplary. I join his coworkers at the Customs Service, and the many friends he has acquired during his career, in honoring him for his dedication and service to the people of the United States.

OPPOSE MORE FEDERAL MANDATES

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

Mr. BALLENGER. Madam Speaker, once again Congress is attempting to destroy the time-honored system of flexible employee benefits by pushing H.R. 2, the mandated employee leave bill.

I think almost all employers and Members of Congress will agree that leave benefits make good business sense. The issue is not the leave. The issue is should the Federal Government dictate employee benefits for all businesses and their employees. With 39 States already having their own variation of this law, and many businesses offering it as well, why mandate it from Washington.

A January 1991 survey by Penn & Schoen Associates, Inc., an independent corporate and political survey research firm conducted a survey of public opinion on family and medical leave was done. The survey found that the American public does not support federally mandated leave. In fact, 89 percent of those surveyed believed that employee benefits should be a matter decided by employers and employees. Only 6 percent of those surveyed felt the Federal Government should mandate this benefit.

Leave benefits make good business sense and this is recognized by the American public. However, as this survey shows the public does not support a federally mandated leave policy.

This Federal mandate should be voted down. Join me in that effort.

PRESIDENT BUSH'S CRIME PACKAGE

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

Mr. RAY. Madam Speaker, on March 11, President Bush sent Congress his 1991 crime package. While there are elements of this proposal which may need to be reviewed or modified by the House and Senate, there are many elements which I strongly support.

Last year this House passed a tough crime control package. However, during conference consideration, many of the strongest provisions of this legislation were stripped away.

I am pleased that the President's proposal takes a strong stand against crime. Included in his proposal are provisions to expand the list of crimes subject to the death penalty. I strongly support these provisions. I believe we need the death penalty as a deterrent to crimes of great magnitude, and I urge enactment of procedures which would allow the death penalty to be used as punishment for grave and heinous crimes.

In addition, the President's crime proposal seeks to modify rules governing illegally seized evidence.

His proposal would allow such evidence in trials if police acted in good

faith, during seizure. I firmly believe that our law enforcement people should have some degree of flexibility in prosecuting criminals. We should not cripple law enforcement initiatives, nor force our law enforcement officials to miss the opportunity to prosecute a known criminal because of technical rules that do not take into account the real situation on the streets.

Madam Speaker, I am hopeful that the Members of this House will take into consideration the support that expansion of the death penalty and habeas corpus reform received from the Members of this Chamber last year. Madam Speaker, Americans deserve a good crime package. They deserve to be safe in their homes, their businesses, and on the streets. We must make sure that law enforcement officials have the tools they need to do their jobs.

ALLIES MUST PAY THEIR SHARES

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

Mr. BONIOR. Madam Speaker, I read with anguish and with deep anger this morning, reports that some members of the German Government now want to reduce its gulf war burden-sharing pledge.

To suggest, as they have, that the United States will end the gulf war with a profit is absolutely insulting and it is absurd. Do these nations consider our cost in lives to our young men and women? Do they consider the cost in lost wages to thousands of reservists who were called to active duty? Do they consider the costs of all Americans that have had to pay to divert our resources to this war?

□ 1220

We should not have to remind them that we stood guard for 45 years to protect the interests of a free and democratic Western Europe.

We should not have to remind anyone that it was the United States that committed half a million troops to the gulf. American lives were on the line and we indeed lost some of our best.

The Japanese are now hedging on whether to send minesweepers to clear shipping lanes. Prime Minister Kaifu says he is tired of hearing the expression, "Too little, too late." In fact, it appears some nations now want to turn "late" into "never."

The United States has more than lived up to its commitments. We will not accept broken pledges and broken promises from others.

FAMILY AND MEDICAL LEAVE

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

Mr. BOEHNER. Madam Speaker, H.R. 2, the Family and Medical Leave Act, has been heavily promoted as a minimum labor standard, one which takes a minimalist approach to the challenges of balancing work and family.

The proponents of H.R. 2 dismiss the argument that family and medical leave is the first of many mandated benefits which will be thrust upon the back of American business. I would like to take this opportunity to point out what proponents of H.R. 2 have in mind next.

Recently, two of my colleagues introduced legislation which would entitle employees to paid leave in order to attend their children's school activities. Specifically, H.R. 1388 would require employers to provide 8 hours of paid leave to each worker to attend undefined school activities. The penalties for failing to comply with this legislation could reach \$50,000.

Madam Speaker, does this legislation represent another minimum labor standard? Is it now the proper roll of the Federal Government to tell all employers they must provide leave to parents, so they can attend PTA meetings, football games, and serve as cafeteria monitors? All parents want to fully participate in their children's school activities. However, I know of no schools that do not try to accommodate working parents by scheduling these events when parents aren't at work. Further, most companies are more than happy to give working parents time to attend important school activities.

Madam Speaker, supporters of mandated benefits are not looking for a minimum labor standard. They want Congress, and not the private sector, to determine employee benefits. However, I believe that individuals and their employers are in a far superior position to determine what benefits best meet their need. I urge my colleagues to oppose H.R. 2 and any other mandated benefit.

TIME FOR ALLIES TO PAY UP

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

Mrs. SCHROEDER. Madam Speaker, I am delighted to follow the gentleman from Michigan [Mr. BONIOR] into this well, because what he said about the Germans who are over here saying that they do not want to now pay their share of the gulf war is absolutely outrageous. To have them accuse us of making a profit is just despicable.

We are going to in the Committee on Children, Youth and Families, have our first hearing on April 15 where we start reclaiming the Tax Code for American families, and we are going to show what American families get for their taxes versus what German families get

for their taxes and other of our allies. They invest in their families first and then if there are a few coins left, they drop them in for defense. We have been protecting them for 45 years and cutting short our families and moving more and more of the tax burden on our families, which is part of why they are so understressed.

American families feel like the squirrel on the wheel, running and running. At the end of the year they are still at the bottom of the wheel with their tongues hanging out.

Well, we are taking back the Tax Code. We are going at it and we really think it is time that everybody started paying their fair share and acting responsibly and this is the day when we are going to start turning that around.

STOP JONES ACT VESSELS FROM BEING REBUILT IN FOREIGN SHIPYARDS

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

Mr. PICKETT. Madam Speaker, the industrial base of America is in jeopardy, and nowhere is this more apparent than in the area of shipbuilding and ship repair.

Section 27 of the Jones Act, which requires that all vessels engaged in coastwise trade be built, rebuilt, or repaired in American shipyards has not worked as Congress intended.

Judicial and administrative interpretations have hollowed out this law to the point where there is virtually no limitation on the rebuilding and repair of Jones Act vessels abroad.

The bill I am introducing today will restore the effectiveness of section 27 by establishing a clear and unmistakable standard to be applied in determining the emergency repairs that may be performed on a Jones Act vessel in a foreign yard, and prohibiting all other work, no matter how minor.

Madam Speaker, America's shipbuilding and ship repair industries must be preserved. Since 1982 alone, more than 40 domestic shipyards have closed, throwing thousands of highly skilled employees out of work; this must not continue. My bill will restore the congressional intent to help our Nation retain its industrial base in shipbuilding and ship repair. I urge my colleagues to join me in this effort.

INFANT MORTALITY AWARENESS DAY

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

Mr. HARRIS. Madam Speaker, I rise today to introduce a House joint resolution to designate Mother's Day, May 12, 1991, as "Infant Mortality Aware-

ness Day." It is my hope that this commemorative legislation will make more Americans aware of our Nation's deplorable infant mortality rate.

As an active member of the Task Force on Infant Mortality in the House Sun Belt Caucus, I am pleased to be the primary sponsor of legislation to encourage the birth of healthy babies. Last year, I sponsored a similar resolution. This effort is part of the task forces' continuing work to educate the public about infant mortality.

I believe our educational efforts are paying off. In the recently passed dire emergency supplemental appropriations bill, House Resolution 1281, Congress provided a \$25 million initiative to target populations with infant mortality rates higher than twice the national average. I expect the conference report to be voted on later this week, and this initiative is an important part of the bill.

Alabama has consistently been one of the States with the highest infant mortality rates in the Nation and it troubles me that our State has been listed as one of the five worst States in this regard.

It is with these sobering thoughts in mind that I am pleased that our national rates have improved slightly since last year. This year's resolution documents our improvements. It is unfortunate that the best available statistics about this issue date back to 1988. Our national rate for 1988 has declined to 10.0 deaths per 1,000 live births. However this improvement still translated into more than 38,000 deaths per year. We must remember that these deaths represent a personal tragedy for a family. In addition, our international ranking has also improved from 23d to 21st. At this point, I would like to insert in the RECORD the recently published statistics provided by the National Commission on Infant Mortality for the year 1988.

INFANT MORTALITY RATE AND SELECTED DATA, ALL RACES, 1988

Rank and State	IM rate ¹ (thousands)	Number deaths	Number births	Number low birthweight ²	Percent low birthweight
1. Vermont	6.8	55	8,111	406	5.0
2. Hawaii	7.2	137	19,045	1,311	6.9
3. Minnesota	7.8	521	66,748	3,322	5.0
4. Maine	7.9	136	17,172	832	4.9
5. Massachusetts	7.9	695	88,194	5,286	6.0
6. Utah	8.0	287	36,055	2,048	5.7
7. Kansas	8.0	309	38,792	2,379	6.1
8. Rhode Island	8.2	116	14,224	854	6.0
9. New Hampshire	8.3	144	17,364	837	4.8
10. Wisconsin	8.4	595	70,817	3,856	5.4
11. Nevada	8.4	152	18,008	1,358	7.5
12. Oregon	8.6	343	40,052	2,101	5.2
13. California	8.6	4,573	533,148	32,001	6.0
14. Iowa	8.7	331	38,119	2,072	5.4
15. Montana	8.7	102	11,692	696	6.0
16. Idaho	8.8	138	15,741	808	5.1
17. Connecticut	8.9	426	48,077	3,238	6.7
18. Wyoming	8.9	64	7,162	504	7.0
19. Texas	9.0	2,724	303,418	20,727	6.8
20. Nebraska	9.0	215	23,907	1,319	5.5
21. West Virginia	9.0	197	21,846	1,389	6.4
22. Washington	9.0	654	72,503	3,804	5.3
23. Oklahoma	9.0	429	47,408	3,102	6.5
24. Colorado	9.6	510	53,367	4,186	7.8
25. Arizona	9.7	637	65,623	4,088	6.2
26. Ohio	9.7	1,565	160,529	11,017	6.9
27. New Jersey	9.9	1,168	117,764	8,285	7.0

INFANT MORTALITY RATE AND SELECTED DATA, ALL RACES, 1988—Continued

Rank and State	IM rate ¹ (thousands)	Number deaths	Number births	Number low birthweight ²	Percent low birthweight
28. Pennsylvania	9.9	1,643	165,639	11,417	6.9
29. New Mexico	10.0	270	27,015	1,950	7.2
30. South Dakota	10.1	113	11,194	523	4.7
31. Missouri	10.1	773	76,492	5,221	6.8
32. Virginia	10.4	967	93,127	6,549	7.0
33. North Dakota	10.5	106	10,103	485	4.8
34. Florida	10.6	1,952	184,119	14,119	7.7
35. Kentucky	10.7	544	51,058	3,421	6.7
36. Arkansas	10.7	374	35,035	2,870	8.2
37. New York	10.8	3,017	280,650	21,774	7.8
38. Tennessee	10.8	761	70,711	5,556	7.9
39. Indiana	11.0	899	81,643	5,365	6.6
40. Louisiana	11.0	814	73,902	6,504	8.8
41. Michigan	11.1	1,544	139,714	10,192	7.3
42. Illinois	11.3	2,083	184,841	13,793	7.5
43. Maryland	11.3	854	75,768	6,136	8.1
44. Alaska	11.6	130	11,232	558	5.0
45. Delaware	11.8	123	10,406	765	7.4
46. Alabama	12.1	736	60,745	4,866	8.0
47. Mississippi	12.3	516	42,074	3,668	8.7
48. South Carolina	12.3	677	55,144	4,935	9.0
49. North Carolina	12.5	1,215	97,579	7,823	8.0
50. Georgia	12.6	1,331	105,923	8,858	8.4
51. D.C.	23.2	245	10,540	1,507	14.3
Total United States	10.0	38,910	3,909,510	270,681	6.9

¹ The number of infant deaths (up to 1 yr of age) per 1,000 live births.

² Less than 5 pounds 8 ounces (2,500 grams).

Source: National Center for Health Statistics.

Individuals can and should make a difference. In Greene County, the efforts of Dr. Sandral Hullett and the West Alabama Health Services have proven effective. These hard-working health care practitioners succeed in reaching high-risk mothers. Greene County has an impressive record of improving the lives of a rural community. I applaud all health care practitioners who are working to improve the lives of mothers and infants.

The solution to the problem is complex. Proper prenatal care has been found to be the single greatest contributor to the birth of a healthy baby. For every \$1 invested in prenatal care, there can be \$3 savings for postnatal, acute care. In cases where mothers are exposed to drugs, this prenatal care can be even more effective. The ratio of spending to savings increases from \$1 to \$4. This initial investment by the State and Federal Government can be expensive. However, providing preventive care is always cheaper than paying for acute, postnatal care and counseling.

I hope this educational effort will make this year's Mother's Day a special day for our Nation's infants. The birth of healthy babies to healthy mothers should be the goal of all Americans.

FAIR TRADE

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

Mr. APPLGATE. Madam Speaker, our friend the gentleman from Michigan [Mr. BROOMFIELD], got up awhile ago and was talking about the price of rice in Japan, the fact that they limit the amount that we can even put on display, and I think the gentleman is absolutely right that this is a disgrace

that we have this kind of policy and we recognize its importance.

The problem is that we can grow rice at a less price, for only about 25 percent of the cost that they can grow it in Japan, and yet they will not allow us to send it over there; yet when they produce something for less money, we open up our doors and say, "Bring it all in. Let the American people have it."

Well, we are losing jobs in this country and we cannot continue to do it. I had a group of 100 Close Up Students in here awhile ago. Their concern was that after they graduate from school, where are they going to go? Where are the jobs going to be? Unfortunately, they have to go other places.

I talked to some Japanese not too long ago and some Koreans. You know, they think we are stupid. They say:

You just allow us to produce all your products over in Japan and Korea. You are not interested in producing over here because you make more money if you do it over there.

When is the Congress and the administration going to wake up from their economic slumber? We cannot continue to live a quality of life, giving food, clothing, shelter, health insurance to our people if we have to ask them to work for minimum wages. All we ask for is the quality in the workplace.

INTRODUCTION OF TRAWLERS RELIEF AND WORKING LIVELIHOOD ACT OF 1991

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

Mr. LAUGHLIN. Madam Speaker, the shrimpers in my district are severely threatened by a recent Federal law which requires their nets to be equipped with a turtle excluder device, or TED. I certainly believe that endangered sea turtles must be protected. However, our Nation's shrimpers are themselves at risk of becoming extinct, due to diminished harvest and income, when pulling a TED. Therefore, they too must be protected.

I am introducing the Trawlers Relief and Working Livelihood Act of 1991 to relieve the severe economic burden that the shrimpers are now bearing. My bill prohibits the Secretary of Commerce from shortening the shrimping season in the Gulf of Mexico and the South Atlantic. It also provides a tax credit to offset the loss of income by shrimpers using TED's.

This legislation also removes criminal penalties for violations of Federal requirements concerning the use of TED's. Under the current law, normally law-abiding shrimpers can be thrown into jail with murderers and drug dealers. The stringent civil penalties and fines shrimpers must pay are certainly a strong enough deterrent.

The final provision of my bill directs the Secretary of Commerce to establish and implement a program whereby endangered sea turtle eggs are removed from the wild, hatched in captivity, and released months later into the wild after the greatest period of threat from predators has passed.

Madam Speaker, shrimpers in my district and around the country simply cannot survive under the status quo. The Trawlers Relief and Working Livelihood Act of 1991 will protect this endangered group of hard-working Americans and their families, just as TED's are protecting our endangered sea turtles.

□ 1230

JAPANESE RICE CONSTRAINTS UNFAIR

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

Mrs. BENTLEY. Madam Speaker, fairness—the one thing that sets America apart is fundamental fairness. We strive for it politically not only for our own citizens but also for our former enemies.

It would be refreshing if our allies showed a similar concern for what is fair when it concerns America.

Today's papers report that 10 pounds of American rice will not be displayed at a Japanese trade show, because Japanese officials are terrified that their citizens will want to buy American rice.

Homegrown Japanese rice is two to three times more expensive than imported American rice. American and Japanese farmers know this; American and Japanese officials know this—but Japanese consumers do not know this, and good American rice is kept from them.

The Japanese argue that it is in the national interest of Japan that their consumers buy Japanese rice.

It must be a question of national security—the billions that are gouged annually from Japanese shoppers are billions that could be spent for something else—and the billions spent this year to prop up the Japanese rice farmer are the billions that Japan could have used to pay its Desert Storm obligation to the United States.

It is obvious that Japan's national security is more concerned with protecting their own markets than honoring their international commitments.

LET'S NOT USE EXIMBANK TO SUBSIDIZE FOREIGN ARMS SALES

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

Mr. MOODY. Madam Speaker, the administration wants to increase taxpayer-subsidized foreign arms sales to NATO or to any country deemed in the Nation's interest.

The administration wants to do this by accessing the Export-Import Bank's already inadequate credits for this purpose.

Have we not learned anything from NATO and, sadly, United States arming, providing arms to Iraq up until last August? Or from arming the Shah of Iran, when these arms fell into the wrong hands? And who will be next year's Iraq if this policy is sustained? Will it be our new ally Syria, deemed in the Nation's interests, or another dictator in the volatile Middle East who has been promoting terrorism?

This sudden policy shift in the administration to harness Eximbank to finance foreign arms sales completely contradicts the President's own recent statements on this matter that we should end the arms proliferation.

The same administration contends now that subsidizing foreign arms sales is necessary to maintain a strong industrial base in America. The same administration previously opposed any industrial policy, or a national industrial policy, in this country.

Mr. President, if this policy is changed, what about the civilian industrial base? Wouldn't that make more sense? What about the machine-tool industry, the telecommunications industry, the shipbuilding industry, the semiconductor industry, are these less worthy sectors of our economy than the arms sector?

It is these civilian industries that over the long term create jobs and wealth in America, and it is these civilian industries that must ultimately raise our standard of living.

I invite my colleagues to join me in offering legislation to prohibit this pollution of the Eximbank for this purpose.

SUPER IRA IS LESS THAN SUPER

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

Mr. PEASE. Madam Speaker, my esteemed colleagues Congressmen PICKLE and THOMAS have recently introduced legislation that will restore fully deductible IRA's, as well as establish an alternative IRA that would be tax free when withdrawn. They refer to this legislation as the super IRA bill. I am here today to argue that this bill is super only because it results in a super cost to the U.S. Treasury and its benefits have been superexaggerated.

The primary selling point for this legislation is that it will promote an increase in the national savings rate. I think we all agree that our national savings rate must be increased. What

we disagree about is whether or not expanded IRA's will achieve this result. A CRS report on this subject concluded that the effects on savings would be quite modest.

I'm all for even a modest increase in the national savings rate. What I cannot support is a proposal that will cost the taxpayers \$30 billion over the next 5 years while generating an increase in the national savings rate that can only be described as quite modest.

THOUGHTS ON THE REFERENDUM IN U.S.S.R.

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

Mr. RITTER. Madam Speaker, a major historic vote has just taken place, a referendum, in the Soviet Union on whether or not the citizens there would want to preserve the Union of Soviet Socialist Republics. Now, there has been a lot of press commentary. I suggest that before the dust settles we hold back a little bit.

Let me just share a few ideas. The authorities reported a voter turnout of 500,000 people in the Baltic States, which is a very large number for the Baltics. Ninety percent of those voted for preserving the Union of Soviet Socialist Republics. But just recently, a short while ago, these Republics voted in referenda for independence. It does not make any sense.

Widespread ballot stuffing was observed, and people were observed pushing in four or five ballots apiece.

In Kazakhstan the Communist authorities removed Soviet and Socialists from the ballot question, totally changing the meaning of the referendum.

I guess my question is: Where else was this ballot question edited so substantially?

So many votes were conducted, ballots were conducted on military bases, and I guess the question there is: Is there any oversight? There is no review of who voted on these military bases and how many times.

We know that in the urban centers there was oversight of the process, and there Gorbachev was very substantially denied.

What about all the outlying areas? I think we need to be very cautious in our interpretation of this ballot until that dust settles.

THE PLIGHT OF THE UNEMPLOYED IN THE UNITED STATES

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

Mr. BORSKI. Madam Speaker, our recent victory in the Persian Gulf shows what we as a nation can accomplish

when we unite behind a just cause. Now, we need the President to use the same leadership to solve the plight of the unemployed here at home.

Yesterday, I went to a machinists union hall in the Bridesburg section of Philadelphia. I met with hundreds of unemployed people. They are among the 8.9 million Americans who are out of work. But what's even worse is that only half of these workers even qualified to collect unemployment benefits in the first place. Of those, more than 628,000 unemployed have exhausted their benefits and hundreds of thousands of others will soon see their benefits run out.

What I saw yesterday in Bridesburg was not statistics and numbers; I saw people. I saw good, hardworking Americans who want to provide for their families. I saw it in their eyes and I heard it in their voices. One young man told me about diligently looking for work for 6 months, but finding nothing. Another described attending a job fair where 1,500 people turned out to apply for 20 jobs. And, a labor representative talked about plant closings instead of job openings. That is what a 6.5-percent unemployment rate is all about.

The President made a priority of liberating Kuwait and we accomplished that goal. Surely we can make a priority of helping 9 million unemployed Americans.

I urge my colleagues to join with me in supporting Congressman TOM DOWNEY's legislation to extend unemployment benefits.

KPL/KGE SCHOLARSHIP FUND

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

Mr. NICHOLS. Madam Speaker, may I play a little show and tell at the beginning.

Madam Speaker, I come before you today to tell you what two Kansas companies are doing to help the families of those who served in Operation Desert Storm.

KPL Gas Service and Kansas Gas and Electric Co. have established a scholarship fund designed to benefit children whose parents served in Operation Desert Storm.

The companies are selling these red, white, and blue T-shirts which say "These colors don't run." The proceeds are then going toward these scholarships.

As Wilson Cadman, chairman of the board and president, said, "We urge all citizens to determine their own way to show support for military personnel facing dangers on the country's behalf."

This, Madam Speaker, is just another example of how Kansans are looking out for other Kansans. These fine companies saw a need, and instead of ask-

ing the Government to pick up the tab to start another program, they took matters into their own hands.

Thanks to this splendid private initiative, children of military personnel will be able to afford a college education in the future without placing a further strain on our Federal budget.

□ 1240

RESIGNATION AS MEMBER OF SELECT COMMITTEE ON HUNGER

The SPEAKER pro tempore (Mrs. UNSOELD) laid before the House the following resignation as a member of the Select Committee on Hunger:

WASHINGTON, DC,
March 12, 1991

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

DEAR MR. SPEAKER: I would like to request that my name be withdrawn from the Select Committee on Hunger.

I believe the issues addressed by this committee are important, and I have served on the panel for over two years. However, because of other pressing commitments in the House, I do not believe I would be able to adequately devote myself to the work of the committee.

Thank you for your consideration.

Sincerely,

THOMAS M. FOGLIETTA,
Member of Congress.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken on Wednesday, March 20, 1991.

NATIONAL LITERACY ACT OF 1991

Mr. KILDEE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 751) to enhance the literacy and basic skills of adults, to ensure that all adults in the United States acquire the basic skills necessary to function effectively and achieve the greatest possible opportunity in their work and in their lives, and to strengthen and coordinate adult literacy programs, as amended.

The Clerk read as follows:

H.R. 751

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 Literacy Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that—

(1) nearly 30,000,000 adults in the United States have serious problems with literacy;

(2) literacy problems are intergenerational and closely associated with poverty and pose a major threat to the economic well-being of the United States;

(3) present public and private literacy programs reach only a small portion of the population in need and often result in only minimal learning gains;

(4) the prevention of illiteracy is essential to stem further growth in national illiteracy rates;

(5) literacy programs generally lack adequate funding, adequate coordination with other literacy programs, and an adequate investment in teacher training and technology;

(6) access to better information about the best practices in the literacy field and more research in order to provide better diagnostic and instructional tools are essential for the improvement of literacy and employability in the United States;

(7) as many as 50,000,000 workers may have to be trained or retrained before the year 2000;

(8) the supply of unskilled workers is increasing while the demand for unskilled labor is decreasing;

(9) programs under the Adult Education Act, which are the largest Federal source of direct literacy services in the United States, serve only 10 percent of eligible participants; and

(10) all public and private literacy programs serve only about 19 percent of those who need help.

SEC. 3. DEFINITION.

For purposes of this Act the term "literacy" means an individual's ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals, and develop one's knowledge and potential.

TITLE 1—LITERACY: STRATEGIC PLANNING, RESEARCH, AND COORDINATION

SEC. 101. LITERACY RELATED PROGRAMS IN THE DEPARTMENT OF EDUCATION.

Section 202 of the Department of Education Organization Act (20 U.S.C. 3412) is amended by adding at the end the following: "(h) The Assistant Secretary for Vocational and Adult Education, in addition to performing such functions as the Secretary may prescribe, shall have responsibility for coordination of all literacy related programs and policy initiatives in the Department. The Assistant Secretary for Vocational and Adult Education shall assist in coordinating the related activities and programs of other Federal departments and agencies."

SEC. 102. NATIONAL INSTITUTE FOR LITERACY.

(a) PURPOSE.—It is the purpose of the amendment made by this section to enhance the national effort to eliminate the problem of illiteracy by the year 2000 by improving research, development and information dissemination through a national research center.

(b) FINDINGS.—The Congress finds that—

(1) much too little is known about how to improve access to, and enhance the effectiveness of, adult literacy programs, assessment tools, and evaluation efforts;

(2) there is neither a reliable nor a central source of information about the knowledge base in the area of literacy;

(3) a national institute for literacy would—

(A) provide a national focal point for research, technical assistance and research dis-

semination, policy analysis, and program evaluation in the area of literacy; and

(B) facilitate a pooling of ideas and expertise across fragmented programs and research efforts.

(C) AMENDMENT TO THE ADULT EDUCATION ACT.—Section 384 of the Adult Education Act (20 U.S.C. 1213c) is amended—

(1) in the second sentence of subsection (a), by inserting after "shall include" the following: "the operation of the Institute established by subsection (c) and"; and

(2) by adding at the end the following:

"(c) ESTABLISHMENT.—(1) There is established the National Institute for Literacy (in this section referred to as the 'Institute'). The Institute shall be administered under the terms of an interagency agreement entered into by the Secretary with the Secretary of Labor and the Secretary of Health and Human Services (in this section referred to as the 'Interagency Group'). The head of any other agency designated by the President may be involved in the operation of the Institute as fits the involvement of such agency in accomplishing the purposes of the Institute. The Secretary may include in the Institute any research and development center supported under section 405(d)(4)(A)(ii) of the General Education Provisions Act and any other center, institute, or clearinghouse established within the Department of Education whose purpose is determined by the Secretary to be related to the purpose of the Institute.

"(2) The Institute shall have offices separate from the offices of any agency or department involved in the operation of the Institute.

"(3) The Interagency Group shall consider the Board's recommendations in planning the goals of the Institute and in the implementation of any programs to achieve such goals. The daily operations of the Institute shall be carried out by the Director. If the Board's recommendations are not followed, the Interagency Group shall provide a written explanation to the Board concerning actions the Interagency Group has taken that includes the Interagency Group's reasons for not following the Board's recommendations with respect to such actions. The Board may also request a meeting with the Interagency Group to discuss the Board's recommendations.

"(d) DUTIES.—(1) The Institute is authorized, in order to improve and expand the system for delivery of literacy services, to—

"(A) assist appropriate Federal agencies in setting specific objectives and strategies for meeting the goals of this title and in measuring the progress of such agencies in meeting such goals;

"(B) conduct basic and applied research and demonstrations on literacy, including—

"(i) how adults learn to read and write and acquire other skills;

"(ii) how the literacy skills of parents affect the ability of children to learn literacy skills;

"(iii) the assessment of literacy skills and the development of instructional techniques;

"(iv) the best methods for assisting adults and families to acquire literacy skills, including the use of technology;

"(v) the special literacy needs of individuals with limited English proficiency;

"(vi) how to effectively reach and teach the most educationally disadvantaged individuals;

"(vii) the use of technology and other studies which will increase the literacy knowledge base, use but not duplicate the work of

other research services, and build on the efforts of such other research services; and

"(viii) how to attract, train, and retrain professional and volunteer teachers of literacy;

"(C) assist Federal, State, and local agencies in the development, implementation, and evaluation of policy with respect to literacy by—

"(i) establishing a national data base with respect to—

"(I) literacy and basic skills programs, including programs in Federal departments, State agencies, and local agencies, and programs that are privately supported through nonprofit entities and for profit entities;

"(II) assessment tools and outcome measures;

"(III) the amount and quality of basic education provided in the workplace by businesses and industries; and

"(IV) progress made toward the national literacy goals; and

"(i) providing technical and policy assistance to government entities for the improvement of policy and programs relating to literacy and the development of model systems for implementing and coordinating Federal literacy programs that can be replicated at the State and local level;

"(D) provide program assistance, training, and technical assistance for literacy programs throughout the United States in order to improve the effectiveness of such programs and to increase the number of such programs, which assistance and training shall—

"(i) be based on the best available research and knowledge; and

"(ii) be coordinated with activities conducted by—

"(I) regional educational laboratories supported under section 405(d)(4)(A)(i) of the General Education Provisions Act;

"(II) curriculum centers assisted under section 251(a)(8) of the Carl D. Perkins Vocational and Applied Technology Education Act; and

"(III) other educational and training entities that provide relevant technical assistance;

"(E) collect and disseminate information to Federal, State, and local entities with respect to literacy methods that show great promise (including effective methods of assessment, effective literacy programs, and other information obtained through research or practice relating to adult and family learning that would increase the capacity and quality of literacy programs in the United States), using a variety of methods to ensure that the best information is received by State and local providers of literacy services;

"(F) review and make recommendations regarding—

"(i) ways to achieve uniformity among reporting requirements;

"(ii) the development of performance measures; and

"(iii) the development of standards for program effectiveness of literacy-related Federal programs; and

"(G) provide a toll-free long-distance telephone line for literacy providers and volunteers.

"(2) The Institute may enter into contracts or cooperative agreements with, or make grants to, individuals, public or private nonprofit institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute. Such grants, contracts, or agreements shall be subject to the laws and

regulations that generally apply to grants, contracts, or agreements entered into by Federal agencies.

"(e) LITERACY LEADERSHIP.—(1) The Institute is, in consultation with the Board, authorized to award fellowships, with such stipends and allowances that the Director considers necessary, to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation.

"(2) Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education, training, technical assistance, or other activities to advance the field of adult education or literacy, including the training of volunteer literacy providers at the national, State, or local level.

"(3) Individuals receiving fellowships pursuant to this subsection shall be known as 'Literacy Leader Fellows'.

"(f) NATIONAL INSTITUTE BOARD.—(1)(A) There is established the National Institute Board (in this section referred to as the 'Board'). The Board shall consist of 10 individuals appointed by the President with the advice and consent of the Senate from individuals who—

"(i) are not otherwise officers or employees of the Federal Government;

"(ii) are representative of entities or groups described in subparagraph (B); and

"(iii) are chosen from recommendations made to the President by individuals who represent such entities or groups.

"(B) Entities or groups described in this subparagraph are—

"(i) literacy organizations and providers of literacy services, including—

"(I) providers of literacy services receiving assistance under this Act; and

"(II) nonprofit providers of literacy services;

"(ii) businesses that have demonstrated interest in literacy programs;

"(iii) literacy students;

"(iv) experts in the area of literacy research;

"(v) State and local governments; and

"(vi) organized labor.

"(2) The Board shall—

"(A) make recommendations concerning the appointment of the Director and staff of the Institute;

"(B) provide independent advice on the operation of the Institute; and

"(C) receive reports from the Interagency Group and the Director.

"(3) The Interagency Group may carry out the duties of the Board until the expiration of the 180-day period beginning on the date of the enactment of the National Literacy Act of 1991.

"(4) Except as otherwise provided, the Board established by this subsection shall be subject to the provisions of the Federal Advisory Committee Act.

"(5)(A) Each member of the Board shall be appointed for a term of 3 years. Any such member may be appointed for not more than 2 consecutive terms.

"(B) Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that members' term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made. A vacancy in the Board shall not affect the powers of the Board.

"(6) A majority of the members of the Board shall constitute a quorum but a lesser

number may hold hearings. Any recommendation may be passed only by a majority of its members present.

"(7) The Chairperson and Vice Chairperson of the Board shall be elected by the members. The term of office of the Chairperson and Vice Chairperson shall be 2 years.

"(8) The Board shall meet at the call of the Chairperson or a majority of its members.

"(g) GIFTS, BEQUESTS, AND DEVICES.—The Institute and the Board may accept (but not solicit), use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Institute or the Board, respectively. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Institute or the Board, respectively.

"(h) MAILS.—The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

"(i) STAFF.—The Interagency Group, after considering recommendations made by the Board, shall appoint and fix the pay of a Director.

"(j) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-18 of the General Schedule.

"(k) EXPERTS AND CONSULTANTS.—The Board and the Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

"(l) REPORT.—The Institute shall submit a report to the Congress in each of the first 2 years in which it receives assistance under this section, and shall submit a report biennially thereafter. Each report submitted under this subsection shall include—

"(1) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in the field of literacy for such fiscal year;

"(2) a description of how plans for the operation of the Institute for the succeeding fiscal year will facilitate achievement of the goals of the Institute and the goals of the literacy programs within the Department of Education, the Department of Labor, and the Department of Health and Human Services; and

"(3) any additional minority, or dissenting views submitted by members of the Board.

"(m) NONDUPLICATION.—The Institute shall not duplicate any functions carried out by the Secretary pursuant to subsection (a) or (b). This subsection shall not be construed to prohibit the Secretary from delegating such functions to the Institute.

"(n) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated for purposes of operating the Institute established by subsection (c) \$15,000,000 for each of the fiscal years 1992, 1993, 1994, and 1995.

"(2) Any amounts appropriated to the Secretary, the Secretary of Labor, the Secretary of Health and Human Services, or any other department that participates in the Institute for purposes that the Institute is authorized

to perform under this section may be provided to the Institute for such purposes."

SEC. 103. STATE LITERACY RESOURCE CENTERS.

Part B of the Adult Education Act (20 U.S.C. 1203 et seq.) is amended—

(1) by redesignating subpart 7 as subpart 8; and

(2) by inserting after subpart 6 the following:

"Subpart 7—State Literacy Resource Centers

"SEC. 356. STATE LITERACY RESOURCE CENTERS.

"(a) PURPOSE.—It is the purpose of this section to assist State and local public and private nonprofit efforts to eliminate illiteracy through a program of State literacy resource center grants to—

"(1) stimulate the coordination of literacy services,

"(2) enhance the capacity of State and local organizations to provide literacy services, and

"(3) serve as a reciprocal link between the National Institute for Literacy and service providers for the purpose of sharing information, data, research, and expertise and literacy resources.

"(b) ESTABLISHMENT.—From amounts appropriated pursuant to subsection (k), the Secretary is authorized to make grants for purposes of establishing a network of State or regional adult literacy resource centers.

"(c) ALLOTMENT.—(1) From sums available for purposes of making grants under this section for any fiscal year, the Secretary shall allot to each State having an approved application under subsection (h) an amount that bears the same ratio to such sums as the amount allotted to such State under section 313(b) for the purpose of making grants under section 321 bears to the aggregate amount allotted to all States under such section for such purpose.

"(2) The chief executive officer of each State that receives its allotment under this section shall contract on a competitive basis with the State educational agency, 1 or more local educational agencies, a State office on literacy, a volunteer organization, a community-based organization, institution of higher education, or other nonprofit entity to operate a State literacy resource center. No applicant participating in a competition pursuant to the preceding sentence shall participate in the review of its own application.

"(d) USE OF FUNDS.—Funds provided to each State under subsection (c)(1) to carry out this section shall be used to conduct activities to—

"(1) improve and promote the diffusion and adoption of state-of-the-art teaching methods, technologies and program evaluations;

"(2) develop innovative approaches to the coordination of literacy services within and among States and with the Federal Government;

"(3) assist public and private agencies in coordinating the delivery of literacy services;

"(4) encourage government and industry partnerships, including partnerships with small businesses, private nonprofit organizations, and community-based organizations;

"(5) encourage innovation and experimentation in literacy activities that will enhance the delivery of literacy services and address emerging problems;

"(6) provide technical and policy assistance to State and local governments and service providers to improve literacy policy and programs and access to such programs;

"(7) provide training and technical assistance to literacy instructors in reading instruction and in—

"(A) selecting and making the most effective use of state-of-the-art methodologies, instructional materials, and technologies such as—

"(i) computer assisted instruction;

"(ii) video tapes;

"(iii) interactive systems; and

"(iv) data link systems; or

"(B) assessing learning style, screening for learning disabilities, and providing individualized remedial reading instruction; or

"(8) encourage and facilitate the training of full-time professional adult educators.

"(e) ALTERNATIVE USES OF EQUIPMENT.—Equipment purchases pursuant to this section, when not being used to carry out the provisions of this section, may be used for other instructional purposes if—

"(1) the acquisition of the equipment was reasonable and necessary for the purpose of conducting a properly designed project or activity under this section;

"(2) the equipment is used after regular program hours or on weekends; and

"(3) such other use is—

"(A) incidental to the use of the equipment under this section;

"(B) does not interfere with the use of the equipment under this section; and

"(C) does not add to the cost of using the equipment under this section.

"(f) LIMITATION.—Not more than 10 percent of amounts received under any grant received under this section shall be used to purchase computer hardware or software.

"(g) SPECIAL RULE.—(1) Each State receiving funds pursuant to this section may not use more than 5 percent of such funds to establish a State advisory council on adult education and literacy (in this section referred to as the 'State council') pursuant to section 332.

"(2) Each State receiving funds pursuant to this section may use such funds to support an established State council to the extent that such State council meets the requirements of section 332.

"(3) Each State receiving funds pursuant to this paragraph to establish or support a State council pursuant to section 332 shall provide matching funds on a dollar-for-dollar basis.

"(h) APPLICATIONS.—Each State or group of States, as appropriate, that desires to receive a grant under this section for a regional adult literacy resource center, a State adult literacy resource center, or both shall submit to the Secretary an application that has been reviewed and commented on by the State council, where appropriate, and that describes how the State or group of States will—

"(1) develop a literacy resource center or expand an existing literacy resource center;

"(2) provide services and activities with the assistance provided under this section;

"(3) assure access to services of the center for the maximum participation of all public and private programs and organizations providing or seeking to provide basic skills instruction, including local educational agencies, agencies responsible for corrections education, service delivery areas under the Job Training Partnership Act, welfare agencies, labor organizations, businesses, volunteer groups, and community-based organizations;

"(4) address the measurable goals for improving literacy levels as set forth in the plan submitted pursuant to section 342; and

"(5) develop procedures for the coordination of literacy activities for statewide and local literacy efforts conducted by public and private organizations, and for enhancing the systems of service delivery.

“(1) PAYMENTS; FEDERAL SHARE.—(1) The Secretary shall pay to each State having an application approved pursuant to subsection (h) the Federal share of the cost of the activities described in the application.

“(2) The Federal share—

“(A) for each of the first 2 fiscal years in which the State receives funds under this section shall not exceed 80 percent;

“(B) for each of the third and fourth fiscal years in which the State receives funds under this section shall not exceed 70 percent; and

“(C) for the fifth and each succeeding fiscal year in which the State receives funds under this section shall not exceed 60 percent.

“(3) The non-Federal share of payments under this section may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

“(j) REGIONAL CENTERS.—(1) A group of States may enter into an interstate agreement to develop and operate a regional adult literacy resource center for purposes of receiving assistance under this section if the States determine that a regional approach is more appropriate for their situation.

“(2) Any State that receives assistance under this section as part of a regional center shall only be required to provide under subsection (1) 50 percent of the funds such State would otherwise be required to provide under such subsection.

“(3) In any fiscal year in which the amount a State will receive under this section is less than \$100,000, the Secretary may designate the State to receive assistance under this section only as part of a regional center.

“(4) The provisions of paragraph (3) shall not apply to any State that can demonstrate to the Secretary that the total amount of Federal, State, local and private funds expended to carry out the purposes of this section would equal or exceed \$100,000.

“(5) In any fiscal year in which paragraph (2) applies, the Secretary may allow certain States that receive assistance as part of a regional center to reserve a portion of such assistance for a State adult literacy resource center pursuant to this section.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the provisions of this section \$25,000,000 for each of the fiscal years 1992 and 1993, and such sums as may be necessary for each of the fiscal years 1994 and 1995.”

TITLE II—WORKFORCE LITERACY

SEC. 201. NATIONAL WORKFORCE LITERACY ASSISTANCE COLLABORATIVE.

(a) ESTABLISHMENT.—There is established in the Department of Labor a National Workforce Literacy Assistance Collaborative (in this subsection referred to as the “Collaborative”) to improve the basic skills of individuals, especially those individuals who are marginally employed or unemployed with low basic skills and limited opportunity for long-term employment and advancement, by assisting small- and medium-sized businesses, business associations that represent small- and medium-sized businesses, and labor organizations to develop and implement literacy programs tailored to the needs of the workforce.

(b) FUNCTIONS.—The Collaborative shall—

(1) develop and implement a plan for providing small- and medium-sized businesses with the technical assistance required to address the literacy needs of their workforce;

(2) monitor the development of workforce literacy training programs and identify best practices and successful small- and medium-sized business program models;

(3) inform businesses and unions of research findings and best practices regarding exemplary curricula, instructional techniques, training models, and the use of technology as a training tool in the workplace;

(4) provide technical assistance to help businesses assess individual worker literacy skill needs, implement workforce literacy training programs, and evaluate training program effectiveness;

(5) promote cooperation and coordination among State and local agencies and the private sector to obtain maximum uses of existing literacy and basic skills training resources;

(6) conduct regional and State small business workforce literacy meetings to increase program effectiveness and accountability;

(7) establish cooperative arrangements with the National Institute for Literacy and other centers involved in literacy and basic skills research and development activities; and

(8) prepare and produce written and video materials necessary to support technical assistance and information dissemination efforts.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out this section \$5,000,000 for each of the fiscal years 1992, 1993, 1994, and 1995.

SEC. 202. GRANTS FOR NATIONAL WORKFORCE LITERACY STRATEGIES.

Section 371 of the Adult Education Act (20 U.S.C. 1211) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting after “Secretary” the following: “, in consultation with the Secretary of Labor and the Administrator of the Small Business Administration.”;

(B) in subparagraph (B) of paragraph (2)—
(i) by striking “and” and inserting a comma; and

(ii) by inserting after “local educational agencies” the following: “, and other entities described in paragraph (1) that receive grants under this subsection.”;

(C) by adding at the end the following:

“(5) In awarding grants under this section, the Secretary shall give priority to applications from partnerships that include small businesses.

“(6) The Secretary is authorized to award grants under this section for a period not to exceed 3 years.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “subsection (c)” and inserting “subsection (e)”;

(B) in subparagraph (B) of paragraph (2)—
(i) by striking “and” the first place it appears and inserting a comma; and

(ii) by inserting after “local educational agencies” the following: “, and other entities described in paragraph (1) that receive grants under this subsection.”;

(C) in paragraph (7), by amending subparagraph (B) to read as follows:

“(B) From the sum appropriated for each fiscal year under subsection (c) for any fiscal year in which appropriations equal or exceed \$50,000,000, the Secretary shall allot to each State (as defined in section 312(7)) an amount proportionate to the amount such State receives under section 313.”;

(3) by redesignating subsection (c) as subsection (e);

(4) by inserting after subsection (b) the following:

“(c) GRANT FOR NATIONAL WORKFORCE LITERACY STRATEGIES.—(1) In any fiscal year in which amounts appropriated pursuant to the authorization contained in subsection (e)

equal or exceed \$25,000,000, the Secretary shall reserve not more than \$5,000,000 to establish a program of grants to facilitate the design and implementation of national strategies to assist unions, unions in collaboration with programs eligible for assistance under this Act and businesses, and small- and medium-sized businesses to effectively provide literacy and basic skills training to workers.

“(2) Grants awarded under this subsection shall pay the Federal share of the cost of programs to establish large-scale national strategies in workforce literacy, which may include the following activities:

“(A) Basic skills training that is—

“(i) cost-effective;

“(ii) needed by employees; and

“(iii) required by employers to establish a trainable workforce that can take advantage of further job specific training and advance the productivity of the labor force on an individual, industry, or national level.

“(B) Specific program offerings, which may include—

“(i) English as a second language instruction;

“(ii) communications skill building;

“(iii) interpersonal skill building;

“(iv) reading and writing skill building; and

“(v) computation and problem solving.

“(C) Appropriate assessments of the literacy and basic skills needs of individual workers and the skill levels required by business.

“(D) Cooperative arrangements with other organizations involved in providing literacy and basic skills training, including adult education organizations, vocational education organizations, community and junior colleges, community-based organizations, State level agencies, and private industry councils.

“(E) The establishment as appropriate of technology-based learning environments, such as computer-based learning centers.

“(3) Any partnership described in subsection (a)(1) that desires to receive a grant under this subsection shall submit a proposal to the Secretary. The proposal shall contain a plan specifying a strategy for designing and implementing workforce literacy and basic skills training for workers, and justifying the national, statewide, or industry-wide importance of this strategy. The proposal shall include—

“(A) a demonstration of need for literacy and basic skills training;

“(B) a description of the business or industry for which the strategy is to be established;

“(C) a statement of specific, measurable goals and participant outcomes;

“(D) a strategy for achieving the goals, including a description of the process to identify literacy and basic skills required by employers and the skills of individual workers, and a description of the specific services to be provided; and

“(E) a description of the costs of the activities to be undertaken.

“(4) The Secretary shall develop a formal process for the submission of proposals and publish an announcement in the Federal Register with respect to that process and the availability of grants under this subsection.

“(5) The Federal share of the cost of a program assisted under this subsection shall not exceed 70 percent.

“(6) The Secretary shall give priority for grants under this subsection to proposals to carry out activities described in paragraph (2)(D).

"(7) In awarding grants under this subsection, the Secretary may consider geographic factors, such as rural and urban areas and national distribution.

"(8) Of the grants awarded under this subsection each year, not less than 5 shall each be for an amount that is not less than \$500,000.

"(d) EVALUATION.—The Secretary shall reserve not more than 2 percent of any amount appropriated pursuant to the authorization contained in subsection (e) for the purpose of carrying out an independent evaluation of the effectiveness of programs assisted under this section in improving the literacy and basic skills of workers and the productivity of employees, including potential for the replicability or adaptation of such programs." and

(5) in subsection (e) (as redesignated by paragraph (3)) by striking paragraph (1) and inserting the following:

"(1) There are authorized to be appropriated for purposes of carrying out this section such sums as may be necessary for the fiscal year 1991, \$60,000,000 for the fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993, 1994, and 1995."

TITLE III—INVESTMENT IN LITERACY

SEC. 301. AMENDMENTS TO THE ADULT EDUCATION ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 313 of the Adult Education Act (20 U.S.C. 1201b) is amended in subsection (a) by striking "\$200,000,000" and all that follows through "1993" and inserting the following: "such sums as may be necessary for the fiscal year 1991, \$260,000,000 for the fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993, 1994, and 1995".

(b) USE OF FUNDS.—Subsection (a) of section 322 of the Adult Education Act (20 U.S.C. 1203b(a)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) Grants to States under this subpart shall be used in accordance with State plans (and amendments thereto) approved under sections 341 and 351, to pay the Federal share of the cost of the establishment or expansion of adult education programs to be carried out by local educational agencies, correctional education agencies, community-based organizations, public or private nonprofit agencies, postsecondary educational institutions, and other institutions that have the ability to provide literacy services to adults and families. Each State educational agency receiving financial assistance under this subpart shall provide assurance that local educational agencies, public or private nonprofit agencies, community-based organizations, correctional education agencies, postsecondary educational institutions, and institutions which serve educationally disadvantaged adults will be provided direct and equitable access to all Federal funds provided under this subpart. Failure to provide the assurance required by the preceding sentence shall disqualify a State from receiving its allotment under this title. In determining which programs shall receive assistance under this paragraph, the State shall consider—

"(A) the past effectiveness of applicants in providing services (especially with respect to recruitment and retention of educationally disadvantaged adults and the learning gains demonstrated by such adults);

"(B) the degree to which the applicant will coordinate and utilize other literacy and social services available in the community; and

"(C) the commitment of the applicant to serve individuals in the community that are most in need of literacy services.";

(2) in paragraph (3)—

(A) by striking the first sentence;

(B) by inserting after "sources;" the following: "the projected goals of the applicant with respect to participant recruitment, retention, and educational achievement and how the applicant will measure and report progress in meeting its goals;"

(C) by striking "the Carl D. Perkins Vocational Education Act" and inserting "the Carl D. Perkins Vocational and Applied Technology Education Act"; and

(D) by striking "the Education of the Handicapped Act" and inserting "the Individuals with Disabilities Education Act";

(3) in paragraph (4)—

(A) by striking "(A)";

(B) by inserting after "adults" the following: ", particularly in areas with a high proportion of adults who do not have a certificate of graduation from a school providing secondary education or its equivalent"; and

(C) by striking subparagraph (B);

(4) by redesignating paragraphs (3) and (4) (as amended by paragraphs (2) and (3) of this subsection) as paragraphs (4) and (5), respectively; and

(5) by inserting after paragraph (2) the following:

"(3)(A) Grants to States provided under this section shall also be used for competitive 2-year grants to public housing authorities for literacy programs and related activities. Any public housing authority that receives a grant under this subparagraph shall consult with local adult education providers in conducting programs and activities with assistance provided under the grant. Any grant provided under this subparagraph shall be referred to as a 'Gateway Grant'.

"(B) The Secretary shall, not less often than every 2 years, evaluate any grants made under this paragraph and report the results of such evaluation to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

(c) STATE ADMINISTRATION.—Section 331(a) of the Adult Education Act (20 U.S.C. 1205(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) within 2 years of the enactment of the National Literacy Act of 1991, the development and implementation, in consultation with a widely representative group of appropriate experts, educators, and administrators, of indicators of program quality to be used to evaluate programs assisted under this title, as required by section 352, to determine whether such programs are effective, including whether such programs are successfully recruiting, retaining, and improving the literacy skills of the individuals served in such programs;"

(d) STATE ADVISORY COUNCIL.—(1) The heading for section 332 of the Adult Education Act is amended to read as follows:

"SEC. 332. STATE ADVISORY COUNCIL ON ADULT EDUCATION AND LITERACY."

(2) Section 332 of the Adult Education Act (20 U.S.C. 1205a) is amended—

(A) in the first sentence of subsection (a)(1), by striking "adult education, appointed by the Governor" and inserting "adult education and literacy, appointed by, and responsible to, the Governor";

(B) in the second sentence of subsection (a)(1)—

(i) by inserting "and literacy" after "adult education"; and

(ii) by striking "consist" and all that follows through the period at the end and inserting the following: "consist of—

"(i) representatives of public education;

"(ii) representatives of public and private sector employment;

"(iii) representatives of recognized State labor organizations;

"(iv) representatives of private literacy organizations, voluntary literacy organizations, and community-based literacy organizations;

"(v) the chief administrative officer of a State, or the designee of such officer;

"(vi) representatives of—

"(I) the State educational agency;

"(II) the State job training agency;

"(III) the State human services agency;

"(IV) the State public assistance agency;

"(V) the State library program; and

"(VI) the State economic development agency;

"(vii) officers of the State government whose agencies provide funding for literacy services or who may be designated by the Governor or the Chairperson of the council to serve whenever matters within the jurisdiction of the agency headed by such an officer are to be considered by the council; and

"(viii) classroom teachers who have demonstrated outstanding results in teaching children or adults to read.";

(C) by amending subsection (d) to read as follows:

"(d) PROCEDURES.—(1) Subject to paragraphs (2) and (3), the State advisory council shall determine its own procedures, staffing needs (subject to funding levels authorized by the chief executive officer of the State), and the number, time, place, and conduct of meetings.

"(2) The State advisory council shall meet at least 4 times each year. At least 1 such meeting shall provide an opportunity for the general public to express views concerning adult education in the State.

"(3) One member more than 1/2 of the members on the council shall constitute a quorum for the purpose of transmitting recommendations and proposals to the chief executive officer of the State, but a lesser number of members may constitute a quorum for other purposes."

(D) in subsection (f)—

(1) by amending paragraph (1) to read as follows:

"(1) meet with the State agencies responsible for literacy training during the planning year to advise on the development of a State plan for literacy and for adult education that fulfills the literacy and adult education needs of the State, especially with respect to the needs of the labor market, economic development goals, and the needs of the individuals in the State;"

(ii) by amending paragraph (2) to read as follows:

"(2) advise the Governor, the State educational agency, and other State agencies concerning—

"(A) the development and implementation of measurable State literacy and adult education goals consistent with section 342(c)(2), especially with respect to—

"(i) improving levels of literacy in the State by ensuring that all appropriate State agencies have specific objectives and strategies for such goals in a comprehensive approach;

"(ii) improving literacy programs in the State; and

"(iii) fulfilling the long-term literacy goals of the State;

"(B) the coordination and monitoring of State literacy training programs in order to progress toward the long-term literacy goals of the State;

"(C) the improvement of the quality of literacy programs in the State by supporting the integration of services, staff training, and technology-based learning and the integration of resources of literacy programs conducted by various agencies of State government; and

"(D) private sector initiatives that would improve adult education programs and literacy programs, especially through public-private partnerships;"

(ii) by redesignating paragraph (3) as paragraph (7); and

(iv) by inserting after paragraph (2) the following:

"(3) review and comment on the plan submitted pursuant to section 356(h) and submit such comments to the Secretary;

"(4) measure progress on meeting the goals and objectives established pursuant to paragraph (2)(A);

"(5) recommend model systems for implementing and coordinating State literacy programs for replication at the local level;

"(6) develop reporting requirements, standards for outcomes, performance measures, and program effectiveness in State programs, that are consistent with those proposed by the Interagency Task Force on Literacy; and"

(e) STATE PLAN.—Subsection (c) of section 342 of the Adult Education Act (20 U.S.C. 1206a) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) describe and provide for the fulfillment of the literacy needs of individuals in the State;"

(2) by striking paragraph (9);

(3) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively;

(4) by inserting after paragraph (1) the following:

"(2) set forth measurable goals for improving literacy levels, retention in literacy programs, and long-term learning gains of individuals in the State and describe a comprehensive approach for achieving such goals, including the development of indicators of program quality as required by section 331(a)(2);"

(5) in paragraph (4) (as redesignated by paragraph (3) of this section)—

(A) by striking "the use of" and inserting "coordination by";

(B) by striking "other than" and inserting "including"; and

(C) by striking "such as" the second place such term appears;

(6) by striking "and" at the end of paragraph (12);

(7) by striking the period at the end of paragraph (13) and inserting a semicolon; and

(8) by adding at the end the following:

"(14) report the amount of administrative funds spent on program improvements; and

"(15) contain assurances that financial assistance provided pursuant to this title shall be used to assist and expand existing programs and to develop new programs for adults whose lack of basic skills—

"(A) renders them unemployable;

"(B) keeps them, whether employed or unemployed, from functioning independently in society; and

"(C) severely reduces their ability to have a positive effect on the literacy of their children."

(f) EVALUATION.—Section 352 of the Adult Education Act (20 U.S.C. 1207a) is amended—

(1) in paragraph 1—

(A) by striking "data to the Secretary" and inserting the following: "to the Secretary and make public within the State data";

(B) by inserting before the semicolon the following: ", including—

"(A) the number and percentage of local educational agencies, community-based organizations, volunteer groups, and other organizations that are grant recipients; and

"(B) results of the evaluations carried out as required by paragraph (2) in the year preceding the year for which the data is submitted";

(2) in paragraph (2)—

(A) by striking "before the end" and all that follows through "shall consider" and inserting the following: "evaluate 20 percent of the grant recipients each year so that at the end of such period 80 percent of all grant recipients shall have been evaluated once and such evaluations shall consider, at a minimum";

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(C) by inserting before subparagraph (B) (as redesignated by subparagraph (B) of this paragraph) the following:

"(A) the projected goals of the grant recipient as described in its application pursuant to section 322(a)(3);"

(D) by amending subparagraph (D) (as redesignated by subparagraph (B) of this paragraph) to read as follows:

"(D) the success of the grant recipient in meeting the State's indicators of program quality after such indicators are developed as required by section 331(a)(2); and"

(E) by striking "and" at the end.

(g) TEACHER TRAINING.—(1) Subsection (a) of section 353 of the Adult Education Act (20 U.S.C. 1208(a)) is amended—

(A) by striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting "; and"; and

(C) by adding at the end the following:

"(3) training professional teachers, volunteers, and administrators, with particular emphasis on—

"(A) training—

"(i) full-time professional adult educators;

"(ii) minority adult educators;

"(iii) educators of adults with limited English proficiency; and

"(B) training teachers to recognize and more effectively serve illiterate individuals with learning disabilities and individuals who have a reading ability below the fifth grade level."

(2) Section 353 of the Adult Education Act (as amended by paragraph (1) of this subsection) (20 U.S.C. 1208) is amended—

(A) in subsection (a), by striking "10" and inserting "15"; and

(B) by amending subsection (b) to read as follows:

"(b) SPECIAL RULE.—At least 3/4 of the 15 percent reserved pursuant to subsection (a) shall be used to carry out the provisions of paragraphs (2) and (3) of subsection (a)."

(h) FEDERAL RESPONSIBILITY.—Section 361 of the Adult Education Act (20 U.S.C. 1209) is amended by adding at the end the following:

"(c) FEDERAL RESPONSIBILITY.—Within 1 year after the enactment of the National Literacy Act of 1991, the Secretary, in consultation with appropriate experts, educators, and administrators, shall develop indicators of program quality that may be used by State and local programs receiving assistance under this title as models by

which to judge the success of such programs, including success in recruitment and retention of students and improvement in the literacy skills of students. Such indicators shall take into account different conditions under which programs operate and shall be modified as better means of assessing program quality are developed."

SEC. 302. TARGETED ASSISTANCE.

Section 1531(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2941) is amended by—

(1) redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) inserting the following new paragraph (5) after paragraph (4):

"(5) programs of training to enhance the ability of teachers and school counselors to identify, particularly in the early grades, students with reading and reading-related problems that place such students at risk for illiteracy in their adult years;"

SEC. 303. AMENDMENTS TO THE EVEN START PROGRAM.

(a) AMENDMENT TO PART HEADING.—The heading for part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.) is amended to read as follows:

"PART B—EVEN START FAMILY LITERACY PROGRAMS"

(b) STATE GRANT PROGRAM.—Section 1052 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2742) is amended—

(1) in subsection (a), by striking "local educational agencies or consortia of such agencies" and inserting "eligible entities";

(2) in subsection (b)—

(A) by inserting "(1)" before "In"; and

(B) by adding at the end the following:

"(2) In any fiscal year in which this subsection applies, no State shall award a grant under this part for an amount less than \$75,000.

"(3) In any year in which this subsection applies, each State that receives a grant under this part may use not more than 5 percent of assistance provided under the grant for costs of—

"(A) administration; and

"(B) the provision, through grant or contract, of technical assistance for program improvement and replication to eligible entities that receive grants under this part;"

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b) the following new subsection:

"(c) RESERVATION.—From amounts appropriated for purposes of carrying out this part, the Secretary may reserve an amount equal to not more than 2 percent of such amounts or the amount reserved for such purposes in the fiscal year 1991, whichever is greater, for purposes of—

"(1) carrying out the evaluation required by section 1058; and

"(2) providing, through grant or contract, technical assistance for program improvement and replication to eligible entities that receive grants under this part.";

(5) by amending subsection (d) (as redesignated by paragraph (3)) to read as follows:

"(d) DEFINITIONS.—For the purpose of this part:

"(1) The term 'eligible entity' means—

"(A) a local educational agency applying in collaboration with a community-based organization, public agency, institution of higher education, or other nonprofit organization; or

"(B) a community-based organization, or other nonprofit organization of dem-

onstrated quality applying in collaboration with a local educational agency.

"(2) The terms 'Indian tribe' and 'tribal organization' have the respective meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act.

"(3) The term 'State' includes each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico."

(c) ALLOCATION.—Subsection (a) of section 1053 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2743) is amended to read as follows:

"(a) RESERVATION FOR MIGRANT PROGRAMS AND TERRITORIES.—(1) In each fiscal year in which section 1052(a) applies, the Secretary shall first reserve for programs consistent with the purpose of this part—

"(A) for programs for migrant children, which shall be conducted through the Office of Migrant Education, an amount equal to 3 percent of the amount appropriated for purposes of carrying out this part; and

"(B) for allocations to Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658), and to Indian tribes and tribal organizations, an amount comparable to their relative need.

"(2) In each fiscal year in which section 1052(b) applies, the Secretary shall first reserve for programs consistent with the purpose of this part, an amount equal to 5 percent of the amount appropriated for purposes of carrying out this part, of which—

"(A) amounts shall be allocated for programs for migrant children, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658), and Indian tribes and tribal organizations, according to their relative need; but

"(B) in no case shall the amount reserved for programs for migrant children be less than the amount reserved for such programs in the preceding fiscal year."

(d) FEDERAL SHARE LIMITATION.—Section 1054 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2744) is amended—

(1) in subsection (a), by striking "local educational agencies" and all that follows through "nonprofit organizations," and inserting "an eligible entity";

(2) in paragraph (2) of subsection (b), by inserting after "counseling," the following: "other developmental and support services,"; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(B) by inserting "(1)" before "The Federal share";

(C) in subparagraph (A) (as redesignated by subparagraph (A) of this paragraph), by striking "local educational agency" and inserting "eligible entity";

(D) by striking the last sentence and inserting the following: "The remaining cost may be provided in cash or in kind, fairly evaluated, and may be obtained from any source other than funds made available for programs under this chapter."; and

(E) by adding at the end the following:

"(2) The Secretary (in any fiscal year in which section 1052(a) applies) or the State educational agency (in any fiscal year in which section 1052(b) applies) may waive, in

whole or in part, the requirement that all or part of the remaining cost described in paragraph (1) be obtained from sources other than funds made available under this chapter if an eligible entity—

"(A) demonstrates that it otherwise would not be able to participate in the program under this part; and

"(B) negotiates an agreement with the Secretary or the State educational agency, as appropriate, with respect to the amount of the remaining cost to which the waiver would be applicable."

(e) ELIGIBLE PARTICIPANTS.—Section 1055 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2745) is amended—

(1) by striking "Eligible" and inserting the following: "(a) IN GENERAL.—Except as provided in subsection (b), eligible";

(2) in paragraph (2) of subsection (a) (as designated by paragraph (1)), by striking "(aged 1 to 7," and inserting "(from birth to age 7,"; and

(3) by adding at the end the following:

"(b) CONTINUATION OF ELIGIBILITY FOR CERTAIN PARTICIPANTS.—Any family participating in the program under this part that becomes ineligible for such participation as a result of 1 or more members of the family becoming ineligible for such participation, may continue to participate in the program until all members of the family become ineligible for participation, which—

"(1) in the case of a family in which ineligibility was due to the child or children of such family attaining the age of 8, shall be when the parent or parents become ineligible due to educational advancement; and

"(2) in the case of a family in which ineligibility was due to the educational advancement of the parent or parents of such family, shall be when all children in the family attain the age of 8."

(f) APPLICATIONS.—Section 1056 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2746) is amended—

(1) in subsection (a), by striking "a local educational agency" and inserting "an eligible entity"; and

(2) in subsection (b), by striking "the local educational agency" and inserting "the eligible entity";

(g) SELECTION PROCESS.—Section 1057 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2747) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) by inserting "(1)" before "The";

(C) in paragraph (1) (as designated by subparagraph (B) of this paragraph)—

(i) by amending subparagraph (B) (as redesignated by subparagraph (A) of this paragraph) to read as follows:

"(B) demonstrate that the area to be served by such program has a high percentage or a large number of children and adults who are in need of such services as indicated by high levels of poverty, illiteracy, unemployment, limited English proficiency, or other need-related indicators";

(ii) in subparagraph (E) (as redesignated by subparagraph (A) of this paragraph), by striking "the local educational agency's" and inserting "the eligible entity's"; and

(iii) by adding at the end the following:

"(2) The review panel shall give priority for grants under this subsection to proposals which—

"(A) make the demonstration described in paragraph (1)(B); and

"(B) demonstrate an ability to operate an effective program.";

(2) by amending subsection (c) to read as follows:

"(c) DISTRIBUTION OF ASSISTANCE.—(1) In approving grants under this part pursuant to section 1052(a), the Secretary shall ensure a representative distribution of assistance among the States and among urban and rural areas of the United States.

"(2) In approving grants under this part pursuant to section 1052(b), the review panel shall ensure a representative distribution of assistance between urban and rural areas of the State."; and

(3) in paragraph (1) of subsection (d)—

(A) by striking "a local educational agency" and inserting "an eligible entity"; and

(B) by striking "such local educational agency" and inserting "such eligible entity".

(h) AUTHORIZATION OF APPROPRIATIONS.—Section 1059 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2749) is amended to read as follows:

"SEC. 1059. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated for purposes of carrying out this part such sums as may be necessary for the fiscal year 1991, \$60,000,000 for the fiscal year 1992, and such sums as may be necessary for the fiscal year 1993."

SEC. 304. FAMILY LITERACY PUBLIC BROADCASTING PROGRAM.

(a) PROGRAM AUTHORIZED.—(1) The Secretary is authorized, subject to the availability of appropriations, to enter into a contract with the Corporation for Public Broadcasting to arrange for the production and dissemination of family literacy programming and accompanying materials which would assist parents in improving family literacy skills and language development. In producing and developing such programming, the Corporation for Public Broadcasting shall work in cooperation with local public broadcasting stations to avoid duplication of efforts.

(2) After the program described in paragraph (1) is produced, the Corporation for Public Broadcasting shall arrange to have audio and video instructional media materials for distribution at sites chosen from among—

(A) State and local libraries operating literacy programs; and

(B) nonprofit entities serving hard-to-serve populations as defined in section 304(b)(2), including community-based organizations, volunteer organizations and other nongovernmental entities.

(3) The audio and video instructional media materials described in paragraph (2) shall be used at sites described in paragraph (2), and on a loan basis, distributed to families.

(4) One year after distribution of the audio and video instructional media materials, the Corporation for Public Broadcasting shall report to the Congress on the distribution and use of the audio and video instructional media materials produced pursuant to this subsection and such audio and video instructional media materials' contribution in promoting literacy.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$2,000,000 for fiscal year 1992 to carry out the provisions of subsection (i), of which \$100,000 shall be reserved for reproducing and distributing programming or audio and video instructional media materials.

TITLE IV—BUSINESS LEADERSHIP FOR EMPLOYMENT SKILLS

SEC. 401. EDUCATION PROGRAMS FOR COMMERCIAL DRIVERS.

(a) IN GENERAL.—Part C of the Adult Education Act (20 U.S.C. 1211 et seq.) is amended by adding at the end the following:

“SEC. 373. EDUCATION PROGRAMS FOR COMMERCIAL DRIVERS.

“(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants on a competitive basis to pay the Federal share of the costs of establishing and operating adult education programs which increase the literacy skills of eligible commercial drivers so that such drivers may successfully complete the knowledge test requirements under the Commercial Motor Vehicle Safety Act of 1986.

“(b) FEDERAL SHARE.—The Federal share of the costs of the adult education programs authorized under subsection (a) shall be 50 percent. Nothing in this subsection shall be construed to require States to meet the non-Federal share from State funds.

“(c) ELIGIBLE ENTITIES.—Entities eligible to receive a grant under this section include—

“(1) private employers employing commercial drivers in partnership with agencies, colleges, or universities described in paragraph (2);

“(2) local educational agencies, State educational agencies, colleges, universities, or community colleges;

“(3) approved apprentice training programs; and

“(4) labor organizations, the memberships of which include commercial drivers.

“(d) REFERRAL PROGRAM.—Grantees shall refer to appropriate adult education programs as authorized under this title individuals who are identified as having literacy skill problems other than or beyond those which prevent them from successfully completing the knowledge test requirements under the Commercial Motor Vehicle Safety Act of 1986.

“(e) DEFINITIONS.—For purposes of this section:

“(1) The term ‘approved apprentice training programs’ has the meaning given such term in the National Apprenticeship Act of 1987.

“(2) The term ‘eligible commercial driver’ means a driver licensed prior to the requirements of the Commercial Motor Vehicle Safety Act of 1986.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of carrying out this section \$3,000,000 for each of the fiscal years 1991, 1992, and 1993.”

(b) AVOIDANCE OF DUPLICATE ENACTMENT.—The amendment made by subsection (a) shall not take effect if the Higher Education Amendments of 1991 are enacted before the enactment of this Act.

TITLE V—BOOKS FOR FAMILIES

SEC. 501. INEXPENSIVE BOOK DISTRIBUTION PROGRAM.

(a) PRIORITY.—Section 1563(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2963) is amended by—

(1) striking “and” at the end of paragraph (2);

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

“(3) in the fiscal year 1991 and each succeeding fiscal year, the contractor will give priority in the selection of additional local programs to programs and projects which

serve children and students with special needs including, at a minimum—

“(A) low-income children (particularly such children in high poverty areas);

“(B) children at risk for school failure;

“(C) children with disabilities;

“(D) emotionally disturbed children;

“(E) foster children;

“(F) homeless children;

“(G) migrant children;

“(H) children without access to libraries;

“(I) institutionalized or incarcerated children; and

“(J) children whose parents are institutionalized or incarcerated; and”.

(b) STUDY.—The contractor shall report to the Secretary of Education annually regarding the number and description of the additional programs funded under subsection 1563(a)(3) of the Elementary and Secondary Education Act of 1965.

SEC. 502. LIBRARY LITERACY PROGRAMS.

Section 601 of the Library Services and Construction Act (20 U.S.C. 375) is amended by inserting at the end thereof the following new subsection:

“(f) In awarding grants under this section the Secretary shall give priority to programs and services which—

“(1) will be delivered in areas of greatest need which have highest concentrations of adults who do not have a secondary education or its equivalent, and which—

“(A) have few community or financial resources to establish the program described under this section without Federal assistance, or

“(B) have low per capita income, unemployment or underemployment; and

“(2) coordinate with literacy organizations and community based organizations providing literacy services.”.

TITLE VI—LITERACY FOR INCARCERATED INDIVIDUALS

SEC. 601. MANDATORY EDUCATION FOR INCARCERATED ADULTS.

Subpart 1 of part B of the Adult Education Act (20 U.S.C. 1203 et seq.) is amended by adding at the end the following:

“SEC. 324. MANDATORY LITERACY PROGRAM.

“(a) INITIAL REQUIREMENT.—Before the expiration of the 2-year period beginning on the date of the enactment of the National Literacy Act of 1991, each State correctional system shall have in effect a mandatory functional literacy program in at least 1 major correctional facility.

“(b) SUBSEQUENT REQUIREMENT.—Before the expiration of the 5-year period beginning on the date of the enactment of the National Literacy Act of 1991, each State correctional system and each local jail or detention center with a population of more than 150 inmates shall have in effect a mandatory functional literacy program where funds are available to operate such a program.

“(c) PROGRAM REQUIREMENTS.—Each mandatory functional literacy program required by subsections (a) and (b) shall include—

“(1) a requirement that each individual incarcerated in such system, jail, or detention center who is not functionally literate shall participate in such program until such individual—

“(A) achieves functional literacy;

“(B) is granted parole;

“(C) completes his or her sentence; or

“(D) is released pursuant to a court order;

“(2) a prohibition on granting parole to any individual described in paragraph (1) who refuses to participate in such program;

“(3) adequate opportunities for appropriate educational services and testing all inmates for functional literacy upon reception; and

“(4) an inmate participation incentive program which may include—

“(A) better housing opportunities;

“(B) monetary incentives for achievement; and

“(C) positive reports from the education department to the parole authorities for inmates who participate and progress in the literacy program.

“(d) FUNCTIONAL LITERACY.—For purposes of this section, the term ‘functional literacy’ means—

“(1) an eighth grade equivalence in reading on a nationally recognized standardized test;

“(2) functional competency or literacy on a nationally recognized criterion-referenced test; or

“(3) both.

“(e) EXCEPTED INDIVIDUALS.—Any individual who is serving a life sentence without parole, is terminally ill, or is under a sentence of death shall not be required to participate in a mandatory functional literacy program.

“(f) EARLY RELEASE WAIVER.—Subsection (c)(2) shall not apply in any case in which a court order requires early release of an individual due to a constitutional consideration.

“(g) ANNUAL REPORT.—Each State correctional education agency shall submit a report annually to the Secretary with respect to its program under this section. Such report shall include—

“(1) the number of individuals tested for eligibility;

“(2) the number of individuals eligible for the program;

“(3) the number of individuals participating in the program;

“(4) the numbers of hours of instruction per week;

“(5) sample data on achievement of students; and

“(6) data on the costs of the program.

“(h) EDUCATIONAL RECOMMENDATIONS.—Parole agencies are encouraged to make educational recommendations for those being released who do not have a marketable job skill or a high school diploma.

“(i) NON-MANDATORY PROGRAMS.—Jails and detention centers with a population of 150 inmates or less are encouraged to develop mandatory functional literacy programs as described in subsection (c).”.

SEC. 602. BLUE RIBBON AWARDS FOR CORRECTIONAL EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 1566 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2966) is amended—

(1) in subsection (a), by striking “The” and inserting “Subject to subsection (d), the”; and

(2) by adding at the end the following:

“(d) BLUE RIBBON AWARDS FOR CORRECTIONAL EDUCATION PROGRAMS.—The Secretary, through nominations provided by the Office on Correctional Education after consultation with representatives of correctional education organizations and others active in literacy education, shall annually make 1 or more awards under this section to effective and innovative programs for inmate education and literacy.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1992.

TITLE VII—VOLUNTEERS FOR LITERACY

SEC. 701. LITERACY CHALLENGE GRANTS.

(a) GENERAL AUTHORITY.—

(1) PROGRAM AUTHORIZED.—Part C of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4991 et seq.) is amended by adding at the end the following:

"LITERACY CHALLENGE GRANTS"

"SEC. 125. (a) The Director is authorized to award challenge grants to eligible public agencies and private organizations to pay the Federal share of the costs of establishing, operating or expanding community or employee literacy programs or projects that include the use of full-time or part-time volunteers as one method of addressing illiteracy.

"(b) Each eligible organization desiring a grant under this section shall submit to the ACTION Agency an application in such form and accompanied by such information as the Director may reasonably require. Each such application shall—

"(1) describe the activities for which assistance is sought,

"(2) contain assurances that the eligible organization will provide from non-Federal sources the non-Federal share of the cost of the program or project,

"(3) provide assurances, satisfactory to the Director, that the literacy project will be operated in cooperation with other public and private agencies and organizations interested in, and qualified to, combat illiteracy in the community where the project is to be conducted, and

"(4) contain such other information and assurances as the Director may reasonably require.

"(c)(1)(A) The Federal share of the cost of a program or project authorized by this section administered by a public agency, a nonprofit organization other than an organization described in paragraph (2), or a private, for-profit organization shall not exceed—

"(i) 80 percent in the first fiscal year;

"(ii) 70 percent in the second fiscal year;

and

"(iii) 60 percent in the third fiscal year.

"(B) The non-Federal share paid by a private, for-profit organization shall be in cash.

"(2) The Federal share of the cost of a program or project administered by a nonprofit or community-based organization shall not exceed—

"(A) 90 percent in the first fiscal year;

"(B) 80 percent in the second fiscal year;

and

"(C) 70 percent in the third fiscal year.

"(3) The non-Federal share provided by a public agency or a nonprofit or community-based organization may be provided in cash, or in kind, fairly evaluated, and may include the use of plant, equipment, and services."

(2) CONFORMING AMENDMENT.—The table of contents contained in the first section of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 note) is amended by inserting after the item relating to section 124 the following new item.

"Sec. 125. Literacy challenge grants."

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 501(c) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting "(1)" after the subsection designation; and

(3) by inserting at the end the following:

"(2) Except as provided in paragraph (3) and in addition to the amounts authorized to be appropriated pursuant to paragraph (1) there is authorized to be appropriated \$2,500,000 for the fiscal year 1992 and such sums as may be necessary for 1993 for Literacy Challenge Grants under section 125.

"(3) No funds shall be appropriated pursuant to paragraph (2) in any fiscal year unless—

"(A) the funds available in such fiscal year for the VISTA Program under part A of title I are sufficient to provide the years of volunteer service specified for such fiscal year under section 501(d)(1) for the VISTA Program; and

"(B) the funds available in such fiscal year for the VISTA Literacy Corps under part A of title I are sufficient to provide at least the same years of volunteer service as were provided in the fiscal year preceding such fiscal year."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

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

Madam Speaker, I am truly pleased to be able to bring H.R. 751 to the House floor.

This bill was first introduced by Congressman TOM SAWYER in the last Congress.

It was approved by the House last year as part of the excellence in education bill by a vote of 350 to 25.

Unfortunately it was not enacted into law at that time because of unrelated problems with the excellence bill.

H.R. 751 introduced again by the gentleman from Ohio [Mr. SAWYER] represents a truly bipartisan effort to improve the literacy and basic skill levels of adults and we owe a debt of gratitude to Mr. SAWYER and Mr. GOODLING for their work.

Madam Speaker, at least 30 million adults in our country have serious problems with literacy: the ability to read, write, speak English, compute and solve problems effectively.

H.R. 751 proposes a comprehensive approach to ensuring the availability of literacy services by coordinating, integrating, and investing in adult and family literacy programs at the Federal, State, and local level.

The services it authorizes will enable many adults to more fully participate in society and will improve the Nation's ability to compete in an ever complicated world economy.

Dollars spent for literacy are a capital investment in people.

Seventy-five percent of the American work force in the year 2000 are adults today.

Improving their literacy skills will not only make the work force more productive for American business, it also will help ensure that workers have the skills necessary to retain their jobs in a rapidly changing work environment.

I urge the passage of H.R. 751.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would like to first thank the gentleman from Michigan [Mr. FORD], our new chairman, and the gentleman from Michigan [Mr. KILDEE], the new chairman of the Subcommittee on Elementary, Secondary, and Vocational Education, for their willingness to expedite this legislation. They inherited H.R. 751 from the last Congress and have already become its champion. His staff, on the part of the gentleman from Michigan [Mr. KILDEE], Susan Wilhelm, and Tom Kelly, have worked hard to master the bill and bring it to the floor. They deserve much credit for their efforts.

Madam Speaker, I also need to single out the gentleman from Ohio [Mr. SAWYER] for his leadership on this issue. We have been walking down this road together for 2 years, and he and his staffer, Sara Davis, have been willing to stop and work things out at every step of the way. Because of his willingness to compromise, the administration does not oppose the bill. The literacy community has a very good friend in the gentleman from Ohio [Mr. SAWYER].

Madam Speaker, illiteracy is our No. 1 domestic problem. Between 21 and 75 million adults are affected.

There are a lot of things to like about H.R. 751. It creates several needed additions to the Federal effort to fight illiteracy. The National Literacy Institute and the State literacy centers will provide the first national support system for local literacy providers. Better teaching techniques, curriculum, and assessment instruments will flow to where they are needed in the field.

I am especially pleased that there are several new provisions to the Adult Education Act which will establish program goals and increase accountability for local providers. Similar to the provisions in chapter 1 and vocational education, there are appropriate Federal, State and local roles designed to bring about improved literacy services.

There are also several amendments to the Even Start Program contained in H.R. 751. These are in essence technical and perfecting amendments that will improve the performance of this successful literacy family program. We have to understand that literacy is a problem that starts when young children fail to learn appropriate skills and is too often a family problem where parents fail to adequately support their children's learning development. Illiteracy is an intergenerational problem.

Madam Speaker, this is a good, lean bill. It has gone through many revisions and is in shape to move forward and become law. I hope that all my colleagues can support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. KILDEE. Madam Speaker, I would also like to thank the staff of the gentleman from Pennsylvania [Mr.

GOODLING] for their fine work on H.R. 751. This has been really a pleasant, enjoyable task, and this bill is a bill that will make a difference in this country. I would like to thank particularly Andy Hartman, Lynn Selmser, Beth Buehlmann, and Jo Marie St. Martin. They really contributed well to this bill.

Madam Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SAWYER], the sponsor of the bill.

Mr. SAWYER. Madam Speaker, I thank the gentleman from Michigan [Mr. KILDEE] and my other friend, the gentleman from Michigan [Mr. FORD], the chairman of our committee, and the gentleman from Pennsylvania [Mr. GOODLING] for all of their leadership in support of H.R. 751.

Madam Speaker, we are here today for several reasons. We are here because economic and demographic trends are telling us that our Nation's competitive abilities are steadily being eroded by a work force that is declining both in terms of real numbers and in terms of their training and basic skills. We are here today because of the sheer magnitude of the number of Americans who are wholly or functionally illiterate. The numbers are ranging from 25 to perhaps as many as 75 million Americans who cannot read, write, calculate or solve problems well enough to function productively in society.

Madam Speaker, we are sometimes cavalier about the use of those kinds of numbers, so sometimes it helps to think of it in this way: think of the entire population of the States of New Jersey and New York unable to fill out medical insurance forms, or to read to their children at night, or have even the faintest understanding of the information contained on a ballot.

□ 1250

That is 25 million people, and that is a conservative estimate. For these people and their families, it is nothing less than a personal tragedy, and for our Nation it is as important an economic indicator as the GNP, the Consumer Price Index, or the balance of trade.

This measure before us today will provide tools, tools that will help to coordinate and integrate and invest in adult and family literacy programs on the Federal, State, and local levels. It will help to build an infrastructure in several ways. First, it will develop State resource centers that will create information and resource networks within the States to help literacy providers offer services that are based on the known needs of their own communities, using the best available resources in the most coordinated and effective ways possible.

Second, these State literacy resource centers will be linked to a National Institute for Literacy. Its purpose will be to provide current research on what

constitutes an effective literacy program and how best those programs are conducted.

With this structure in place, it will be a lot easier for schools, governments, and average businesses to have ready access to information pertinent to their unique needs and advice on how best to develop programs that will meet the needs of their employees.

The Federal program that provides the core of adult literacy services, the Adult Education Act, is also at the core of this proposal that all of us have worked on here today. Unfortunately, that particular program is small. It serves only 10 percent of the population in need. But this measure would help improve and streamline the administration of the Adult Education Act. It will expand its reach by permitting community-based organizations, public and private nonprofit agencies, and other literacy program providers to receive Federal funding. Under current law, they may not, and we need to bring them into the system as well as full partners.

Every adult who needs skills retraining has needs that are unique to that adult. Our legislation would ensure that they have a wide variety of programs and options to choose from.

For many adults there are real barriers to returning to an actual classroom. Just imagine that you are 50 years old, that you are an assembly line worker, and that for 30 years you have successfully hidden the fact that you cannot read. Suddenly you face a wholesale modernization of your job, your boss is bringing in computerized robotics or statistical production controls, you never did well in school in the first place, and you are not likely to become a model student at the age of 50 anyway. You should have another option to unemployment, a program on the shop floor or someplace in your place of employment or one at the local career center.

This bill will make that possible. It will provide flexible solutions for workers, employers, and families in a vast array of settings.

Madam Speaker, I, too, would like to take just this moment to thank my chairman, the gentleman from Michigan [Mr. FORD], our ranking minority member, the gentleman from Pennsylvania [Mr. GOODLING], and the gentleman from Michigan [Mr. KILDEE] for their leadership. I would like to thank Andy Hartman and Sara Davis for their staff work in this matter. It was exemplary. Due to all that hard work and commitment on this issue, this bill was the first education bill to reach the House floor in this Congress.

Finally, I would like to thank every one in the literacy community all across this Nation. It represents one of the most diverse coalitions I think I have ever seen in my 15 years in public office. In many ways this is their bill,

and I know all of us who joined today in this effort are pleased that these many years of steadfast dedication in the face of real adversity are about to pay off.

Madam Speaker, I look forward to working with all of them and with all of us here today in the years to come to make sure that this comes to fruition.

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. REED].

Mr. REED. Madam Speaker, I rise today in support of the National Literacy Act of 1991, introduced by my distinguished colleague from Ohio, Mr. Sawyer and passed last week by the House Education and Labor Committee of which I am a member.

Today, 30 million adult Americans have problems with literacy skills. That does not just mean they cannot read the CONGRESSIONAL RECORD.

These are people who may not have the basic reading and math skills they need to read a bus schedule, make change at the store or any of the other skills that many of us take for granted. That is what we mean when we talk about literacy.

At the same time as we see rising unemployment, we also see the beginning of a literacy gap between the needs of the workplace and the skills of our workforce.

These literacy problems are ruining individual lives but they are also a threat to our Nation's well being. Our economic competitiveness is at stake.

The bill we are discussing today will help small- and medium-sized businesses and labor organizations develop and implement literacy programs to improve the basic skills of their employees.

This legislation also includes teacher training programs to identify students with reading.

It will improve library literacy programs and expand the reading is fundamental program.

Public and private literacy programs have long suffered from a lack of funding, lack of coordination, and lack of teacher training.

This bill addresses these issues and will go a long way toward insuring that adults in the United States of America are able to read a bus schedule, fill in a job application form and, in short, lead happy, productive lives that contribute not only to their own well being but also that of the country as a whole.

Madam Speaker, I hope all my colleagues will support this bill.

Mr. KILDEE. Madam Speaker, it is my privilege to yield 2 minutes to the chairman of the full committee, the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Madam Speaker, I take this time to thank the new chairman of the Subcommittee on Elementary and Secondary Education

and the ranking Republican on the full committee for the dispatch with which they have put together this very valuable piece of legislation. I am very pleased, as the new chairman of the Committee on Education and Labor, to bring as our first vehicle to the floor a bill that everybody is going to stand up and cheer for. I would be very much surprised if any Member wants to vote against this piece of legislation. It is in fact a well thought out piece of legislation, one that has been through the mill before.

When we passed this in the last Congress, it was part of a bill that went out of here known as the President's education initiative, and unfortunately for that initiative, it came a cropper in the other body from the President's own party, as a matter of fact, and through no fault of anything in this part of the bill. Nobody disagreed with this part of the bill.

I am very pleased that the gentleman from Michigan [Mr. KILDEE] and the gentleman from Pennsylvania [Mr. GOODLING] got their heads together early and smoothed the way for this legislation and brought it to the floor. I notice that the gentleman from Pennsylvania has also done a little cleanup work on his Even Start Program which he deserves credit for. But the one Member who has been working on all of us for the longest about the problem of literacy and the need for the Federal Government to do something about it has been the former mayor of Akron, OH, the gentleman from Ohio [Mr. SAWYER]. The gentleman from Ohio has been at it so long that very early in the year, when I talked to the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Michigan [Mr. KILDEE] and others, I said, "We have got to get to this Sawyer bill as soon as we can, because it is too bad something this good had to be taken down by something that drew controversy."

Madam Speaker, I am very happy to have it here, and I want to compliment the new chairman of the Subcommittee on Elementary and Secondary Education for the way he has handled the bill and the way he has worked it out in the committee and for giving the Members of the House a nice clean education vote this early in the session.

Madam Speaker, functional illiteracy is a very serious problem facing our country. The estimates vary, but it is generally assumed that about 30 million Americans cannot read, write, compute, or otherwise communicate competently to meet the needs of modern society. The United States cannot expect to compete effectively in the world economy with such a heavy burden weighing us down.

H.R. 751 proposes a comprehensive approach to dealing with illiteracy. The purpose of the bill is to seek a better coordination of all the current Federal, State, and local efforts to eradicate illiteracy.

A new National Institute for Literacy which would be the central focal point for raising lit-

eracy skills is the key element of this bill. The Institute would be operated by a board composed of the Secretaries of Education, Labor, and Health and Human Services. Information on literacy programs and technical assistance to operate programs would be available from the Institute to business, private organizations, State, and local governments.

The same theme of achieving greater coordination among current programs is also shown in the creation of State and regional literacy resource centers. These centers would operate in each State or in consortia of States in the same manner as the National Institute, as focal points for all the education, job training, welfare, and private industry literacy efforts within a State or region.

The Adult Education Act is also broadened to encourage literacy programs to be offered at sites other than in school buildings and to make grants to a variety of groups in addition to public schools. Moreover, the Workplace Literacy Program is strengthened through encouraging industrywide programs.

Lastly, the authorization of appropriations for the Adult Education Act is increased by \$50 million over the current appropriation of \$209 million. The total cost of the bill, including the Institute and the resource centers, as well as the increase in the Adult Education Act, totals \$144 million for fiscal 1992.

I strongly urge support for this legislation.

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

Mr. KILDEE. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE. Madam Speaker, I rise today as a cosponsor and strong supporter of H.R. 751, the National Literacy Act. I commend Representative SAWYER, Representative GOODLING, Representative KILDEE, Representative FORD, and others who have brought this urgently needed and well-crafted bill before us.

Many people and organizations have helped bring us to this important day, by documenting the need for a national literacy initiative, by formulating a well-conceived and practical bill, and by working tirelessly for its passage.

In the 101st Congress, we passed a similar literacy initiative as a part of the Equity and Excellence in Education Act. I was disappointed that this omnibus proposal was not enacted, but I am especially pleased to see the literacy components of this bill return to the House floor today for our consideration and approval so early in the 102d Congress.

Illiteracy is a daily tragedy for millions of our citizens, depriving them of full participation in the life of our society. It is also a tragedy for us as a nation—and the bill before us lays particular stress on the impact that the education and skills of our work force have on our Nation's economy and on our ability to compete in the global marketplace. In my district, which encompasses the high technology facilities in Research Triangle Park as well as traditional industries that are par-

tidly modernizing, business leaders tell me that education is their No. 1 concern.

Too many of our young people are entering the work force without the skills necessary to advance, and too many of our adult workers find themselves unable to adapt to the workplace's changing demands. The Sunbelt Institute, in a study cochaired by Representative HAL ROGERS and myself, has documented a cycle of undereducation and underemployment that is especially critical in the Southern States. Our region's literacy problem, the study concludes, must increasingly be seen in terms of work force skills—grade school dropouts who never learned to read, write, add, or subtract, but also, increasingly, high school dropouts whose skills still fall far short of what the workplace requires. The bill before us, formulated in the context of studies like these, conceives of literacy in this functional sense and encourages public-private partnerships in literacy training, often geared to the workplace.

The bill before us, H.R. 751, includes provisions for the establishment of a National Institute for Literacy—a center for research, program evaluation and assistance, and the dissemination of curricula and instructional technologies—which will provide an absolutely critical resource for State and local programs. Representative JIM COOPER is due a great deal of credit for his effective advocacy of this proposal. The bill also will encourage the establishment of much needed State and regional adult literacy resource centers. These centers will be of great importance to regions of the country, like the South, which have lagged behind much of the Nation in educating their work force. I am encouraged that the Southern Growth Policies Board, a consortium of the Southern States, has already begun to develop a southern regional literacy center. This is the sort of initiative H.R. 751 will facilitate and support.

I appreciate the cooperation of my colleague Representative SAWYER in making it clear that the funding States receive under H.R. 751 can go for services provided by a regional center, a State center, or both. We must work to ensure the flexibility of these centers in addressing the diverse problems posed by illiteracy. My own State of North Carolina will channel most of its efforts through a State literacy center but will also participate in the regional center being set up in the South.

I believe this is entirely appropriate. There are some activities which will be best undertaken by a State literacy center while others may be best undertaken through a regional center.

I look forward to working with Mr. GOODLING, Mr. SAWYER, and others to ensure that States and regional groups of States have the greatest possible

flexibility in establishing and funding centers that meet their diverse needs.

Madam Speaker, I am pleased to see this desperately needed literacy initiative come to the floor, and pleased to see the bipartisan agreement in this body on the importance of an educated work force. Workplace literacy will have an enormous impact on all of us and on the strength and productivity of our Nation.

It will take the efforts of all of us to meet this challenge facing our country. This is why I strongly support passage of H.R. 751, an essential building block in this effort. I urge my colleagues to lend their support to this important legislation, which will enhance this Nation's readiness to meet the challenges which lie ahead.

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Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Madam Speaker, I represent a great congressional district, the Fourth Congressional District of Tennessee. But in terms of literacy, I am afraid that this district is the 427th least literate congressional district in the United States, according to the 1980 census numbers. I have been working for several years now at the State level to try to promote literacy so that we can pull ourselves up by our own bootstraps. This bill before us today is a major step in the right direction.

Madam Speaker, I would like to thank the gentleman from Michigan [Mr. FORD], the gentleman from Michigan [Mr. KILDEE], the gentleman from Ohio [Mr. SAWYER], and the gentleman from Pennsylvania [Mr. GOODLING] for their tremendously hard work on this, and also for separating this issue so we can get a good, clean literacy vote this early in the session to make sure this legislation becomes law.

I have a particular interest in the National Institute for Literacy—a small section of the bill but I feel a very important one—because for the first time we will be able to tackle this problem as a Nation, instead of as 50 separate States, some of which have commendable efforts, and others of which have very feeble efforts indeed.

Madam Speaker, there are a host of people to thank in terms of making this legislation possible. I would like to thank a former staffer of mine, Eleanor Copeland, for her hard work on this issue.

I would also like to recognize others whose assistance to me personally and to the cause of literacy generally has been invaluable: Forrest Chisman and Renee Woodworth of the Southport Institute for Policy Analysis; the adult education and literacy directors in my district, especially Marie Baker, Bedford County; Margaret Bott, Rhea County; Alpha Black, Fentress County; Theresa Ayers, Ann Laws, Bobbie Sell-

ers, all of Hamblen County; Roger Hansard, Sherry Claiborne, both of Claiborne County; Lillian Stevens, Grainger County; Danny Turnmire, Hancock County; Bonnie Thomas, Union County; and Ann Hables, Campbell County, who are out there doing the work in the trenches every day to make sure that adult Tennesseans have the chance to learn to read and write, even though they may have missed that opportunity while they were younger in grade school or high school.

Madam Speaker, this is a very important piece of legislation. Thanks to the hard work of the gentleman from Pennsylvania [Mr. GOODLING], this should be a noncontroversial piece of legislation. Members on both sides, on both sides of the aisle, should support this important step forward for our adult education in America.

Mr. JEFFERSON. Madam Speaker, I rise in support of H.R. 751, the National Literacy Act of 1991. This legislation is a comprehensive attack on the problem of adult literacy confronting our Nation. The National Literacy Act is a crucial step in efforts to ensure that every able American can read, write, speak, and compute at a level sufficient to function in our society.

Despite laudable measures taken in the past, today, nearly 30 million American men and women have serious problems with literacy, and my home State of Louisiana continues to rank last in terms of the number of adults able to meet literacy standards. Clearly, as these alarming statistics indicate, there is still much to be done.

In recognition of the long road ahead, the National Literacy Act will combat adult illiteracy by investing in programs on the Federal, State and local levels, and by making information on the most effective strategies for reaching and teaching those in need of literacy services more accessible to public, volunteer, community and business-based literacy programs. Today, less than one-third of all those who need help in becoming literate are being served by current programs. The act will expand the scope of literacy programs to enable them to reach the growing volume of people in need of basic skills.

Investing in literacy is not a luxury. What we cannot afford to do, is write off generations of Americans who hold the key to our future competitiveness.

Literacy is at the very foundation of a viable democracy. It is a mistake to think that national security is exclusively linked to military defense. For at the core of national security is the ability of citizens to read, write, solve problems, make rational decisions, and think critically. Our investment in human resource development must be as strong, and our innovation in this development as sophisticated as the weapon systems deployed by our military.

The list of costs associated with illiteracy is extensive, but I believe that the greatest cost is the human cost—wasted potential, shattered dreams, and no hope of a better tomorrow.

I urge the passage of the National Literacy Act of 1991 by Congress, and once passed I urge President Bush to acknowledge and re-

spond to the literacy crisis facing this Nation by expeditiously signing H.R. 751 into law.

Mrs. MINK. Madam Speaker, I rise today in support of H.R. 751, the National Literacy Act of 1991. I would like to commend Chairman FORD of the Education and Labor Committee and Representative SAWYER, the author of the legislation, for swift action on this much needed bill. The National Literacy Act would provide for a coordinated effort in our country to combat illiteracy. It is estimated that close to 30 million American adults have serious problems with literacy, that is nearly 15 percent of our country. In my State alone, 154,000 adults were classified as functionally illiterate in 1988. This accounts for 19 percent of our population.

To combat this deficiency, the State of Hawaii has initiated a unique program called the family literacy pilot project to reinforce the progress and instruction both generations receive. In addition to teaching reading skills, this program gives both young and old the kind of support system needed to help them succeed. It is my hope that the passage of H.R. 751 will encourage the development of more innovative programs, such as this one, throughout the country, to reach out to the millions of illiterate adults and children in our Nation that need the essential skill of reading to succeed and contribute to our modern society.

States, localities, and private entities will benefit from H.R. 751 and have access to Federal funding for literacy programs for adults, children, and the family. To solve the problem of illiteracy we must attack it from all fronts, at home, at school, and at the work place.

The need is evident. Existing public and private literacy programs touch only about 19 percent of those needing help. Programs around the country are fragmented and lack the funds to make a real impact in our efforts to reduce illiteracy. Like our war on drugs, we must have a cohesive national plan to combat literacy. It is no less a problem for the survival of our Nation. Let us pass H.R. 751 today.

Ms. LONG. Madam Speaker, I rise today in support of the National Literacy Act. H.R. 751 approaches the problem of illiteracy through the reauthorization of several existing programs as well as the creation of new initiatives. This effort to build on an existing foundation will improve the efficiency of Federal literacy programs.

Illiteracy is one of our Nation's greatest tragedies. In these times of economic hardship, we speak of America's competitiveness in the world economy, but we will never be truly competitive until all of our work force can read. State programs, where they exist, may be reaching individuals who are lucky enough to gain access to the programs, but there is no way to ensure that we are effectively addressing the problem of illiteracy across the country.

H.R. 751 will, among other things, authorize funding for work force literacy programs, such as the Business-Education Work Force Literacy Program in the Department of Education. In addition, a new collaborative effort would be created between the business community and the Department of Labor.

These programs must be authorized if we are to keep America's work force competitive.

The need for these programs is greater now, as our economic makeup has shifted from manufacturing to service- and information-related industries. The ability to read is fundamental to the ability to get and keep a job. I urge my colleagues to make an investment in our future economic growth and security. I urge passage of the National Literacy Act.

Mr. STOKES. Madam Speaker, I rise today in support of H.R. 751, the National Literacy Act of 1991. I want to commend my esteemed colleague from Ohio, Mr. SAWYER, for his leadership in bringing this bill to the floor. Our youth of today, growing up in a very troubled society, need a dedicated advocate like him to ensure educational opportunities on their behalf. This bill is a concerted effort to meet this objective and is especially important when we take a close look at the failing educational achievement of today's students.

In 1988, 25 percent of U.S. high school students left public schools without graduating; between now and the year 2000, it is estimated that 1 out of 7 preschoolers is at risk of dropping out of school. Furthermore, only 50 percent of high school seniors read at levels considered adequate for performing moderately complex tasks, and 80 percent have inadequate reading skills.

Currently, as many as 23 million Americans are functionally illiterate, lacking basic skills beyond a fourth-grade level. Many of the problems associated with illiteracy are passed from one generation to another. And, we see that many of those persons who are unable to read, are also unable to make a living. Functionally illiterate Americans represent over one-third of mothers receiving aid to families with dependent children. This is a crisis which not only determines the quality of the future for our children, but one that determines how well we as a nation will compete in a global economy.

Madam Speaker, this situation prompted my introduction of the gateway bill, during the last session of Congress. The concept of the Gateway Program has been incorporated into H.R. 751 as part of a national literacy package—a package which will provide, indeed, a gateway of opportunity to those individuals, who generation after generation, have had the doors of opportunity shut in their faces.

Basically, H.R. 751 directs the States to provide competitive, 2-year grants to public housing authorities. The purpose of the program is to make available to residents of public housing projects programs of information and outreach, literacy training, basic skills training, and the development of work habits. Child care services also would be encouraged in order to allow young parents to participate in education and training programs leading to meaningful employment.

The provision of child care is an important part of the campaign against illiteracy because the majority of families living in public housing are headed by single, young women. Oftentimes, the prohibitive cost of, and the lack of, quality day care have prevented many of these young mothers from going on to obtain the skills which would help them and their children pursue and enjoy the many opportunities our Nation has to offer. Child care services would include services for daytime care of

child dependents not attending school as well as adult dependents of eligible individuals.

Madam Speaker, my own personal experiences help me to understand the significant role a program like Gateway can play. My brother and I spent 10 years in public housing. My mother took us into public housing when I was 13 years of age and we remained in public housing until I was 23 years of age, after I had returned from the armed services and took advantage of the GI bill.

When my mother took us into public housing, it was because she was a widow raising two boys. She was a domestic worker, a woman with an eighth-grade education who could not really make enough money as a domestic worker to support us. So, she went to AFDC to try and make enough money to be able to raise two young boys. During these times, we were not the only ones in this dilemma. Many people who lived in public housing during those days were good people, decent people, but they were poor people.

This is the situation we basically have today in public housing. We find people who do not have the advantage I had of being able to take advantage of the GI bill and go to college, and on to law school. Many of them are good and decent people. But, they, too, are poor people. They need some help if they are to be able to escape going from one generation to another, living in public housing, dependent upon public assistance, with no opportunity whatsoever of escape.

Public housing serves the very poor, the most vulnerable segment in our society. By design, public housing is generally restricted to tenants with incomes below 50 percent of the median income. Many of the residents lack a high school diploma. Many have never held a job. Many of them have less than eighth-grade level skills in reading and math. Consequently, they are disqualified from some federally funded training programs.

Madam Speaker, illiteracy affects every aspect of our Nation. It is a problem which disproportionately affects our Nation's poor. Therefore, if we are to effectively tackle problems associated with illiteracy, we must direct our efforts toward those most in need of assistance, the economically disadvantaged. In this regard, as we attempt to draft remedies for those problems affecting our Nation's poor, we must be mindful of the role public housing can play.

Madam Speaker, I want to thank the distinguished chairman, Mr. FORD, the ranking minority member, Mr. GOODLING, and my colleague from Ohio, Mr. SAWYER, for including this very important initiative in this bill. I ask my colleagues to join me in voting for the final passage of H.R. 751.

Mr. KLUG. Madam Speaker, I rise to offer strong support for H.R. 751, and to commend our committee chairman, Mr. FORD, our ranking member, Mr. GOODLING, and Mr. SAWYER for their efforts in moving this legislation through the Committee on Education and Labor and onto the floor so expeditiously.

Today, there are nearly 30 million adult Americans who have serious problems with literacy. Many of them cannot read or write at all. For these 30 million Americans, Mr. Speaker, illiteracy is a personal tragedy: It cuts them off from a great deal of what is truly

good and beautiful in the world; it makes many of them outsiders in their communities and even in their own families; and it slams shut in their face the door to economic opportunity and advancement.

If illiteracy is a personal tragedy, it is no less of a tragedy for the Nation as a whole, for we—all Americans—are denied the full participation of these millions of men and women in the life of our society and our economy. H.R. 751 will help us bring these Americans in.

H.R. 751 attempts, in a comprehensive way, to respond to what is currently a fragmented and disjointed approach to the problem of adult literacy. It establishes a much needed infrastructure for Federal and State leadership in the planning and delivery of quality adult literacy programs, programs which are now reaching only a small portion of the population in need. It also provides for additional resources to improve literacy and basic skills training programs, and to assist business and labor organizations in developing literacy programs tailored to the needs of the Nation's work force.

In sum, Madam Speaker, there is a great deal which is good and necessary in this legislation. I urge all of my colleagues to give it their full support.

Mrs. UNSOELD. Madam Speaker, it is a pleasure to speak in favor of a literacy bill that has not only bipartisan support in the Congress, but the support of the President as well. I want to thank Mr. SAWYER for putting together this effective piece of legislation.

As our economy labors to keep our place in international markets, we have to do more than ever to help our work force meet new challenges. Literacy is a basic, yet critical, first step toward meeting those challenges. We know of programs that will help our children and our workers become literate for the modern workplace, but we have never committed the funds to reach out to more than 1 in 10 of those who need help. Nor have we found a way to pool our knowledge of what actually works and use our limited resource most effectively.

The National Literacy Act would help us reach out to the 90 percent who need help, but haven't been able to get it, and it would create a mechanism to share knowledge about what works, and what doesn't.

In my State alone, 440,000 adults cannot read on even an eighth grade level. By using some of the programs established or expanded by this act, they will be able to become more self-sufficient and better able to accept the challenges that face them. That is why I support the National Literacy Act.

Mr. GINGRICH. Madam Speaker, I rise in support of H.R. 751, the National Literacy Act of 1991, and urge my colleagues to vote in favor of this important legislation.

Nearly 30 million American adults have serious problems with literacy, and it is clear that their problems are closely linked to be debilitating cycles of poverty and crime. While this legislation is not a panacea for these deeper societal problems, it will provide a comprehensive and coordinated approach to literacy on a Federal, State, and local level, and thereby offer hope to people who have not known it before.

One aspect of H.R. 751 which deserves particular mention is title VI, "Literacy for Incarcerated Individuals." It is a crucial first step toward requiring prisoners in State corrections institutions to learn basic educational skills while serving their sentences.

It is nearly identical to legislation I introduced in January, H.R. 326. This language also was included in the last year's conference report on the Education Excellence Act, which met with House approval, but was not considered by the Senate prior to adjournment.

The major provisions of title VI are as follows:

Each State correctional system is required to have in effect a mandatory functional literacy program in at least one major corrections institution within 2 years of enactment.

Each State correctional system and each local jail or detention center with an over 150 inmate population is required to have in effect a mandatory functional literacy program within 5 years of enactment.

Each individual incarcerated in a State corrections system, or in a local jail or detention center with an over 150 inmate population, who is serving a sentence of at least 1 year, and who is not functionally literate, shall be required to participate in a mandatory functional literacy program until such individual: achieves functional literacy, is granted parole, completes his or her sentence, or is released pursuant to a court order.

Prisoners who refuse to participate in a functional literacy program shall not be granted parole.

Let me take a few minutes to explain how this idea was brought to my attention. On May 2, 1990, John Chancellor delivered a commentary on NBC Nightly News aimed at shedding light on one of our society's major shortfalls. The commentary was aptly titled "Readin', Writin' & Pris'n."

Chancellor's main thrust was that "in the American penal system, too many people go to prison, get out, commit another crime and go back in again. In Japan, the rate of return to prison is far lower."

One reason advanced by Chancellor for the disparity is that " * * * In Japan, they won't let you out if you can't read and write." To illustrate the problem just consider that in the United States 62 percent of all released prisoners who are rearrested have an education of eighth grade or less.

The District of Columbia, 10 States, and the Federal Prison System currently have mandatory components to their educational programs. In the only court decision on mandatory prisoner education, Arkansas' program was upheld by a Federal district court.

Madam Speaker, I applaud the judgment of the Committee on Education and Labor in bringing H.R. 751 to the floor and including in this bill the prisoner literacy title. I urge my colleagues to support this bill.

Mr. VALENTINE. Madam Speaker, I rise today in support of H.R. 751, the National Literacy Act of 1991. I am a cosponsor of this legislation and strongly believe in what it is trying to accomplish.

I want to compliment the authors of this bill, Representatives SAWYER and GOODLING, and the members of the Education and Labor

Committee for expediting the consideration of this bill.

In my view, illiteracy is one of the most serious and unnecessary problems facing our country today. With coordinated involvement on the local, State, and Federal level, this is one problem that we can, and should, be able to solve.

I am hopeful that the information and resource network that will be established within the States will lead to an exchange of information about programs that work.

I believe that the National Literacy Act is starting the country down the path of education for all Americans. I urge all my colleagues to join the battle against illiteracy by voting to suspend the rules and pass H.R. 751.

Mr. PAYNE of New Jersey. Madam Speaker, today I rise in support of H.R. 751, the National Literacy Act of 1991. For the past few years, my colleague, Mr. SAWYER of Ohio worked tirelessly to put together this piece of legislation and I would like to commend him on his efforts.

This act is indeed a comprehensive approach to improving the literacy and basic skill level of adults by coordinating, integrating, and investing in adult and family literacy programs at the Federal, State, and local level. Additionally the program provides for research, quality program delivery and it involves all sectors, from public programs to community-based to volunteer to business and industry in the provisions of literacy services.

Today more than 30 million adults lack the basic skills necessary to function in this society. Moreover, it is estimated that an additional 42 million Americans are marginally illiterate. These citizens cannot complete a job application, read a newspaper, comprehend a bus or train schedule or understand a warning label on a bottle of medicine.

The unfortunate product of these deficiencies has been acutely borne out in the workplace. Our Nation's competitiveness is being eroded by the presence of millions of Americans who are functionally illiterate; citizens who cannot comprehend simple manuals or equipment. Consequently, the total cost of the errors and accidents and missed opportunities in business now exceeds \$225 billion annually.

Equally important, however are the societal costs. The lack of reading, writing, and mathematical skills leads to resignation, despair, and in some cases, contributes to crime, alcohol and drug abuse, unemployment, and economic dependence. Essentially, illiteracy has become a tax. A tax that has exacted a heavy price in valuable human resources from our Nation.

This legislative effort has eight titles that would address these issues by providing an infrastructure for coordination, research, and planning; upgrading the literacy and basic training systems; and investing in the programs assisting adults and families with low levels of literacy.

Madam Speaker, I wholeheartedly support this comprehensive legislation and I hope it commands all the support it deserves.

Ms. HORN. Madam Speaker, I rise today in strong support of H.R. 751, the National Literacy Act of 1991. This bill passed both

Houses of Congress last year and I am pleased to see that it has been acted upon so quickly this session.

I applaud President Bush's goal for this Nation to be first in the world in math and science by the year 2000. As a former educator, I strongly support reaching this goal and will work with him to help achieve it. However, a chain is only as strong as its weakest link. This country will never reach its full potential if we continue to have millions of citizens who cannot read.

Illiteracy affects us all. It weakens the productivity of our work force, affects competitiveness in international markets, and most of all it limits the quality of life of those Americans who cannot read. There are millions of Americans who could be strong productive members of our work force and lead normal lives, if they could only read. We have let these people down and it is time to find a solution to the problem of illiteracy.

The National Literacy Act attempts to address the needs of all illiterate persons by authorizing money for a National Institute for Literacy and providing money for grants to States to develop State and regional literacy institutes. These institutes would provide services to illiterate persons, teach them how to read and also conduct research on how best to combat illiteracy.

This bill is one of many that the House will consider this year dealing with education. With this legislation, we have an opportunity to make significant improvements in our education system and I will work hard to accomplish this goal. However, we must walk before we can run. This bill will help many of our citizens take the first step toward a more meaningful and productive life.

Mrs. COLLINS of Michigan. Madam Speaker, today Congress stands ready to approve the National Literacy Act, legislation which will significantly increase the chances millions of adult Americans have to compete in the workplace and improve the quality of their lives.

In 1991, America has 30 million adults who are functionally illiterate, 30 million. As a result, these people are less productive workers in a society where competition and excellence determine success. Our standing as an economic power is diminished graphically by this loss of thought power.

In Japan, schoolchildren learn English in order to compete on the business battlefield with Western economic powers. Yet in the United States, our school system fails to inspire students to learn any foreign languages and I have yet to find any that will teach Japanese. Do we really believe we can remain within striking distance of economic dynamism such as Japan and Germany, with the illiteracy plaguing us?

Outside the workplace, the problem of illiteracy is just as important. The American dream is based on a good standard of living, a quality of lifestyle. Can this really hold true if one can't read a newspaper or a book or read to one's children? Aren't those, when it comes right down to it, the true moments of pleasure life has to offer?

This legislation authorizes an increase of \$144 million for Federal literacy programs for next year. It also creates a new National Institute for Literacy, which will conduct policy

analysis on illiteracy and disseminate information on literacy programs. In addition to the new Institute, funding will be provided to establish State and regional literacy resource centers. The measure makes a variety of efforts to combat the problem, even going into our prison system to educate the illiterate.

The National Literacy Act marks a true commitment by Congress to react to the crisis of illiteracy. To be competitive in the international economic arena and to improve the quality of life at home, America needs this bill. I want to express my enthusiastic support for this effort and urge my colleagues to join me.

Mr. SERRANO. Madam Speaker, I rise in strong support of the National Literacy Act of 1991.

Madam Speaker, I am pleased that we are considering this important bill, because by reporting it favorably from the House, we shall be signaling to America that we have our priorities in order.

This legislation, which promotes literacy, will equip millions of Americans with an invaluable key to success in our society, access. Existing programs only help about 10 percent of those in need of basic skill training. I believe that we cannot fail if we arm all Americans with an education and the technological tools.

Madam Speaker, we all know that we cannot continue to be a global economic force when there are more than 30 million functionally illiterate Americans. Granted this bill will not address all the problems facing our country, but it is a step in the right direction in creating a literate, creative, and skillful work force. Furthermore a literate work force will allow America to maintain economic competitiveness with other leading nations, as well as ensuring an educated, responsible citizenry.

I believe that \$260 million is a modest amount to provide the kind of adequate assistance to Americans seeking access for a better education, employment opportunities, and quality of life.

Madam Speaker, this is a proposal I can take home to the people of the South Bronx. I urge my colleagues to do the same.

Mr. ROEMER. Madam Speaker, I rise in strong support of H.R. 751, the National Literacy Act of 1991. As a new member of the Education and Labor Committee, I am proud to be a cosponsor of this important legislation and to follow its progress through the Subcommittee on Elementary, Secondary, and Vocational Education. I would like to compliment the subcommittee chairman, Mr. KILDEE, Mr. SAWYER, and Mr. GOODLING, the ranking Republican member, for their hard work in crafting this vitally needed act.

Illiteracy is a serious national problem. It is serious because illiterates cannot readily stay informed on issues vital to participating in a democracy. It is serious because illiterates cannot be fully productive in the workplace. And, it is serious because illiterate parents cannot share in the joy of helping their children with homework or teaching them to read. Illiteracy hinders full participation in a democracy, makes our citizens less productive in a competitive global economy and unable to help prepare the next generation of Americans for the challenges they face in the next millennium.

Studies reveal that almost 30 million Americans are unable to read and write effectively. One country in the Third Congressional District of Indiana estimates that more than one-third of its adults over age 25 are illiterate. These dramatic statistics have both human and financial costs. These costs are staggering, with some estimates in excess of \$200 billion annually. Existing public and private literacy programs serve less than one-fifth of those Americans who are either totally or functionally illiterate. This bill addresses the problems and costs of illiteracy in a comprehensive and effective fashion.

This legislation will be effective because it builds upon successful and proven ideas, and builds an infrastructure for literacy. Henry David Thoreau once said, "If you have built castles in the air, your work need not be lost; that is where they should be, now put the foundations in under them." The literacy bill seeks to build such a foundation.

H.R. 751 establishes a new National Institute for Literacy which is designed to improve the delivery of services and dissemination of information on literacy programs. It expands the Even Start Family Literacy Program which combines early childhood and adult education in an integrated program. It provides for the expansion of work force literacy through public-private partnerships. It also provides for the establishment of State and regional literacy resource centers to assist State and local agencies in the elimination of illiteracy.

I am pleased that the bill forges partnerships with the private sector and at the Federal, State, and local levels. In my State of Indiana, Gov. Evan Bayh and his wife, Susan, have provided the kind of bold leadership and constant commitment which are essential to combat this serious problem. I am proud to say that as First Lady of the State, Susan Bayh has promoted literacy efforts throughout Indiana. She has traveled with my wife, Sally, throughout the district to focus attention on illiteracy and promote workable solutions. We are fortunate indeed to have such strong interest and dedication in our State's Capitol.

These renewed efforts on literacy are crucial. Some of my constituents are dropouts who never learned to read. They are unable to perform daily tasks that we take for granted such as grocery shopping or reading the labels on food or prescriptions. For them, the inability to read and write effectively translates into a life of poverty in unskilled, low paying jobs. As I travel throughout my district, however, I meet people whose lives have been changed dramatically because they have learned to read and write. One example is Beverley Ann Heuer from Michigan City who could not read just a few months ago. She sought help and is now close to completing here GED, has saved two lives in her job, and writes poetry. It is my hope that this bill will provide the basis of change for many other Americans who face serious literacy problems.

Madam Speaker, reducing illiteracy represents an investment in our Nation's future competitiveness. It is an investment in families working together on homework and participating actively in our great democracy. It is an investment in an individual's pride and dignity. There is no better investment than in challenging and improving all Americans' ability to help

themselves. I urge my colleagues to support this bill.

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the bill, H.R. 751, 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 the bill was laid on the table.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 751, as amended, the bill just passed.

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

There was no objection.

HIGHER EDUCATION TECHNICAL AMENDMENTS OF 1991

Mr. FORD of Michigan. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1285) to resolve legal and technical issues related to Federal postsecondary student assistance programs and to prevent undue burdens on participants in Operation Desert Storm, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Higher Education Technical Amendments of 1991".

(b) REFERENCES.—References in this Act to "the Act" are references to the Higher Education Act of 1965.

SEC. 2. ABILITY TO BENEFIT.

(a) DEFINITION OF ELIGIBLE INSTITUTION.—

(1) STAFFORD LOANS.—Section 435(c)(1) of the Act (20 U.S.C. 1085(c)(1)) is amended by striking out "and who have the ability to benefit (as determined by the institution under section 481(d)) from the training offered by such institution" and inserting in lieu thereof "or who are beyond the age of compulsory school attendance in the State in which the institution is located".

(2) DEFINITION OF PROPRIETARY INSTITUTION OF HIGHER EDUCATION.—Section 481(b) of the Act (20 U.S.C. 1088(b)) is amended—

(A) by striking out "and who have the ability to benefit (as determined by the institution under section 484(d)) from the training offered by the institution"; and

(B) by striking out the last sentence thereof.

(3) DEFINITION OF POSTSECONDARY VOCATIONAL INSTITUTION.—Section 481(c) of the

Act (20 U.S.C. 1088(c)) is amended by striking out "and who have the ability to benefit (as determined by the institution under section 484(d)) from the training offered by the institution".

(4) DEFINITION FOR INSTITUTIONAL AID PROGRAMS.—Section 1201(a) of the Act (20 U.S.C. 1141(a)) is amended by striking "and who meets the requirements of section 484(d) of this Act" in the third sentence.

(b) DEFINITION OF ELIGIBLE STUDENT.—Section 484(d) of the Act (20 U.S.C. 1091(d)) is amended to read as follows:

"(d) TESTING OF STUDENTS WHO ARE NOT HIGH SCHOOL GRADUATES.—In order for a student who does not have a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, to be eligible for any assistance under subparts 1, 2, and 3 of part A and parts B, C, D and E of this title, the student shall pass an independently administered examination approved by the Secretary."

(c) CONFORMING AMENDMENTS.—

(1) SUPPLEMENTAL LOANS.—Section 428A(a)(1) of the Act is amended by striking the last sentence thereof and inserting "No student shall be eligible to borrow funds under this section until such student has obtained a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate."

(2) STUDENT ELIGIBILITY.—Section 484(a)(1) of the Act is amended by inserting before the semicolon at the end thereof the following: ", and not be enrolled in an elementary or secondary school".

(3) PROGRAM PARTICIPATION AGREEMENTS.—Section 487(a)(11) of the Act is amended by striking "which admits" and all that follows through "484(d)," and inserting "whose students receive financial assistance pursuant to section 484(d)."

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to any grant, loan, or work assistance to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1991.

(2) ELIMINATION OF CONFLICTING PROVISIONS.—(A) Section 3005 of the Omnibus Budget Reconciliation Act of 1990 is repealed. Sections 484(d) and 481(b) of the Act shall be applied as if such section 3005 had not been enacted.

(B) The last proviso of the paragraph under the heading "STUDENT FINANCIAL ASSISTANCE" of title III of Public Law 101-517 (104 Stat. 2213) is repealed.

SEC. 3. ELIMINATION OF STATUTE OF LIMITATIONS FOR STUDENT LOAN COLLECTIONS.

(a) AMENDMENT.—Section 484A(a) of the Act (20 U.S.C. 1091a(a)) is amended to read as follows:

"(a) IN GENERAL.—(1) It is the purpose of this subsection to ensure that obligations to repay loans and grant overpayments are enforced without regard to any Federal or State statutory, regulatory, or administrative limitation on the period within which debts may be enforced.

"(2) Notwithstanding any other provision of statute, regulation, or administrative limitation, no limitation shall terminate the period within which suit may be filed, a judgment may be enforced, or an offset, garnishment, or other action initiated or taken by—

"(A) an institution that receives funds under this title that is seeking to collect a refund due from a student on a grant made, or work assistance awarded, under this title;

"(B) a guaranty agency that has an agreement with the Secretary under section 428(c)

that is seeking the repayment of the amount due from a borrower on a loan made under part B of this title after such guaranty agency reimburses the previous holder of the loan for its loss on account of the default of the borrower;

"(C) an institution that has an agreement with the Secretary pursuant to section 453 or 463(a) that is seeking the repayment of the amount due from a borrower on a loan made under part D or E of this title after the default of the borrower on such loan; or

"(D) the Secretary, the Attorney General, or the administrative head of another Federal agency, as the case may be, for payment of a refund due from a student on a grant made under this title, or for the repayment of the amount due from a borrower on a loan made under this title that has been assigned to the Secretary under this title."

(b) CONFORMING AMENDMENT.—Section 16041 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272) is amended—

(1) by striking out subsection (e);

(2) in subsection (f), by striking out "The amendment made by section 16034" and inserting in lieu thereof "The amendments made by sections 16033 and 16034"; and

(3) by redesignating subsection (f) as subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as if enacted by the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), and shall apply to any actions pending on or after the date of enactment of the Higher Education Technical Amendments of 1991 that are brought before November 15, 1992.

SEC. 4. OPERATION DESERT SHIELD/DESERT STORM WAIVER AUTHORITY.

(a) PURPOSE.—It is the purpose of this section to ensure that—

(1) the men and women serving on active duty in connection with Operation Desert Shield or Operation Desert Storm who are borrowers of Stafford Loans or Perkins Loans are not placed in a worse position financially in relation to those loans because of such service;

(2) the administrative requirements placed on all borrowers of student loans made in accordance with title IV of the Act who are engaged in such military service are minimized to the extent possible without impairing the integrity of the student loan programs, in order to ease the burden on such borrowers, and to avoid inadvertent, technical defaults; and

(3) the future eligibility of such an individual for Pell Grants is not reduced by the amount of such assistance awarded for a period of instruction that such individual was unable to complete, or for which the individual did not receive academic credit, because he or she was called up for such service.

(b) WAIVER REQUIREMENT.—Notwithstanding any other provision of law, unless enacted with specific reference to this section, the Secretary of Education shall waive or modify any statutory or regulatory provision applicable to the student financial aid programs under title IV of the Act that the Secretary deems necessary to achieve the purposes stated in subsection (a), including—

(1) the length of, and eligibility requirements for, the military deferments authorized under sections 427(a)(2)(C)(ii), 428(b)(1)(M)(ii), and 464(c)(2)(A)(ii) of the Act, in order to enable the borrower of a Stafford Loan or a Perkins Loan who is or was serving on active duty in connection with Operation Desert Shield or Operation Desert Storm to obtain a military deferment, under

which interest shall accrue and shall, if otherwise payable by the Secretary, be paid by the Secretary of Education, for the duration of such service;

(2) administrative requirements placed on all borrowers of student loans made in accordance with title IV of the Act who are or were engaged in such military service;

(3) the number of years for which individuals who are engaged in such military service may be eligible for Pell Grants under subpart 1 of part A of title IV of the Act;

(4) the point at which the borrower of a Stafford Loan who is or was engaged in such military service is required to resume repayment of principal and interest on such loan after the borrower completes a period of deferment under section 427(a)(2)(C)(ii) or 428(b)(1)(M)(ii) of the Act;

(5) the point at which the borrower of a Stafford Loan who is or was engaged in such military service is required to resume repayment of principal and interest on such loan after the borrower completes a single period of deferment under section 427(a)(2)(C)(i) or 428(b)(1)(M)(i) of the Act subsequent to such service; and

(6) the modification of the terms "annual adjusted family income" and "available income," as used in the determination of need for student financial assistance under title IV of the Act for such individual (and the determination of such need for his or her spouse and dependents, if applicable), to mean the sums received in the first calendar year of the award year for which such determination is made, in order to reflect more accurately the financial condition of such individual and his or her family.

(c) NOTICE OF WAIVER.—Notwithstanding section 431 of the General Education Provisions Act (20 U.S.C. 1232) and section 553 of title 5, United States Code, the Secretary shall, by notice in the Federal Register, publish the waivers or modifications of statutory and regulatory provisions the Secretary deems necessary to achieve the purposes of this section. Such notice shall include the terms and conditions to be applied in lieu of such statutory and regulatory provisions. The Secretary is not required to exercise the waiver or modification authority under this section on a case-by-case basis.

(d) DEFINITIONS.—For purposes of this Act—

(1) Individuals "serving on active duty in connection with Operation Desert Shield or Operation Desert Storm" shall include—

(A) any Reserve of an Armed Force called to active duty under section 672(a), 672(g), 673, 673b, 674, or 688 of title 10, United States Code, for service in connection with Operation Desert Shield or Operation Desert Storm, regardless of the location at which such active duty service is performed; and

(B) for purposes of waivers of administrative requirements under subsection (b)(2) only, any other member of an Armed Force on active duty in connection with Operation Desert Shield or Operation Desert Storm, who has been assigned to a duty station at a location other than the location at which such member is normally assigned.

(2) The term "active duty" has the meaning given such term in section 101(22) of title 10, United States Code, except that such term does not include active duty for training or attendance at a service school.

SEC. 5. TUITION REFUNDS OR CREDITS.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that all institutions offering postsecondary education should provide a full refund to any member or Reserve of an Armed Force on active duty service in con-

nection with Operation Desert Shield or Operation Desert Storm for that portion of a period of instruction such individual was unable to complete, or for which such individual did not receive academic credit, because he or she was called up for such service. For purposes of this section, a full refund includes a refund of required tuition and fees, or a credit in a comparable amount against future tuition and fees.

(b) ENCOURAGEMENT AND REPORT.—The Secretary of Education shall encourage institutions to provide such refunds or credits, and shall report to the appropriate committees of Congress on the actions taken in accordance with this subsection as well as information he receives regarding any institutions that are not providing such refunds or credits.

SEC. 6. TERMINATION OF AUTHORITY.

The provisions of sections 4 and 5 shall cease to be effective on September 30, 1997.

SEC. 7. EDUCATION PROGRAMS FOR COMMERCIAL DRIVERS.

Part C of the Adult Education Act (20 U.S.C. 1211 et seq.) is amended by inserting at the end thereof the following new section 373:

“SEC. 373. EDUCATION PROGRAMS FOR COMMERCIAL DRIVERS.

“(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants on a competitive basis to pay the Federal share of the costs of establishing and operating adult education programs which increase the literacy skills of eligible commercial drivers so that such drivers may successfully complete the knowledge test requirements under the Commercial Motor Vehicle Safety Act of 1986.

“(b) FEDERAL SHARE.—The Federal share of the costs of the adult education programs authorized under subsection (a) shall be 50 percent. Nothing in this subsection shall be construed to require States to meet the non-Federal share from State funds.

“(c) ELIGIBLE ENTITIES.—Entities eligible to receive a grant under this section include—

“(1) private employers employing commercial drivers in partnership with agencies, colleges, or universities described in paragraph (2);

“(2) local educational agencies, State educational agencies, colleges, universities, or community colleges;

“(3) approved apprentice training programs; and

“(4) labor organizations, the memberships of which include commercial drivers.

“(d) REFERRAL PROGRAM.—Grantees shall refer to appropriate adult education programs as authorized under this Act individuals who are identified as having literacy skill problems other than or beyond those which prevent them from successfully completing the knowledge test requirements under the Commercial Motor Vehicle Driver Safety Act of 1986.

“(e) DEFINITIONS.—For purposes of this section:

“(1) The term ‘approved apprentice training programs’ has the meaning given such term in the National Apprenticeship Act of 1937.

“(2) The term ‘eligible commercial driver’ means a driver licensed prior to the requirements of the Commercial Motor Vehicle Safety Act of 1986.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$3,000,000 for each of fiscal years 1991, 1992, and 1993.”.

SEC. 8. ADMINISTRATIVE TREATMENT.

The Secretary of Education shall treat the University of Detroit Mercy of Detroit, Michigan, as an eligible institution under part A of title III of the Act for purposes of section 356 of the Act for fiscal year 1991.

SEC. 9. LOAN CERTIFICATION BY ELIGIBLE INSTITUTIONS.

Section 428(a)(2)(F) of the Act is amended to read as follows:

“(F) Except as provided in subparagraph (D), an eligible institution may refuse to certify a statement which permits a student to receive a loan under this part or to certify a loan amount that is less than the student's determination of need (as determined under part F of this title), if the reason for such action is documented and provided in written form to each student so affected.”.

SEC. 10. STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY TECHNICAL AMENDMENTS.

(a) GRADUATION RATES.—Section 485(a)(1)(L) of the Act is amended by inserting “undergraduate” after “full-time”.

(b) CALCULATION OF RATES.—Section 485(a)(3) of the Act is amended—

(1) by inserting “and” at the end of subparagraph (A);

(2) by striking “; and” at the end of subparagraph (B) and inserting a period; and

(3) by striking subparagraph (C).

(c) USE OF COMPARABLE DATA.—Section 485(a) of the Act is amended by adding at the end thereof the following new paragraph:

“(5) The Secretary shall permit any institution of higher education that is a member of an athletic association or athletic conference that has voluntarily published completion or graduation rate data or has agreed to publish data that, in the opinion of the Secretary, is substantially comparable to the information required under this subsection, to use such data to satisfy the requirements of this subsection.”.

(d) SCHEDULE FOR DISCLOSURE.—Section 485(f)(1) of the Act is amended—

(1) in the matter preceding subparagraph (A), by striking “September 1, 1991,” and inserting “August 1, 1991,”;

(2) in subparagraph (F)—

(A) by striking “school year” and inserting “calendar year; and

(B) by striking “school years” and inserting “calendar years”.

(e) EFFECTIVE DATE.—Section 104(b) of the Student Right-to-Know and Campus Security Act is amended to read as follows:

“(b) EFFECTIVE DATE.—The report to the Secretary of Education required by the amendments made by this section shall be due on July 1, 1993, and annually thereafter, and shall cover the one-year period ending on June 30 of the preceding year.”.

SEC. 11. SIMPLIFIED NEEDS ANALYSIS.

Section 479(a) of the Act is amended by adding before the period at the end thereof the following: “, or who file an income tax return pursuant to the tax code of the Commonwealth of Puerto Rico or who are not required to file pursuant to that tax code”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. FORD] will be recognized for 20 minutes, and the gentleman from Missouri [Mr. COLEMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1285, the Higher Education Technical Amendments of 1991, is aimed at remedying several pressing problems in the student financial aid programs and other education programs.

Most importantly, H.R. 1285 is the first bill to reach the floor that actually does something specific about the people who were called to active duty in Desert Storm in regard to the way in which our programs affect them. We in this bill would grant authority to the Secretary of Education to waive or modify student aid laws or regulations to ensure that those who were called to service for Operation Desert Shield, and subsequently Operation Desert Storm, are not harmed financially by their service, and do not lose any eligibility for future students aid benefits.

In addition, it encourages colleges and universities to give full refunds of tuition and fees to those who were forced to leave and discontinue their studies because they were called to active duty in the Middle East.

Since the Senate has indicated its disposition to accept this bill, without reference to the committee as it comes to the desk over there, H.R. 1285 promises to be the first measure enacted into law to help those who served in Operation Desert Shield/Desert Storm.

I would like to particularly recognize the contribution of the gentleman from Indiana [Mr. MCCLOSKEY] in developing this provision for Desert Storm. The gentleman introduced it as a bill, H.R. 1302, and this bill served as a model for us and is incorporated in its entirety into this package.

In addition, H.R. 557, the Military Personnel Pay and Benefits Act of 1991, introduced by the gentlewoman from Maryland [Mrs. BYRON], the Persian Gulf Conflict Education Equity Act, introduced by the gentleman from New Mexico [Mr. RICHARDSON], provided early notice to the committee of the need to address unique problems, with respect to Federal student aid faced by those called to service in Operation Desert Shield/Storm.

Second, H.R. 1285 overcomes a recent circuit court decision that puts in jeopardy the ability of the Department of Education to collect defaulted student loans through offsets of income tax refunds and other means. In particular, the bill would eliminate the statute of limitations with respect to recovery of defaulted student loans through offsets of Federal income tax refunds, litigation, and garnishment, where otherwise permitted by Federal law. This provision would ensure with respect to just defaulted national direct student loans that \$180 million already collected through tax refund offsets would not have to be returned to defaulters, and that an additional \$64.2 million per year can be collected by the Department. Substantial additional collections of defaulted guaranteed student

loans are also safeguarded by this provision.

Third, H.R. 1285 clarifies the requirement adopted in last year's reconciliation that students without a high school diploma or GED pass a test prescribed by the Secretary in order to be eligible for Federal student aid. This requirement was erroneously applied to all students admitted without a high school diploma or GED, not only to those receiving Federal aid.

This amendment applies the requirement only to those receiving Federal aid, makes it clear that we are not interfering with institutional admission decisions, and establishes an effective date for the new requirement of July 1, 1991.

□ 1310

It should be clearly understood that the intent of this bill is to continue until July 1, 1991, the policies concerning ability to benefit students in effect prior to the adoption of the Omnibus Budget Reconciliation Act of 1990, and the Department of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act of 1991.

I would like to express my appreciation to the gentleman from Texas [Mr. COLEMAN], who introduced H.R. 553, and the gentleman from California [Mr. MILLER], who introduced H.R. 907. Both of these bills highlighted the problems with respect to educational opportunities for ability to benefit students created by last year's reconciliation bill.

The bill before us remedies the technical problems that made the ability to benefit provisions adopted in reconciliation unworkable. Both the bills introduced by the gentleman from Texas [Mr. COLEMAN] and the gentleman from California [Mr. MILLER] went much further and would substantially revise the policy adopted last year with respect to ability to benefit students. While this bill does not go as far as their bills to modify that policy, their ideas certainly have our attention and merit very serious consideration as part of our higher education authorization which will occur later this year.

I know that the gentleman from Missouri [Mr. COLEMAN], the ranking Republican on that subcommittee which I chair, is aware of this.

All three of these major provisions dealing with Desert Storm, offsets of tax refunds and defaults and ability-to-benefit students were developed with technical assistance from the Education Department and in close consultation with them. That is not something we have been able to come to the floor and say in recent years very often, and we appreciate the help the Department of Education did give us and is giving us in working out these problems.

Fourth, the bill authorizes a program of literacy training for commercial

truck drivers who must pass the new driver's test prescribed by the Commercial Motor Vehicle Safety Act of 1986. Funds for this purpose have already been appropriated, and this authorization was passed by both the House and Senate last year as part of the omnibus education bill which, unfortunately, did not become law, and the authorization is needed so that the money already appropriated can be spent.

Fifth, the bill remedies an administrative problem with respect to the eligibility of the University of Detroit-Mercy, a new name and new college, with the merger of the University of Detroit, one of the Jesuit colleges of the country, a sister to Georgetown, and Mercy College, an outstanding former girls' Catholic school in Detroit. They have now merged, and, Madam Speaker, you might be interested in the fact that the result of that merger is that for the first time ever there is a women president of a Jesuit university in this country. I am sure that they will look with favor on that kind of progress. All this does is restore their eligibility as applicants for title III aid; each of the institutions were title III-qualified, but in the process of merging, they overlooked this little detail and took themselves temporarily out of qualification.

Sixth, we did something that is kind of experimental, and the gentleman from Missouri [Mr. COLEMAN] and I are going to have a look at this again, too. At the request of the student aid administrators, we are authorizing financial aid administrators to refuse to certify loans in some cases. This provision which we are clarifying was adopted in last year's reconciliation act, and we are cleaning it up. This, in effect, would let a student aid officer, who has reason to believe that the person borrowing the money does not intend to seriously pursue education with the money, refuse to certify that person for the student loan. As the law is now, a student could actually say to a student aid officer, "I do not have any intention of hanging around this place. As soon as I get my money, I am headed off on vacation." The student aid officer must, nevertheless, certify the loan. We give them the authority to refuse it. We think it might cause some problems, and we hope it is going to work, but the gentleman from Missouri [Mr. COLEMAN] and I and the rest of our subcommittee will have an opportunity to look at it closely when we get into reauthorization.

Seventh, the bill makes technical changes to the Student-Right-To-Know and Campus Security Act adopted last year. These changes correct inconsistent effective dates and definitions under various parts of the act.

The eighth provision of this bill directs itself only to Puerto Rico. By a peculiarity in the way in which we set up the simplified needs analysis for

student aid, you have to use the Federal income tax return to verify it. The residents of Puerto Rico do not pay Federal income tax. So they do not have a Federal income tax return, and, therefore, a student population that is made up largely of the kind of people we expected to benefit from the simplified application form cannot use it. This would simply extend that simplified application to Puerto Rico.

In my view, the development and consideration of H.R. 1285 has been a model of collaboration and cooperation between the Democratic and Republican members of the committee and between the committee and the Department of Education. It is my hope and expectation that the effective bipartisan partnership which produced this bill will continue as we undertake the much larger and more complex task of reauthorizing the Higher Education Act.

In sum, this bill gives us the opportunity to do a number of things that have to be done very quickly, and as I have indicated, the managers of this legislation on the Senate side have worked with us in putting the bill together and indicate that they will keep it at the desk and pass it. It should be before the President by next week.

Madam Speaker, I reserve the balance of my time.

Mr. COLEMAN of Missouri. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of suspending the rules and passing H.R. 1285, the Higher Education Technical Amendments of 1991.

H.R. 1285 is bipartisan legislation and was reported out of the Committee on Education and Labor unanimously. By agreement, the leadership of the Education and Labor Committee has limited provisions in this bill to technical amendments or provisions clarifying congressional intent on legislation for which the Department of Education is drafting regulations.

The legislation contains a number of technical amendments to the Omnibus Budget Reconciliation Act of 1990, to ensure that we meet the budget savings targets. One provision specifies that new requirements for an independently administered ability-to-benefit test apply only to students applying for title IV financial aid.

Second, we have clarified the ability of financial aid administrators to reduce loan eligibility or to refuse to certify loan eligibility for documented reasons. I want to emphasize that the institution must document the reasons for such action and retain a record of this documentation to ensure that students are not treated in an arbitrary or unfair manner.

Additionally, this bill makes technical changes to the Student Right-to-Know and Campus Security Act of 1990,

correcting inconsistent effective dates and definitions.

At the request of the administration, this bill removes the 10-year statute of limitations on IRS offset collections from student loan defaulters. This provision will be reconsidered during the reauthorization of the Higher Education Act and expires on November 15, 1992. In the interim, removal of the statute of limitations will provide substantial savings in the student loan program.

Most importantly, H.R. 1285 contains the first legislation that will be passed by the House for men and women of the armed services who have served with such distinction in Operations Desert Shield and Desert Storm.

The bill gives the Secretary of Education the flexibility to waive any statutory or regulatory provision applicable to title IV student aid programs necessary to ensure that no active duty or Reserve personnel are financially penalized or lose eligibility for Federal student aid because of their military service in Operation Desert Storm.

This legislation is timely and deserves quick action by the Congress. Its passage by the House is supported by the administration. As cosponsor of the legislation, with Chairman FORD and the ranking member, BILL GOODLING, I urge my House colleagues to pass, under suspension of the rules, this essential legislation which benefits the members of the Armed Forces who participated in Operations Desert Shield and Desert Storm and which improves the operations of the Federal student financial assistance programs. I hope this technical bill will provide a model for the bipartisan reauthorization of the Higher Education Act.

Madam Speaker, I hope we can move this bill right along.

Mr. FORD of Michigan. Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Madam Speaker, I thank the gentleman, our chairman, for yielding me this time.

Madam Chairman, I want to commend the gentleman on this legislation and its timeliness to deal with the problems of the returning soldiers from the Middle East and also for addressing the very current problem with respect to the State of California and other States on the ability to benefit provisions for students in community colleges and other public institutions.

Madam Speaker, if the gentleman would agree to it, I would like to enter into a colloquy with him about the intent of the provisions on the ability to benefit students.

With respect to the tests prescribed by the Secretary for ability-to-benefit students my understanding of the congressional intent is that the Secretary shall assure that assessments and determinations of passing scores shall be

in accordance with guidelines for educational testing developed by major professional associations in education and psychometrics.

Also, we expect that the guidelines developed by professional organizations, such as the College Board "Guidelines on the Uses of College Board Test Scores and Related Data," and the National Council on Measurement in Education and other organizations "Standards for Educational and Psychological Testing" will be utilized by the Secretary. Does the chairman share my understanding of our intent?

Mr. FORD of Michigan. Madam Speaker, will the gentleman yield?

Mr. MILLER of California. I am happy to yield to the gentleman from Michigan.

Mr. FORD of Michigan. Madam Speaker, the gentleman from California is absolutely correct with respect to my understanding of our intent.

Mr. MILLER of California. In addition, as you know, many institutions of higher education, such as community colleges, offer curriculum designed to benefit students at a wide range of skill levels. Is it your understanding of our intent that in such institutions, several passing scores may be established for a particular examination if such scores are used in conjunction with other assessment measures to provide placement into courses and programs suitable to the skill level demonstrated and to provide services necessary to support the student's academic achievement and program completion?

Mr. FORD of Michigan. If the gentleman will yield further, yes, that is our intention. Determination of passing scores should be based on validity, reliability, and predictiveness of the examination for students with similar characteristics.

□ 1320

Mr. COLEMAN of Missouri. Madam Speaker, I yield such time as he may consume to a new member of our committee who is making a fine contribution, the gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT. Madam Speaker, I rise today in support of H.R. 1285, the Higher Education Technical Amendments of 1991. I'd like to highlight just two provisions of this bill.

First, this bill would ensure that those men and women called to active duty to participate in, or in support of, Operation Desert Shield and Operation Desert Storm, are not penalized out of the Federal student financial aid programs. I believe this provision safeguards the capabilities of these men and women, to resume their normal lives when they have returned to civilian life.

Second, I'm proud to see that we are restoring the highly successful tax off-

set mechanism to collect on defaulted student loans.

The hundreds of millions of dollars that have been collected through this mechanism, has meant that fewer tax dollars have had to be appropriated from the public coffers to cover these defaulted loans. I hope that when this bill passes, the administration will use this tool to aggressively pursue those defaulted student loan borrowers that currently eat up over \$2 billion annually from appropriated moneys.

I am looking forward to working with my ranking Republican member on the Postsecondary Subcommittee, Mr. COLEMAN of Missouri, and with my chairman, Mr. FORD. I hope, gentlemen, that future subcommittee business can continue to be conducted in such a bipartisan spirit.

Mr. FORD of Michigan. Madam Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. McCLOSKEY].

Mr. McCLOSKEY. Madam Speaker, I find it appalling that many who heroically and unselfishly served and serve in connection with the Persian Gulf war could be penalized financially in matters regarding Federal student financial assistance.

With that in mind, I rise in strong support of H.R. 1285 the Higher Education Technical Amendments of 1991, introduced by the chairman of the committee, the gentleman from Michigan [Mr. FORD]. It incorporates the provisions of the Desert Shield and Desert Storm Military Personnel Student Financial Assistance Fairness Act which I introduced 2 weeks ago.

This technical corrections bill will ensure that Desert Storm and Desert Shield personnel who participated in the Federal Student Loan and Pell Grant Programs have various financial problems alleviated.

In my hometown of Bloomington, IN, 40 students at Indiana University had their studies interrupted and were sent to the Middle East. Because they are no longer technically in school, they may be required to begin paying back Federal loans before they are capable of doing so.

H.R. 1285 will grant the Secretary of Education broad authority to waive various administrative requirements placed on military personnel with student loans or grants who are serving on active duty in connection with Desert Shield and Desert Storm. These provisions will ease the burden and avoid inadvertent technical defaults.

This measure assures students that their financial eligibility for Federal student assistance, particularly Pell grants based on need, is not reduced because of service to our Nation. It requires the Department of Education to look at a student's available income or annual adjusted family income the year he or she was first awarded the loan or grant, not at his or her current financial situation, and encourages col-

leges and universities to offer tuition refunds for credit in a comparable amount against future tuition and fees to individuals who are not able to complete a course of study due to participation in Operation Desert Shield and Desert Storm.

Passing this legislation is the very least that Congress can do to recognize the efforts of the thousands of young men and women who served our country in its hour of need.

I particularly want to thank the chairman of the committee, the gentleman from Michigan [Mr. FORD], and his excellent staff for his quick action on this vital issue.

Mr. COLEMAN of Missouri. Madam Speaker, I yield myself such time as I may consume to note that this is the first time in this Congress that our new chairman has brought a higher education bill to the floor. We were able to do this in a very collegial fashion. I look forward to working with the gentleman from Michigan [Mr. FORD] on reauthorization of the Higher Education Act, and hope this tone and spirit of bipartisanship will continue, as I know it will, under his leadership.

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

Mr. FORD of Michigan. Madam Speaker, I yield myself such time as I may consume to thank the gentleman from Missouri [Mr. COLEMAN] for his kind remarks.

I want to tell my colleagues and Members that we have done this before. Five years ago we brought to the floor a consensus reauthorization of the Higher Education Act. It passed this floor with virtually no opposition because, I believe at that time, every Democrat and every Republican ended up as a sponsor of the piece of legislation that we finally got to the floor.

We have proven that we can work together in this valuable area. As strong a partisan that I am, I find no difficulty at all working with the Republicans on my committee in the field of higher education. I hope some of it slips over into some of the other issues at some time, but we do not expect any difficulty. I look forward again to working once again with the gentleman from Missouri. I promise Members that we will do the best we can to come back a little later in the year with a bill that Democrats and Republicans alike can be proud to support on the floor.

Mr. MATSUI. Madam Speaker, I rise today in support of H.R. 1285, the Higher Education Technical Amendments of 1991. This bill includes some important technical corrections to the education provisions in last year's reconciliation package, provisions which are critical to ensuring equal access to education for all students.

In an attempt to stem the growth in student loan defaults, Congress last year put into place more stringent requirements regarding

the ability to benefit test that is applied to applicants for Federal financial assistance. Unfortunately, these controls had the unintended effect of limiting the educational opportunity for low-income and immigrant students.

The Omnibus Budget Reconciliation Act of 1990 changed the law to require that all students who attend schools that receive Federal financial assistance, either through grants or student loans, obtain a high school diploma, take a high school equivalency examination, or take a federally-determined entrance test before they could begin their postsecondary education.

The California Community Colleges operate on an open admission's policy, and as a result, were particularly hard hit by this requirement. The basic tenet of the California Community College System is to provide open access and opportunities for those in greatest need of developmental and vocational education. The vocational and technical education programs these community colleges provide to all students are particularly critical to underrepresented and immigrant students who may not have had the benefit of a high school education or who may be reluctant to apply to a postsecondary program when faced with the prospect of an entrance examination.

I am pleased to see the language in H.R. 1285 begins to address this problem by tying the Federal admissions exam only to those students seeking Federal financial assistance, rather than tying this requirement to the school's admission process. While H.R. 1285 does not entirely solve the problem faced by students enrolling or planning to enroll in a community college in California, it does take a first step to ensuring equal access to education for these students. I urge my colleagues to support the Higher Education Technical Amendments of 1991.

Mr. GOODLING. Madam Speaker, I rise in support of H.R. 1285, the Higher Education Technical Amendments of 1991. I would like to highlight a few of the amendments.

First, these amendments will give our soldiers, who have served us so brilliantly in Operation Desert Storm and Desert Shield relief from some of the requirements of the student aid programs.

Second, these amendments correct some technical problems with the Budget Reconciliation Act of 1990 by clarifying that only "ability to benefit" students who actually receive Federal aid are required to take an independently administered test approved by the Secretary of Education.

Third, these amendments change the statute of limitations for collecting defaulted student loans through IRS offsets of tax refunds. Last year, about \$150 million in defaulted student loans were collected in this manner. Some questions have arisen regarding the running of the statute of limitations. The amendment would life the statute of limitations for all time, would apply it retroactively, and would sunset this provision on November 15, 1992 in line with the reauthorization of the Higher Education Act.

Finally, included in the amendment in the nature of a substitute are clarifying changes to the Student Right-To-Know and Campus Security Act. These amendments will change the effective date of the campus security provi-

sions from September 1, 1991 to August 1, 1991 and clarify our intent that the reporting period for campus crime statistics covers a full calendar year rather than school year.

Mr. EDWARDS of California. Madam Speaker, I am proud to rise today as a cosponsor in support of these amendments. I commend Chairman FORD and the Education and Labor Committee for their expeditious and significant efforts in protecting our student reservists-called to active duty and for their furthering of academic pursuits.

Of particular note is the strong leadership displayed by my colleague and committee member GEORGE MILLER in clarifying the ability to benefit provisions of the 1990 Omnibus Reconciliation Act. The ability to benefit measures as written would have had the unfortunate effect of denying access to postsecondary learning to thousands of worthy students and would have eliminated Federal financial aid at numerous deserving institutions.

The clarification of these provisions will be most beneficial to students without a high school diploma or its equivalent who still have the desire to improve their skills, and increase their knowledge at postsecondary school. That desire is particularly evident at community colleges where nearly 1.5 million students at 107 institutions in California alone are acquiring the tools to assist them in becoming productive members of the work force.

The Higher Education amendments say thank you to the student reservists whose education was interrupted so that they could serve their country and correct an oversight that would have mistakenly affected those who truly demonstrate the "ability to benefit."

Mrs. COLLINS of Michigan. Madam Speaker, I want to express my support for the higher education technical amendments being considered by the House today. In addition, I would like to extend my appreciation to Chairman BILL FORD and the Education Committee for moving this legislation in a timely fashion.

I believe this bill proves that Government can act quickly on behalf of the public good when it is apparent that a wrong has been committed and needs to be addressed. The provision in the bill I allude to affects the University of Detroit-Mercy and the status of this institution's eligibility for title III funding.

Last year, the University of Detroit and Mercy College merged into one institution. As a result, the school missed a filing deadline for assistance under title III of the Higher Education Act. This financial aid is available to schools that serve low-income students. Since the university had missed the filing deadline, the Department of Education ruled it was ineligible for title III aid.

This would have been a crippling blow for the university. Valuable services in the coming fiscal year would have been severely threatened, because under this assistance, the university receives as much as \$400,000 in Federal aid for programs like college-workstudy and supplemental educational opportunity grants.

Clearly an inequity existed because two institutions of higher learning merged and missed a filing deadline. Those who would have had to shoulder the burden of that administrative miscue were the students. That would have been wrong for them and for us.

We need to give our young people every opportunity to receive the best education possible, and not hinder them because of bureaucratic bungling.

Once again, I would like to thank my colleagues on the Education Committee for moving expeditiously on this matter and urge the House to move quickly as well.

Mr. FAZIO. Madam Speaker, I rise today in support of H.R. 1285, the Higher Education Technical Amendments offered by the distinguished chairman of the Education and Labor Committee. This legislation, among other things, is designed to correct Higher Education Act provisions included in the 1990 Omnibus Budget Reconciliation Act. Hoping to lower the student loan default rate, Congress included provisions in the Budget Reconciliation Act which require students seeking Federal financial aid to pass an independently administered test of their ability to benefit from the instruction. Unfortunately, this provision has had effects far beyond the intent of Congress.

For many years, community colleges in my home State of California have been open to any student 18 years of age or older who can benefit from the instruction offered. This policy has provided opportunities to countless numbers of students who wish to improve their job skills or resume their schooling after a few years in the job market. California law does not permit us to turn away students on the basis of a test. Unfortunately, the ability to benefit test provision in the Budget Reconciliation Act has been interpreted to apply to all new students, including students that receive no Federal financial aid whatsoever. Violation of this provision by permitting the enrollment of students who did not pass the test, whether they need financial aid or not, would disqualify the institution from eligibility to participate in all financial aid programs under title IV of the Higher Education Act of 1965. This could unfairly impact more than 100,000 students in California community colleges who receive much needed Federal grants and loans.

I agree that we must make efforts to address the growing number of individuals who default on Federal student loans, but it clearly was not the intent of Congress to apply this ability to benefit test to all students. The issues of student loan default rates can be thoroughly and more properly addressed when Congress considers legislation to reauthorize higher education programs later this year. However, we must address the current inequity of applying an ability to benefit test to all students, regardless of their need for financial aid now. I urge my colleagues to join me in support of H.R. 1285.

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Michigan [Mr. FORD] that the House suspend the rules and pass the bill, H.R. 1285, 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.

GENERAL LEAVE

Mr. FORD of Michigan. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1285, the bill just passed.

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

There was no objection.

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM AMENDMENTS OF 1991

Mr. ACKERMAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1316) to amend chapter 54 of title 5, United States Code, to extend and improve the Performance Management and Recognition System, and for other purposes.

The Clerk read as follows:

H.R. 1316

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 "Performance Management and Recognition System Amendments of 1991".

SEC. 2. AMENDMENTS.

(a) STATEMENT OF WORK OBJECTIVES.—Section 4302a of title 5, United States Code, is amended by adding at the end the following:

"(h) Notwithstanding subsections (a)(2) and (b)(2)-(4), an agency performance appraisal system may utilize a written statement of the work objectives of the employee's position to establish performance requirements related to the position and to evaluate job performance against such requirements. Such statement of work objectives shall be jointly developed by the supervising official and the employee, and may be used in lieu of, or in addition to, critical elements and performance standards."

(b) PERFORMANCE AWARDS.—Section 5406 of title 5, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) Any employee who is covered by this chapter, and whose performance for an appraisal period is rated under section 4302a (or an equivalent rating system) at the fully successful level or higher may be paid a performance award for such period.

"(b) The amount of a performance award under this section shall be determined by the appropriate agency head, except that any such award shall not be more than 10 percent of the employee's annual rate of basic pay, unless the agency head determines that a higher amount is warranted by unusually outstanding performance, in which case an award of not to exceed 20 percent of the employee's annual rate of basic pay may be paid.;"

(2) in subsection (c)(1) by striking "Subject to subsections (a)(2) and (b)(2) of this section, the" and inserting "The";

(3) by amending subsection (c)(2)(A)(i) to read as follows:

"(2)(A)(i) The applicable minimum percentage for each fiscal year during which this chapter is in effect shall be 1.15 percent.;" and

(4) by striking subsection (c)(3).

(c) PROGRAM EXTENSION.—Section 5410 of title 5, United States Code, is amended by striking "March 31, 1991" and inserting "September 30, 1993".

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of April 1, 1991.

SEC. 3. STUDY AND REPORT.

(a) ESTABLISHMENT OF REVIEW COMMITTEE.—The Office of Personnel Management shall establish a Performance Management and Recognition System Review Committee to review the Performance Management and Recognition System (established under chapter 54 of title 5, United States Code) and advise the Office on any improvements needed in that system.

(b) MEMBERSHIP.—(1) The Committee shall consist of such members as the Office considers appropriate, including representatives of organizations that include in their membership employees who are covered under the Performance Management and Recognition System, and representatives of agencies employing such employees.

(2) The Chairman of the Committee shall be appointed by the Director of the Office, and may be paid (except as provided by the first sentence of paragraph (3)) at a rate determined by the Director, not to exceed the maximum rate of basic pay for the Senior Executive Service.

(3) The members of the Committee who are otherwise employees of the Federal Government (including the Chairman, if applicable) shall not receive any additional pay for their service on the Committee. Members of the Committee who are not otherwise employees of the Government (other than the Chairman, if applicable) shall not be paid for their service on the Committee and shall not be considered employees of the Federal Government for any purpose by reason of their service on the Committee.

(c) STAFF AND ADMINISTRATIVE SUPPORT.—The Office may provide staff and administrative support for the Committee.

(d) COORDINATION.—In carrying out its responsibilities under this section, the Committee shall coordinate its efforts with those of the Pay-for-Performance Labor-Management Committee (established under section 111 of the Federal Employees Pay Comparability Act of 1990) to the extent those committees consider appropriate.

(e) REPORT.—The Committee shall submit a report with its recommendations to the Director of the Office on November 5, 1991, or such other date as the Director may determine.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. ACKERMAN] will be recognized for 20 minutes, and the gentleman from New York [Mr. HORTON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. ACKERMAN].

GENERAL LEAVE

Mr. ACKERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 1316, the bill now under consideration.

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

There was no objection.

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

Madam Speaker, H.R. 1316, the Performance Management and Recognition System Amendments of 1991, would extend the performance management and recognition system through September 30, 1993, as well as make two changes to the program.

The first change allows agencies to use work objectives in lieu of, or in addition to, critical elements and performance standards to establish performance requirements and evaluate employee performance.

The second change removes the requirement in current law that an employee who receives an outstanding rating must receive a bonus of at least 2 percent.

Lastly, the bill establishes a PMRS Review Committee to review the program and advise the Office of Personnel Management on any improvements needed in that system. The committee must report to the Director of OPM by November 5, 1991, or such other date as the Director may prescribe.

I would like to inform my colleagues that both the administration and the managers' associations support H.R. 1316.

Mr. Speaker, the committee has received the CBO cost estimate to accompany H.R. 1316, and I insert it in the RECORD immediately following my statement.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 14, 1991.

Hon. WILLIAM L. CLAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1316, the Performance Management and Recognition System Amendments of 1991, as ordered reported by the House Committee on Post Office and Civil Service on March 13, 1991. We estimate that the bill would result in costs for performance awards of about \$100 million in fiscal year 1991 and about \$225 million annually for 1992 and 1993. These costs would be paid from appropriated accounts. This bill does not affect direct spending or receipts and therefore would not affect pay-as-you-go scoring.

Under current law, certain federal employees are eligible for cash awards based on their performance rating under the Performance Management and Recognition System. This program will expire March 31, 1991. H.R. 1316 would extend the program through September 30, 1993, revise the program to allow greater flexibility in the distribution of performance awards, and establish a Performance Management and Recognition System Review Committee.

Under the existing program, agencies may pay awards totaling up to 1.5 percent of the aggregate salary costs of eligible employees (those in grades 13 through 15 of the General Schedule). Each agency's funding source for these awards is its annual salary and expense appropriation. Information obtained from

the Office of Personnel Management indicates that agencies generally pay the maximum amount of awards allowed by law, amounting to an estimated \$200 million in 1990.

If the program were allowed to expire on March 31, 1991, then agencies would not be able to make awards during the second half of this fiscal year and in subsequent years. We estimate that extension of the program through September 1993 would make possible awards of about \$100 million in the second half of fiscal year 1991 and about \$225 million annually in 1992 and 1993. The 1991 costs would come from existing appropriations; the 1992 and 1993 costs would come from future appropriations.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are James Hearn and Patricia Conroy, who can be reached at 226-2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

□ 1330

Mr. HORTON. Madam Speaker, I yield myself 5 minutes.

I rise in support of H.R. 1316.

I want to commend the gentleman from New York [Mr. ACKERMAN] for his leadership not only in introducing this bill, but in the expeditious manner in which he has handled it.

This is a noncontroversial bill which would extend, with minimal revisions, the performance management and recognition system through September 30, 1993, and establish a committee to review and suggest improvements in the program.

The PMRS is a rating and bonus program covering approximately 145,000 employees in grades 13 and 15 of the General Schedule. The existing program will expire March 31.

Extension of the program will amend the present law so that there will be no mandatory bonus amount for employees rated "outstanding". Agencies will be permitted to give performance awards to any employee rated above the fully successful level. The bill also allows agencies to use "work objectives" in place of or, in addition to, critical elements and performance standards to establish performance standards and evaluate employee performance.

This bill was reported out of the Post Office and Civil Service Committee, on March 13, without a dissenting vote. The legislation also has been reviewed by the Congressional Budget Office. According to CBO, this bill does not affect direct spending or receipts and therefore would not affect pay-as-you-go scoring.

Finally, the bill is supported by the administration.

Madam Speaker, I will include an article from the Federal Times dated March 18, 1991, entitled "Merit Bonuses to Expand." This would further explain H.R. 1316.

[From the News Digest, Mar. 12, 1991]

MERIT BONUSES TO EXPAND

(By Ellen Rafshoon)

Managers who receive "outstanding" appraisals no longer would automatically receive a minimum 2 percent merit award.

Instead, agencies would be allowed to give performance awards to any manager rated at or above "fully successful."

The lifting of mandatory awards for outstanding managers is one of two changes proposed for the ratings and bonus system for managers, due to expire March 31.

About 145,000 managers in grades GM-13 through GM-15 are paid under the Performance Management Recognition System.

The changes in the PMRS are contained in legislation introduced March 7 by Rep. Gary Ackerman, D-N.Y. The measure would extend the system for a year-and-a-half until a replacement can be created. The Senate is expected to agree to the House bill, and it is being supported by the administration.

Under the legislation, the maximum award of 10 percent of base pay, or up to 20 percent with approval from the agency head, would remain. Agencies still must pay bonus awards from a cash pool of 1.15 percent of the management payroll.

The lifting of mandatory awards for managers with "outstanding" ratings was supported by both managers' associations and the Office of Personnel Management. Managers wanted the requirement dropped because they felt agencies were lowering performance appraisals to avoid giving the merit bonuses, since agencies could not foot the bill.

"Federal managers say the accuracy of the evaluation is the most important objective, even above the money, albeit a small amount," said Bruce Moyers, legislative director for the Federal Managers Association.

OPM pushed for an end to the mandatory awards because agencies complained they constrained their ability to give other less highly rated people awards, said Doris Hauser, acting director of OPM's performance management division.

"If agencies had to give 2 percent to outstanding people, it limited what they could give to others," she said.

The interim system being proposed also would allow agencies to rate employees against written statements of work objectives. The work objectives can be used instead of or in addition to mandatory critical elements and performance standards.

The work objectives can be devised by managers and their supervisors, Hauser said. Giving agencies freedom to devise their own objectives ensures that employees are not measured against standards that have little relation to the work they are doing, she said.

A committee of agency administrators and members of managerial associations, such as the Federal Managers Association, Social Security Managers Association and the Professional Managers Association, will advise OPM on a new bonus system for managers.

The current system has been criticized by OPM and managers alike. Managers say awards are too small. OPM officials criticize the high number of people rated above "fully successful," undermining the system's intent of differentiating between good and poor performers.

The Performance Management and Recognition System Review Committee will work in tandem with a labor-management committee tasked with recommending ways to strengthen links between performance and

pay for all white-collar government employees.

New performance appraisal systems must be in place by September 1993, under the pay reform law enacted last November.

The committee working on General Schedule pay-for-performance is chaired by George Milkovich, a Cornell University labor relations professor, who recently completed a study of merit pay for OPM.

The study concluded that there is no one private sector performance appraisal system that is better than others or that should be adapted for the government. The study recommended that the government's system be as decentralized as possible. It suggested several agencies should conduct pilot programs of various merit pay programs.

The General Schedule's extensive network of employee protections and operating rules could inhibit merit pay programs, the study authors said. Adjustments in civil service protections might be required to make a system work.

The 12 members of the committee will use the study, published by the National Research Council, as a framework for their discussions, Hauser said. Their first meeting will be March 18.

Mr. GILMAN. Madam Speaker, this legislation addresses some of the serious concerns our Committee on Post Office and Civil Service has developed in regards to the Administration of the pay for performance system. I want to commend the chairman of the Subcommittee on Compensation and Employee Benefits, Mr. ACKERMAN, for his work and efforts in developing a proposal which can enjoy the support of both the administration and affected employee groups, and the chairman of the full committee, Mr. CLAY, for expeditiously bringing this legislation before the full House.

I am pleased that the legislation addresses the problem of linkage between a manager's performance rating and the mandated cash bonus. Under current law, performance ratings were kept artificially low because cash awards were mandated upon the award of an outstanding rating. The new law decouples the cash awards from the employee's ratings thereby ensuring an employee will not be precluded from a higher rating because the agency does not have the funds to award a mandated cash bonus.

The legislation also increases managerial flexibility by providing that a written evaluation of an employee's performance may use work or other job-related objectives in lieu of or addition to the critical elements of performance standards.

H.R. 1316 also creates a commission to address future issues which may arise in regards to the Federal Government's implementation of pay for performance. I note the legislation requires the commission to submit its report to the Director of the Office of Personnel Management by November 5, 1991, and I look forward to its recommendations.

Accordingly, Madam Speaker, I urge all my colleagues to support this legislation.

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

Mr. ACKERMAN. Madam Speaker, I have no additional speakers on this very exciting subject, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from New York [Mr. ACKERMAN] that the House suspend the rules and pass the bill, H.R. 1316.

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

A motion to reconsider was laid on the table.

JESSE OWENS BUILDING OF THE UNITED STATES POSTAL SERVICE

Mr. MCCLOSKEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 831) to designate the Owens Finance Station of the U.S. Postal Service in Cleveland, OH, as the "Jesse Owens Building of the United States Postal Service."

The Clerk read as follows:

H.R. 831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the building located at 5600 Woodland Avenue, Cleveland, Ohio, known as the Owens Finance Station is designated as the "Jesse Owens Building of the United States Postal Service". Any reference in a law, map, regulation, document, record, or other paper of the United States to that building shall be deemed to be a reference to the Jesse Owens Building of the United States Postal Service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. MCCLOSKEY] will be recognized for 20 minutes, and the gentleman from New York [Mr. HORTON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. MCCLOSKEY].

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

Madam Speaker, H.R. 831 would designate the postal building located at 5600 Woodland Avenue, Cleveland, OH, as the Jesse Owens Building of the United States Postal Service.

The legendary triumph of Jesse Owens in the 1936 Olympic games passed from generation to generation as one of the great moments in American history. We often tell the story of when the son of a sharecropper and grandson of an American slave crushed Hitler's theory of the superior Aryan race.

Jesse Owens returned from those Olympic games as a new American hero. A responsibility he combined with his special concern for the youth of our Nation. He spent the rest of his life reinforcing to all that making dreams into reality takes a lot of determination, dedication, self-discipline, and effort.

I feel the naming of the post office in Cleveland, OH, would be a fitting honor to be bestowed on one of our great American heroes, and I urge Members to support this legislation.

Mr. HORTON. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, I rise in strong support of H.R. 831 introduced by Congressman LOUIS STOKES, to designate a postal facility in Cleveland, OH the "Jesse Owens Building of the United States Postal Service."

This measure is a fitting tribute to one of the most famous athletes in sports history. Jesse won four gold medals at the 1936 summer Olympic games in Berlin, Germany. He won the 100-meter and 200-meter races, the broad jump, and he was a member of the winning American 400-meter relay team. He set Olympic records in the 200-meter race and the broad jump.

The outstanding performance of Jesse Owens was extremely embarrassing to Adolph Hitler, the ruler of Germany. Hitler and his followers were hoping that German athletes would prove that the Aryans—a term they used for Germans and certain other people of northern Europe—were superior to all other people.

Jesse was born in Oakland, AL, the son of a sharecropper. At the age of 7 Jesse's family moved to Cleveland, OH. Owens excelled in track and field while attending Ohio State University from 1933 to 1936. In 1935 Jesse broke three world records and tied a fourth at a college meet in Ann Arbor, MI. Jesse set seven world records during his career.

Jesse was active in community service, especially youth work. He spoke eloquently of patriotism, clean living, and fair play, and he believed that athletic competition could help solve racial and political problems.

I want to congratulate Mr. Stokes on bringing this legislation to the floor to honor such a great man, who was not only a great athlete, but truly an exemplary human being. It is a most appropriate tribute to name a postal facility in the memory of James Cleveland Owens, or Jesse Owens.

Mr. MCCLOSKEY. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Madam Speaker, I thank the distinguished gentleman for yielding this time to me.

Madam Speaker, I am proud to rise today in support of H.R. 831, which would further memorialize one of the greatest athletes of our time, Jesse Owens. This legislation which I authored would officially rename the postal facility located at 5600 Woodland Avenue in Cleveland, OH as the Jesse Owens Building of the U.S. Postal Service.

I would like to extend a special thanks to the distinguished chairman of the Post Office and Civil Service Committee, Mr. CLAY, as well as Mr. HORTON, the ranking minority member, and the other members of this panel for their support of this legislation.

Madam Speaker, many are familiar with the extraordinary accomplishments of Jesse Owens as an outstanding athlete. This tribute to Jesse would further commemorate his contributions as an extraordinary athlete, and a great American.

Jesse Owens began his record breaking career in track while attending high school in Cleveland, OH. He went on to Ohio State University where he continued to set precedents in track and field.

Perhaps Jesse Owens is best remembered for his accomplishments in the 1936 Berlin Olympics. During a time of world turmoil, Jesse bridged the gap between races by using athletics to win four gold medals and set three new world records in track. It was in the face of racism that Jesse Owens, a black American, captured not only four gold medals, but the imagination of the German crowds, who rose to their feet chanting his name. Jesse Owens' Olympic performance was an athletic triumph. It was also a triumph of humanity and the Olympic spirit over evil.

Madam Speaker, Jesse's accomplishments were not limited to the track field. Throughout his life, he was dedicated to instilling the principles of fair play and discipline in young people. He contributed a tremendous amount to future Olympic teams and traveled extensively to spread the doctrine of sportsmanship and friendship.

I was proud to author legislation to bestow the highest recognition from this body, the Congressional Medal of Honor, to Jesse Owens posthumously. In his lifetime, Jesse Owens was also honored with the Presidential Freedom and Living Legends Award.

H.R. 831 would pay further tribute to a man that was not only a role model and an inspiration to many young people, but to a man whose life was committed to using sports to bridge racial boundaries. I, as well as residents of the city of Cleveland, take tremendous pride in being the home of this outstanding American hero.

I hope that my colleagues will join me in supporting this measure to rename a postal facility and salute one of the most dedicated Americans and athletes of our time, Jesse Owens.

Mr. CLAY. Madam Speaker, I rise today in support of H.R. 831, a bill to designate the Owens Finance Station of the U.S. Postal Service in Cleveland, OH, as the "Jesse Owens Building of the U.S. Postal Service."

Jesse Owens was born on September 12, 1913, on a tenant farm in northern Alabama, one of the seven children of Henry and Emma Owens. As a child he worked in the cotton fields before moving to Cleveland, OH. His exceptional athletic prowess was first noted when he established a new junior high school record in the 100-yard dash of 10 seconds flat. Jesse Owens continued to astound the track world at both East Technical High School in Cleveland, and later at Ohio State where on May 25, 1935, he broke three world

records and tied a fourth. At the 1936 Olympic games in Berlin, Germany, Jesse won four gold medals for his performance in the 100-meter dash, 200-meter dash, the broad jump and the 400-meter relay, breaking two Olympic records and one world record.

Owens was given a hero's welcome on his return to the United States, but when the confetti cleared, the best job he could find was a playground janitor. He later tried unsuccessfully to operate a chain of laundries, and after a brief career in entertainment, Jesse turned to public relations work. Delivering some 200 speeches a year Jesse was comfortable discussing motivation, values and patriotism. Jesse once stated:

The road to the Olympics doesn't lead to Moscow. It leads to no city, no country. It goes far beyond Lake Placid or Moscow, ancient Greece or Nazi Germany. The road to the Olympics leads, in the end, to the best within us.

It is in that spirit Madam Speaker, that I rise today to salute this great black American hero.

Mr. GILMAN. Madam Speaker, I am pleased to once again join my colleagues in moving this legislation a step closer to reality. I was pleased to support designating this postal facility after Jesse Owens in the previous Congress and I am equally happy to support it today.

Tributes to Jesse Owens come very easy for most of us. A truly remarkable human being, born in Alabama in 1913, his winning of four gold medals in the 1936 Olympic games, held in Berlin, was the culmination of an excellent collegiate career and secured for him the status of truly being a legend in his own lifetime. At those games he set new Olympic records in the 100-meter dash, the 200-meter dash and the long jump and shared in setting a new Olympic record for the 400-meter relay.

In later years he worked as a public relations consultant and received the Presidential Medal of Freedom from President Gerald R. Ford in 1976. He followed that by receiving the "Living Legends Award," from President Jimmy Carter in 1979. When Jesse Owens passed away in Tucson, AZ, in March 1980, more than just the sports world paused to take notice of a passing giant from our landscape.

I thank my colleagues, the gentleman from New York [Mr. HORTON], and the gentleman from Indiana [Mr. MCCLOSKEY], for bringing this measure before the House and I encourage my colleagues to support it and I heartily recommend its adoption.

□ 1340

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

Mr. HORTON. Madam Speaker, I do want to thank the gentleman from Indiana [Mr. MCCLOSKEY] for his leadership in handling this bill and bringing it to the floor.

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Indiana [Mr. MCCLOSKEY] that the House

suspend the rules and pass the bill, H.R. 831.

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

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON S. 419, RESOLUTION TRUST CORPORATION FUNDING ACT OF 1991

Mr. GONZALEZ. Madam Speaker, I ask unanimous consent that the manager may have until midnight tonight, Tuesday, March 19, 1991, to file a conference report on the Senate 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, and that it be in order to consider the conference report on Thursday, March 21, 1991.

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

There was no objection.

LUKE EASTER POST OFFICE

Mr. MCCLOSKEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 971) to designate the facility of the U.S. Postal Service located at 630 East 105th Street, Cleveland, OH, as the "Luke Easter Post Office."

The Clerk read as follows:

H.R. 971

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 630 East 105th Street, Cleveland, Ohio, is designated as the "Luke Easter Post Office".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the "Luke Easter Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. MCCLOSKEY] will be recognized for 20 minutes, and the gentleman from New York [Mr. HORTON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. MCCLOSKEY].

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

Madam Speaker, I rise today in support of H.R. 971, a bill to name the post office at 630 East 105th Street, Cleveland, OH "The Luke Easter Post Office." This measure was introduced by my good friend and colleague, FRANK HORTON, ranking minority member of the Subcommittee on Postal Operations and Services.

Standing 6 feet 4 inches tall and weighing over 240 pounds, Luke was one of the greatest power hitters in the history of baseball, scoring 86 home runs and driving in 307 runs in his three seasons with the Cleveland Indians, 1950-52. In 1952 he finished second to his teammate Larry Doby for the American League home run title with 31. In fact, in his first year in the major league he broke the record for the longest home run ever hit in Cleveland, 477 feet. To this day his record stands unbroken.

An achiever both on and off the field, Easter worked for TRW, Inc., and was chief steward of the Airline Workers Alliance.

Tragically, he was killed in the prime of life in a robbery attempt in Euclid, OH.

I urge my colleagues to support this bill to acknowledge Luke Easter, or "the gentle giant," as he was called by his adoring fans.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I want to thank the chairman of the Post Office Committee, Representative BILL CLAY, for his support of my legislation and also thank the entire membership of the committee for their unanimous sponsorship of H.R. 971. My legislation would honor a man who was a true goodwill ambassador of baseball, Luke Easter. H.R. 971 will designate a postal facility at 630 East 105th Street in Cleveland, OH as the "Luke Easter Post Office." I want to extend a special thanks to my good friend, Representative LOUIS STOKES, who represents this area of Cleveland and was instrumental in the formulation of this legislation. I also want to commend the other Member of Congress from Cleveland, MARY ROSE OAKAR for her support.

Luke is still regarded in Rochester, NY as the most popular player in the history of the Rochester Red Wings. After a successful career in the majors with the Cleveland Indians and the old Triple A Buffalo Bisons, Luke joined the Rochester Red Wings in 1959. He spent six seasons as a player and a coach in Rochester, where he became a legend. I had the honor of knowing Luke Easter, his wife Virgil, and his entire family, since I was at that time the president of the Rochester Red Wings. Luke and I had become close friends and we stayed in contact after I was elected to Congress in 1962.

Luke was as popular in Cleveland and Buffalo as he later became in Rochester. He was as well known for his friendliness, warmth, and generosity of spirit as he was for his ability to hit towering home runs. Jack Graney, the Cleveland radio announcer, called Luke's home runs "bazooka blasts."

Luke was one of the first blacks to gain entry into major league baseball, following Jackie Robinson by only 2 years. He had little professional training when he was signed by Cleveland Indian general manager Bill Veeck out of the Negro American League. After a short stint in the minors Luke joined the Indians in 1949 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.

On June 27, 1950, Luke connected for the longest home run ever hit at Cleveland's Municipal Stadium, the 477-foot shot landed in the upper right field seats. The 6-foot-4, 240-pound first baseman batted left handed and, in six seasons with the Indians, hit 0.274 with 93 home runs and 340 runs batted in. Luke finished fourth in the league in home runs in 1951, and second in 1952. During Luke's years with the Cleveland Indians his teammates included four future members of the hall of fame, Lou Boudreau, Bob Feller, Bob Lemon, and Early Winn.

On March 29, 1979, Luke, by then a union steward for the Aircraft Workers Alliance at TRW, Inc., of Cleveland, was accosted by two men as he left a branch office of the Cleveland Trust Co. When he refused to give up the cash he had in a shopping bag, he was hit fatally about the heart by a shotgun blast. The money in the bag was not his, it was from checks he had cashed for fellow workers.

Luke was a perfect role model for the children who adored him. He often would spend hours talking to children and signing autographs, to the great pleasure of his fans. Luke is a man we will not forget not only for his baseball ability, but the way he gave of himself to his fans and each community in which he played. Luke truly was bigger than life.

It is a just and fitting tribute for the postal facility at 630 East 105th Street, Cleveland, OH to be named after Luke Easter.

Madam Speaker, I would like to quote an article by George Beahon:

LUKE EASTER

(By George Beahon)

He was one of the first blacks in major league baseball, with the Cleveland Indians. He hit some of the most gigantic home runs ever to fly out of that stadium, over the right field walls.

On March 29, 1979, Luscious (Luke) Easter was shot and killed as an innocent bystander during an attempted bank robbery in Euclid, Ohio.

On this March 19, Congressman Frank Horton served as principal sponsor of legislation to name a Cleveland Post Office after Luke Easter. The co-sponsor of the bill is Rep. Louis Stokes. So what is Frank Horton of Rochester doing sponsoring a bill for an athlete best known nationally for his moon shots out of Cleveland's Municipal Stadium?

On his way out of baseball, Easter became an electric figure with his towering shots out of Buffalo's old War Memorial Stadium, for

the International League Bisons. When Bison management thought Easter was about done, the Rochester Red Wings picked him up for free (actually a \$100 waiver price). Easter was not through. For the next five seasons—1959 through 1963—he made an impact on Rochester baseball fans. He would become, without argument, the most popular player in Rochester's long history of International League baseball. Horton was part of that picture, serving at times as both Red Wing president and International League vice president. More to the point, he and Easter became fast friends.

Easter, a first baseman with a big reach, at 6'4" and 222 pounds, hammered 22 home runs in 1959. And, in his five-year span, he became the 10th leading all time Rochester home run hitter with a total of 66. His five-year batting average was a stocky .278.

The mere statistics don't tell the real reasons for Easter's popularity at an age when most players were long retired. The home runs were Superman varieties. They didn't just clear the right field walls. Many of them actually cleared the tops of the light towers. At least 20 were recognized as traveling more than 500 feet.

Beyond that field performance, Easter earned "most popular" to this day, for his personality on and off the field. His teammates and managers loved his devotion to team play. But the fans just simply adored him. Before games, during batting practices, and mostly after games, Luke Easter was the last man out of the stadium and parking lot. Foul weather or fair, Easter never left an autograph seeker disappointed. For years, I would leave the press box, stories filed and gone to bed, to see Luke outside the clubhouse or in the parking lot talking with kids, singing his name and generally making friends for himself and the baseball franchise.

Little surprise that when the Red Wings organized their first annual Hall of Fame committee, in 1989, Luke Easter (the fans bellowed his name, as LUUUUKE, and strangers to the stadium misinterpreted it as booing. He was a unanimous pick on the 12-member committee ballot. On August 17, 1963, on one of several "Luke Easter Nights," at the stadium, he finally confessed to his real age. "My baseball age is 42," he said, "but my real age is 52."

Horton and Stokes are members of the Post Office and Civil Service Committee, and it is a measure of strong respect that there is an expected unanimous approval of the bill to honor Easter in his home town of Cleveland.

Easter and Horton, then International League President, had an interesting get together when the Red Wings played their first game in Havana's Le Gran Stadium after Fidel Castro assumed power in Cuba. Castro and Horton were together on the mound for the honorary "first pitch" on opening night with 34,000 Cuban fans in the stadium.

Ninth inning, score tied 4-4. Easter triggered a moon shot out of sight over the right field wall to beat the Cubans. The stands became weirdly, almost totally silent. It is not known to this date whether the quiet resulted from disappointment by the fans—or the wonder at the sight of the "beisbol" soaring out of sight—just one of many of Luke Easter's moon shots. He made an impression, internationally.

□ 1350

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

Madam Speaker, if I might ask the distinguished gentleman from New York [Mr. HORTON] a question or two? Did I understand the gentleman to say that Luke was 43 when he finally made it to the big leagues with the pattern of discrimination in the sport?

Mr. HORTON. Madam Speaker, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from New York.

Mr. HORTON. Madam Speaker, the gentleman from Indiana [Mr. McCLOSKEY] is correct.

Mr. McCLOSKEY. And, Madam Speaker, does the gentleman from New York [Mr. HORTON] have an opinion, or does he know, what his records could have been like if he had been there in his early twenties and had a normal career?

Mr. HORTON. Madam Speaker, I imagine, if he had been there in his early twenties, he probably would have had one of the greatest records for home runs for any ballplayer.

He was not a very good defensive fielder, but he could play first base great. He was not very fast, but he could get around the bases, especially after he made home runs, and he did not have to run fast because all he did was hit the ball out of the park, and he trotted around.

I will never forget seeing him go around those four bases in Havana, Cuba.

Mr. McCLOSKEY. Madam Speaker, it is truly amazing. I thank the gentleman from New York [Mr. HORTON].

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Madam Speaker, I am proud to rise in support of H.R. 971, legislation to designate that a facility of the U.S. Postal Service in Cleveland, OH, be named in honor of Luke Easter. I also take this opportunity to commend the author of this legislation, our distinguished colleague from New York [Mr. HORTON], for his special efforts to pay tribute to one of our Nation's greatest major league baseball players. I was proud to join my colleague as a cosponsor of this measure.

Let me also commend the chairman of the Committee on Post Office and Civil Service, Mr. CLAY, for his support of this measure, and for expediting the legislation through the committee process.

Madam Speaker, Luke Easter was born in St. Louis, MO, and was a renowned softball player until signed by the Cincinnati Crescents of the Negro American League in 1946. He was a member of the Homestead Grays when the owner of the Cleveland Indians purchased his contract and sent Easter to San Diego to play. After playing with the Pacific Coast League, Luke Easter returned to Cleveland where he began a 6-year major league career.

Although Luke Easter hit only 93 major-league home runs in Cleveland, his long drives made him a favorite. Announcers and fans affectionately referred to his home runs as "bazooka blasts."

It was on June 23, 1950, that Luke Easter hit a baseball into the Cleveland stadium upper deck that was measured at 477 feet from home plate. The home run stands as the longest home run hit at Cleveland Municipal Stadium.

Madam Speaker, I am certain that the name "Luke Easter" brings to mind many fond memories for baseball fans from Buffalo, NY, also. In fact, it is Luke Easter who is often credited with saving the game of baseball in Buffalo. Prior to his arrival in 1955 to play with the Bisons, Buffalo suffered from a lack of interest in baseball due not only to poor team performance, but competition from the television, movie, and racetrack industries.

Luke Easter used personality, showmanship, and his outstanding performance on the field to instill in Buffalo fans a new enthusiasm for the game. During the 1957 season, Easter not only played in every one of the team's 154 games, but he led the league in home runs, walks, total bases, and RBIs.

Luke Easter was later released from the Bison franchise and returned to Cleveland. He died tragically during a robbery attempt while employed at TRW, Inc.

It is ironic to note that only at the time of his death was it learned the talented hero Luke Easter was 40 years old when he joined the Bisons; and 48 years old when he went to bat for the last time.

Madam Speaker, I am proud that the city of Cleveland is being designated as the site for honoring Luke Easter. He was an outstanding athlete, a source of inspiration, and a great American. The designation of a postal facility in his honor will stand as a lasting monument to an outstanding American.

Madam Speaker, I cannot recite as eloquently as the gentleman from New York [Mr. HORTON] has recited Luke's great contribution to the field of baseball. They were very close friends, as my colleagues can see from his speech here on the floor, and, over the years when we have talked about Luke, the gentleman from New York [Mr. HORTON] has stories like that which he can tell all day long about his great relationship, his great friendship, with Luke Easter.

So, I am just proud that the gentleman from New York [Mr. HORTON] has sponsored this legislation. I know how much it means to him, how close he was, not only to Luke, but to Luke's wife, Virgil, who is still in Cleveland, and she grew up there. In fact, she, and I and their family all went to high school together in Cleveland.

So, I just want to commend the distinguished gentleman from Indiana

[Mr. McCLOSKEY], the chairman of the subcommittee, and my good friend, the gentleman from Missouri [Mr. CLAY], the chairman of the full committee, and again the gentleman from New York [Mr. HORTON] for the great contributions they have made in paying honor to Luke by designating this facility in Cleveland, OH.

Madam Speaker, I assure my colleagues that we are going to have a great celebration in Cleveland in honor of this, and we really express our appreciation for what has been done on behalf of Luke Easter.

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

Madam Speaker, I want to take this opportunity to thank the gentleman from Ohio [Mr. STOKES] and say to him, "We're looking forward to that celebration."

Madam Speaker, Luke was a great personal friend of mine, and I loved him like a brother, and I know that the gentleman felt the same.

Mr. CLAY. Madam Speaker, I rise today in support of H.R. 971, a bill to designate the facility of the U.S. Postal Service located at 630 East 105th Street, Cleveland, OH, as the "Luke Easter Post Office."

Born in St. Louis, MO, Luke Easter, known by those who loved him as "the Gentle Giant," was one of the greatest natural power hitters in the history of baseball. Luke, who stood 6 feet 4 inches and weighed over 240 pounds, broke into the major leagues at the age of 33 after a stellar career with the Negro League Homestead Grays. In his 3 full seasons with the Cleveland Indians, 1950-52, Easter proved to be the slugger of his day hitting 86 home runs while driving in 307 runs. Few people know this, but Luke still holds the record for the longest home run hit in Cleveland, 477 feet, in 1950, the year after he broke into the major leagues. In 1952, he finished second to his teammate Larry Doby for the American League home run title with 31.

After baseball, Easter worked for TRW Inc., and was chief steward of the Airline Workers Alliance. Luke's life was cut short however, as he was fatally wounded in a robbery attempt in Euclid, OH. We can only wonder how great he might have been had he been allowed to play during his prime. Madam Speaker, Luke Easter was a giant both on and off the baseball diamond, and it is for that reason I stand to support this bill today.

Mr. GILMAN. Madam Speaker, I want to take this opportunity to join my colleagues the gentleman from New York, [Mr. HORTON] and the gentleman from Indiana, [Mr. McCLOSKEY] in urging my colleagues on both sides of the aisle to support this measure and I commend my good friends, Congressman LOU STOKES and Congressman FRANK HORTON, for initiating this action.

Luke Easter experienced both the bitterness of being limited to playing in the segregated baseball clubs of the time and the warmth and esteem of finally getting some well earned respect in the newly integrated major leagues. He continued to earn the respect of all who knew him throughout his baseball career and

well on into his second career as a union steward at T.R.W., Inc. in Cleveland. His death in 1979, protecting the cash of his co-workers during a bank robbery in Cleveland, left a void not only in the baseball world, but in each of us.

Accordingly, it is a pleasure for me to join with my colleagues in recommending that the East 105th Street Post Office in Cleveland, OH, be designated the Luke Easter Post Office. I am hopeful that this will serve to remind future generations of what good sportsmanship and a truly unselfish spirit are all about.

I thank the speaker and my colleagues for the opportunity to share with the House my support for H.R. 971.

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

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Indiana [Mr. MCCLOSKEY] that the House suspend the rules and pass the bill, H.R. 971.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCCLOSKEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 831 and H.R. 971, the bills just passed.

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

There was no objection.

SMALL BUSINESS DESERT STORM LOAN RELIEF ACT OF 1991

Mr. LAFALCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 902) to provide assistance to recipients of loans from the Small Business Administration who are affected by military service as part of Operation Desert Storm, and for other purposes, as amended.

The Clerk read as follows:

H.R. 902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Desert Storm Loan Relief Act of 1991".

SEC. 2. The Small Business Act is amended by adding the following new section:

"SEC. 28. (a) It is the purpose of this section to provide assistance in addition to that authorized by the Soldiers' and Sailors' Civil Relief Act of 1940 as now in effect or as subsequently amended, and it shall not be interpreted in any way to reduce the benefits of such Relief Act.

"(b) Any small business concern which is the obligor of a loan made or guaranteed by

the Small Business Administration under this Act or the Small Business Investment Act of 1958 may apply for assistance under this section. In order to assist persons called to active duty in the military service of the United States, the Administration (1) is directed to liberally construe the provisions of this section to benefit such persons and companies substantially owned by or dependent upon them, (2) is authorized to extend the term of any direct loan for up to five years beyond the maximum term otherwise provided by law, and (3) is authorized to waive or modify any of the minimum periods of time or minimum income declines specified in this section if it determines that it would be appropriate to effectuate the purpose of this Act, but it may not do so if it would result in the denial of assistance to an applicant otherwise eligible.

"(c) The Administration shall temporarily suspend the repayment obligation of any person under a direct loan made by the Small Business Administration to a borrower if the borrower, or any person jointly liable with the borrower, is called to active duty in the military service subsequent to the disbursement of the proceeds of such loan. The suspension shall be effective on the date the Administration is notified that the borrower has commenced active duty status or, at the election of the borrower it shall be made effective at any time subsequent to the date the borrower entered active duty status, and shall continue for 90 days after such person ceases to be on active duty.

"(d) The Administration shall suspend or reduce the repayment obligation of any small business concern under a direct loan made by the Administration to a partnership or corporation if it determines that there has been substantial impairment of the repayment ability of the borrower due to the entry on active duty of any person who is a principal owner, manager or key employee of such borrower. The suspension shall be effective on the date the Administration is notified that such person has commenced active duty status or, at the election of the borrower it shall be made effective at any time subsequent to the date the person entered active duty status, and shall continue for 90 days after such person ceases to be on active duty.

"(e) The Administration may agree to make all or part of any payments due to any person pursuant to the terms of any loan guaranteed by the Administration under this Act or under the Small Business Investment Act of 1958 if it determines that there has been substantial impairment of the repayment ability of the obligor due to the entry on active duty of any person who is a principal owner, manager or key employee of such borrower. The time during which such payments may be made shall commence on the date the person entered active duty status and shall terminate 90 days after such person ceases to be on active duty. Any loan made under this subsection is declared to be a disaster loan under section 7(b) of this Act and shall be made from amounts made available for such loans. Such loans shall be subject to the same terms and conditions for other loans made under section 7(b). The Administration is directed to transfer from the disaster loan fund to the business loan and investment fund an amount equal to the amount of any payment of principal and interest on any loan funded through such account which is suspended or reduced pursuant to this Act.

"(f) Within 60 days after the return to non-active duty status of any person to whom the

preceding subsections may apply, the Administration shall arrange a meeting with agency personnel and the affected small business concern to discuss repayment of the loan. The Administration is authorized to extend the term of any direct loan or to set a repayment schedule for loans made under subsection (e) for a period of up to 1 year for each 60 days of active duty, but not to exceed 5 years.

"(g) If the Administration determines that an obligor meets the criteria of this section, it may, in its discretion, reduce or eliminate the assistance provided herein if it determines that the obligor has the financial ability to meet the terms and conditions of the obligation without substantially disrupting business operations if the applicant is a business or without imposing a substantial financial burden if the applicant is an individual disaster loan recipient. Any such determination shall be made only after affording the applicant the opportunity to present information in person or through others in support of the request for assistance. This determination need not be made pursuant to the Administrative Procedures Act unless the Administration determines that such proceedings would be appropriate.

"(h) As used in this section, the term:

"(1) 'base years' means the past three years if (A) it is a business loan to a borrower who has been in business for such time, or such shorter time as the borrower has been in business as determined to be appropriate by the Administration but not less than one year, or (B) if it is a disaster loan to an individual who has taxable income for such time, or such shorter time as determined to be appropriate by the Administration.

"(2) 'direct loan' means a loan made under this Act or the Small Business Investment Act of 1958;

"(3) 'loan' also includes a debenture guaranteed as to repayment by the Administration;

"(4) 'military service' means the military service of the United States as defined in the Soldiers' and Sailors' Civil Relief Act of 1940, 50 U.S.C. App. 511, as amended;

"(5) 'obligor' includes the borrower and, for debentures issued by development companies, the small business concern which is financed by the debenture proceeds; and

"(6) 'substantial impairment' means a decline in the income of the borrower over a period of a minimum of 30 months which represents a decline equal to at least 25 per centum from the average income over the base years prior to the entry on active duty of a person referred to in subsection (d) above.

SEC. 3. The authority of the Administration to make loans, or to suspend or reduce payments on direct loans under section 28 or section 7(b)(3) of the Small Business Act shall be limited to amounts approved in advance in appropriations Acts. There are hereby authorized to be appropriated not to exceed \$5,000,000 to carry out the provisions of section 28 of the Small Business Act and \$50,000,000 to carry out the provisions of section 7(b)(3) of such Act.

SEC. 4. Section 7(b) of the Small Business Act is amended by inserting after paragraph (2) the following new paragraph:

"(3) To make such disaster loans as the Administrator may determine to be necessary or appropriate to assist a small business concern which has suffered economic injury due to operation Desert Storm/Shield in an amount not to exceed \$50,000 per borrower.

"(A) Not to exceed \$25,000,000 in such loans may be made to assist small businesses

owned and controlled by reservists in a period of active duty as a result of an emergency deployment.

"(B) Not to exceed \$25,000,000 in such loans may be made to assist small businesses in any county in which at least five small business concerns have suffered severe economic injury as a result of the emergency deployment in support of national defense objectives of units of the Armed Forces of the United States from an installation or installations in an area where such business concerns are located: *Provided*, That no assistance shall be provided under this paragraph unless at least 10,000 individuals comprising at least 60 percent of the personnel normally assigned to such installation or installations are so deployed.

"(C) For the purposes of this paragraph—

"(i) the term 'small business concern owned and controlled by reservists' means a small business concern which—

"(I) is at least 51 percent unconditionally owned by one or more members of reserve components of the Armed Forces; and

"(II) is managed and the daily business operations of which are controlled by one or more such members;

"(ii) the term 'period of active duty' means the period beginning on the date on which an owner of the small business concern is called or ordered to active duty and ending on the 180th day following the date on which such owner is released from active duty.

"(iii) the term 'emergency deployment' means one which commenced on or after August 1, 1990, and before October 1, 1991; and

"(iv) the term 'county' includes any other equivalent political subdivision."

SEC. 5. (a) Due to the necessity of providing immediate assistance to borrowers impacted by military service requirements, and notwithstanding any other law, rule or regulation, the Small Business Administration is authorized and directed to issue interim final rules and regulations implementing this Act within ten days of the date of enactment, and the rules shall be effective on publication. The Administrator may, however, solicit comments and modify such rules.

(b) In order that borrowers may become aware of the assistance under section 28 of this Act, the Administration shall notify every borrower of the assistance available hereunder within 30 days after the date of enactment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. LAFALCE] will be recognized for 20 minutes, and the gentleman from Florida [Mr. IRELAND] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. LAFALCE].

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

Madam Speaker, I rise in strong support of H.R. 902, the Small Business Desert Storm Loan Relief Act of 1991. Very simply, the legislation would authorize financial assistance of up to \$55 million to small businesses which have been financially injured due to the transfer or deployment of troops as part of Desert Storm.

I believe that we are all very proud of the service which has been performed for our country by our regular, active duty troops and also by our citizen warriors who constitute our Reserves.

We have disrupted the lives of these citizen soldiers and we must not impose undue economic hardship upon them. Moreover, we should facilitate their efforts to resume their civilian occupations.

When I introduced my bill, I was primarily concerned that these servicemen and servicewomen should not have to worry about repaying direct or indirect Government loans nor should they have to worry about the Government dunning their loved ones for these loan payments while they are in the gulf risking their lives. The Soldiers' and Sailors' Civil Relief Act of 1940 addressed this problem some 50 years ago, but the coverage provided by that Act did not contemplate the way we handle financial transactions today.

The Relief Act authorizes a moratorium on loan repayments and a reduction in the interest rate to a maximum of 6 percent, but in order to qualify the reservist being called to active duty must be one and the same as the borrower. If these interests are not identical, no assistance is mandated.

Accordingly, there is no relief provided in situations where the reservist is simply one of joint borrowers. This may be the case in many loans, including disaster loans made to a husband and wife, with one of them being a reservist who is called to active duty.

Nor is there any coverage under the Relief Act if the loan is made to a small corporation or a partnership and the reservist is one of the principal owners or a manager or a key employee whose absence has substantially reduced the profitability of the company.

Thus, I introduced H.R. 902 along with 22 of my colleagues as cosponsors to fill this gap and to provide a moratorium on loan repayments in these situations.

Subsequently, my friend and colleague Representative MARTIN LANCASTER brought another situation to our attention.

We are all aware of the economic impact on an area where a military base is closed; it can be devastating. Well, the deployment of troops from some bases was so extensive that it was almost the same as closing the base. And the impact on the small businesses who operate in the area around those bases was just the same—the customers have all been transferred to the gulf as part of Operation Desert Storm. Many viable small businesses simply lost all of their customers.

Thus, at the request of Mr. Lancaster we provided in the bill that if at least 10,000 troops from any base are deployed to the gulf and if the number deployed represents at least 60 percent of the troops normally assigned to the base, then we would treat this as an economic disaster to the small firms which have lost their customers. The SBA would provide them with working capital of up to \$50,000 at a reduced in-

terest rate and under the same terms and conditions under which we helped the victims of natural disasters. This would give them some breathing room and help them to survive until the troops return from the gulf.

In addition, now that the reservists are beginning to return, we find that many need operating money for their firms. Some have to almost reestablish themselves, as they literally had to close their doors and go to war.

Thus, at the request of Mr. SKELTON the committee amended the bill to provide that this uprooting of small business personnel would be treated as an economic disaster and that they be provided loan assistance of up to \$50,000 per small business under the same terms and conditions as exist for other disasters. Again, this is simply a small helping hand to allow them to resume their primary occupation in our society.

Finally, I want to note that the bill requires SBA to expedite its implementation of this law. The assistance being provided to these small businesses would be virtually meaningless unless, it is made available on a timely basis and the reservists and other small businesses are made aware of its existence.

The bureaucracy is very slow to implement assistance such as that being provided in this act. It is even very slow when we simply fine tune an existing program. For example, last November we fine tuned a program to provide working capital for small business exporters for up to 36 months instead for a maximum of 18 months, as was previously authorized by law. It was not until March 12, or 4 months later, that a regulation implementing this change was published in the Federal Register, and who knows how long it will be before this information is distributed to personnel in the field who actually administer the program.

A similar delay in the implementation of the financial assistance being afforded by this act is simply unacceptable. Thus, the law will require the agency to adopt interim final regulations to implement it within 10 days of enactment. Certainly the action of this House in passing the bill should be sufficient notice to the agency to begin planning for implementation, and thus it will actually have much longer.

I want to congratulate my colleagues who have supported this measure, and I want in particular to thank Representative SKELTON and Representative LANCASTER, who contributed very substantially to the development of this bill.

I also want to note that the Small Business Committee has a new ranking minority member, Congressman ANDY IRELAND. This is the first bill on which I have been pleased to cooperate with him and obtain his support and I thank him for it. I trust that it will be the first of many such bills which we will jointly bring before this body.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it is my privilege today to rise in support of H.R. 902, the Small Business Desert Storm Relief Act, which seeks to ensure that those who served our country in war do not have to bear a great burden in peace as well.

As our colleague, Mr. LAFALCE, noted so eloquently, H.R. 902 allows the SBA to temporarily suspend or reduce repayments on existing SBA direct loans, allows the SBA to make payments on guaranteed small business loans, permits the agency to make new business loans to military reservists called to active duty, and allows the SBA to make new loans to qualified small businesses that otherwise suffered substantially because of our war to liberate Kuwait.

More specifically, H.R. 902 allows the SBA to show forbearance on SBA direct loans when a qualified small business was substantially impaired by war activities.

This means that the income of a small business must have declined by at least 25 percent because the principal owner, a cosignor of a direct loan, a manager, or a key employee was called into active service.

Under the provisions of the bill, the SBA may also make temporary payments on a federally guaranteed small business loan when the same conditions prevail.

In both cases, the SBA can only suspend, reduce, or make payments for a period of up to 1 year for every 60 days of active duty status, and the total time of forbearance cannot exceed 5 years.

And, Madam Speaker, let me hasten to assure our colleagues that this is not loan forgiveness. Rather, H.R. 902 allows the SBA to rearrange repayment schedules, thereby protecting the vitality of the enterprises involved and the people they employ.

As I noted, the measure before us also allows the SBA to make new, economic disaster loans to small businesses affected by the war. Under the bill, a small business would qualify for the loan if: First, an owner, manager, or key employee was called into active duty and the business suffered substantially for it; or second, if five or more small businesses in a given area suffered substantially because of a major troop deployment—that is, if at least 10,000 individuals comprising 60 percent of the number normally based in a given area were shipped out. Such loans would be limited to \$50,000 or less per business, and credit cannot be available elsewhere.

I ask our colleagues to take particular note of the second provision, and to join me in commending Mr. SKELTON

and Mr. LANCASTER for offering this provision.

In cities and towns across America where our Armed Forces are based, small businesses have offered the products and services that our men and women in uniform depend on. They are part of the communities that support the military during thankful times of peace, and I think it is right and proper that we make sure these essential enterprises are there when our soldiers and sailors return from the gulf.

Overall, then, Madam Speaker, H.R. 902 seeks to ensure that our Nation's small business owners—men and women who contribute so much to our quality of life—have time to recuperate or reorganize before getting back to the business at hand.

Madam Speaker, let me emphasize that this is not a massive piece of legislation in scope, scale, or cost. To qualify, small business owners must demonstrate that our efforts in the Middle East hurt them substantially. All the loans, whether new or restructured, must be repaid. And if a small business owner is financially capable of doing without a new loan or is capable of keeping up with the current schedule of payments, then the provisions of H.R. 902 do not apply.

Madam Speaker, I am pleased to report to our colleagues that the House Small Business Committee voted unanimously, 41-0, to report H.R. 902 to the full House. And let me take this opportunity to thank the chairman, Mr. LAFALCE, for the fine work he performed on behalf of our Nation's small businesses. Let me also thank, again, our other colleagues, Messrs. SKELTON, and LANCASTER, for their helpful amendment to the bill, and Messrs. BAKER, MACHTLEY, and RAMSTAD on this side of the aisle for spearheading the minority efforts.

Madam Speaker, in war and in peace, we owe our country's great small businesses a debt of gratitude for the jobs they provide, the innovations they produce, the services they provide, and for their sterling contributions to the quality of life in America.

H.R. 902, while a modest offering, will help ensure that these enterprises remain strong and vital, and that the sacrifices they made on our behalf will not linger on in the months and years ahead.

I recommend the Small Business Desert Storm Relief Act to our colleagues.

□ 1400

Mr. BROOMFIELD. Madam Speaker, will the gentleman yield?

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

Mr. BROOMFIELD. Madam Speaker, let me join in complimenting our chairman, the gentleman from New York [Mr. LAFALCE], and our ranking member on this important piece of leg-

islation. I am very happy to be a supporter of this bill.

Madam Speaker, I rise in support of the Small Business Desert Storm Relief Act, which authorizes \$55 million for the Small Business Administration to temporarily suspend repayment of SBA loans to reservists called to active duty.

The Soldiers' and Sailors' Civil Relief Act of 1940 was enacted to ease the financial burdens of those persons called to active duty during World War II. The 1940 act, which still applies today, imposes a moratorium on repayments and authorizes interest rate reductions on loans made to reservists called to active duty. H.R. 902 would extend the coverage of the 1940 law, making it applicable to Small Business Administration loans.

American soldiers called to active military duty should not have to worry about defaulting on their SBA loans, but instead should be able to devote their full attention to the war. Surely, our success in the Persian Gulf demonstrates the importance of a clearly focused and directed effort.

H.R. 902 would help to ease the financial burden back home for those soldiers who so ably served their country in the Persian Gulf. I urge my colleagues to assist the brave men and women of Desert Storm by voting for the Small Business Desert Storm Relief Act.

Mr. LAFALCE. Madam Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Madam Speaker, I rise in support of this measure.

Madam Speaker, I take particular note to thank the committee chairman, the gentleman from New York [Mr. LAFALCE], for this excellent piece of legislation. I also commend and thank our friend, the gentleman from Florida [Mr. IRELAND], for his strong support and for his forceful statement a few moments ago.

Back in Missouri, as all across our country, we see signs saying, "Support Our Troops." Our chairman, the gentleman from New York [Mr. LAFALCE], has put this into active legislation to the point where we are supporting our troops.

As was mentioned a few moments ago, I have a portion of this bill, as my friend, the gentleman from North Carolina [Mr. LANCASTER], has a portion of the bill. I will speak about that portion which I have put forward.

I would be remiss if I did not mention the fact that the gentleman from South Carolina [Mr. SPRATT] is the originator of this idea. Though it was modified somewhat, I do wish to thank him for his creativity and his thought and his assistance in this regard.

The particular part of the bill which I refer to would create a new class of injured people who are eligible for loans from the disaster loan fund, but it would make such funds authorized subject to the appropriation process. In order to be eligible, someone must be a reservist, someone must have been called to active duty for Desert Storm or Desert Shield for 180 days or more,

who individually or collectively owns 51 percent of the business and who individually or collectively runs the day-to-day operations of that business, and whose business was injured due to the deployment with the armed services as a reservist; further, that this individual would be unable to obtain credit elsewhere, and that the loan is in an amount not to exceed \$50,000.

According to the Department of Defense, we have over 200,000 reservists who have been called up for active duty and who had to leave behind their families, their homes, their jobs, and in many instances the small business which they run.

The situation we want to address is one where a reservist answers his country's call and is returning now to a business that may now be on the ropes. One can imagine how disruptive that must be to a small business when the owner-operator, the one with his or her name on the door, the driving force behind that small business, is gone for 6 months or more. But now their business is in trouble, and they cannot get the help they have come to expect as returning soldiers. Perhaps they have never borrowed money before and, therefore, have no established banking relationships, or perhaps their local lender or leaseholder or supplier is not in a good enough financial position to forebear. For whatever reason, the reservist who owns that small business may need just enough help to tide him or her over until that business is running smoothly again.

Madam Speaker, the amendment I have put forward simply gives the President and the Small Business Administration the tools to offer that help. I again congratulate the chairman of the committee and the ranking minority member for their support.

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

Mr. LAFALCE. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. LANCASTER].

Mr. LANCASTER. Madam Speaker, I rise today in strong support of H.R. 902, the Desert Storm Small Business Loan Relief Act. I commend the chairman of the Small Business Committee for his efforts in trying to come to the aid of the often forgotten casualties of our war in the Persian Gulf and I thank the new ranking minority member for his assistance and support. The casualties I am speaking of are small businesses, the backbones of our Nation's economy, who have been literally devastated by the deployment of troops to the Persian Gulf.

As we have proven decisively, our troops were extremely well prepared for the rigors of their assignment. Clearly, though, we did not prepare our military communities for battle. Ironically, the communities which have so faithfully supported our troops in

peacetime have now become casualties of war.

I am, therefore, Madam Speaker, urging my colleagues to help provide essential relief now, in the wake of Operations Desert Shield and Desert Storm. The House Small Business Committee unanimously approved this legislation before us today, which would provide disaster loan assistance to communities particularly hard-hit by the deployment of large numbers of military personnel and assistance to businesses devastated by the loss of a key person, who was a reservist or guardsman called to active duty.

Included in the bill is a carefully drawn section I have added which is designed to provide relief in the form of small loans for businesses in those nine communities which have been most severely hit by the deployment of our troops. Specifically, these are areas which are totally dependent on the military bases for economic stability. In order to apply for this one-time disaster loan relief, a business must be located in a community where the military bases in the area have deployed at least 10,000 individuals comprising at least 60 percent of the personnel on base.

Jacksonville, NC, is a prime example of such a casualty of war. Jacksonville is a town of 25,000 people and Onslow County has approximately 120,000. Camp LeJeune, the military base on which the community is dependent, has a population of about 45,000 troops. When the U.S. military was mobilized, 37,000 of these troops were deployed to the Persian Gulf. That's 37,000 men and women out of 45,000, Madam Speaker, over 75 percent. The numbers are mind boggling.

I realize that such a loss to a community is hard to imagine Madam Speaker, yet it has struck two communities in North Carolina alone. Our economies, and the economies of the other seven communities around the United States who face similar overwhelming statistics, have been devastated.

Referring to the war in the gulf, President Bush has said "this war is now behind us." But though the battlefield now lies silent and our troops are beginning to come home, the war is not yet behind us. It is not yet behind those communities which have been economically devastated by the conflict. The troops are returning to battle-worn economies. Thus our efforts to respond to the needs of those communities must continue.

Madam Speaker, I ask the Members to support H.R. 902.

□ 1410

Mr. LAFALCE. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the Committee on Veterans' Affairs.

Mr. MONTGOMERY. Madam Speaker, I rise in support of H.R. 902, the Desert Storm Small Business Loan Relief Act. The provisions of this bill are similar to a more comprehensive small business loan program for veterans contained in H.R. 908, an appreciation benefits package I introduced several weeks ago. One of the biggest problems our citizens-soldiers are going to find out is getting their jobs back or saving their small businesses. This legislation will help.

H.R. 902, Madam Speaker, would make a minor change in the loan relief provisions of the Soldiers' and Sailors' Civil Relief Act, a matter within the jurisdiction of the Committee on Veterans' Affairs. It would extend the protections under the act to Small Business Administration loans to joint borrowers, so long as one is a member of the Selected Reserve called or ordered to active duty. That protection is not available under current law.

Certain partnerships and corporations would also be assisted under this measure if they have experienced a 25-percent reduction in income because the principal owner, manager, or key employee is a selected reservist called to active duty.

Also included in H.R. 902 is a provision which would grant loan relief, subject to appropriations, for direct and guaranteed SBA loans. Additionally, the measure authorizes \$25 million in new loans to reservists and guardsmen who, after their separation from active duty, need working capital to reestablish their small businesses.

Madam Speaker, calling National Guardsmen and reservists to active duty can have an adverse impact on the livelihood of the reservist. The very least we must do is give the men and women called to active duty the opportunity to hold on to their small business. H.R. 902 provides this opportunity.

H.R. 902 will help our reservists and their families avoid situations such as the one described to me in a letter I recently received from Mike Jenkins of Jackson, MS. I would like to insert a copy of the letter at this point in the RECORD.

February 25, 1991.

DEAR CONGRESSMAN, As a soldier of Desert Storm I would like to share the appreciation of my fellow troops of the support that has been shown to us by our fellow Mississippians. They have not forgotten us and that has kept us going in the most difficult times.

We have some problems never thought of by the planners of the mobilization process. Or if they were they were ignored and not even mentioned. So many times when we've asked a question about a situation we were told you have to do it for the flag. Well we're here for the flag, but its my family that's suffering.

I had a small business in Jackson and was doing as well as a person could starting out. The call up came and I had some agreements still to be fulfilled. My employees finished the work, but my wife still had to close the

business. It left a lot of debts and we wouldn't have the money to restart the business when I got home now. Some creditors have been hounding my wife and she has gone to the State JAG assistance program, but they have been very little help and don't seem to know what their doing. They want her to hire a private lawyer to handle the problem.

One creditor, Texaco laughed in her face when she told them about the Soldiers and Sailors Relief Program. I would like to get a loan to cover those debts and hopefully restart my business and it may be through the VA Administration. The finance people here and the JAG don't know anything they can do. The Chain of Command keeps referring to them, but they're not concerned about traditional guardsman problems. If you could, please send me some information or send it to my wife. Any information or assistance that you can give will be greatly appreciated.

Again I wish all I could tell you was how appreciative of the support and what a terrific job the troops are doing. But I'm in really a difficult situation and any help you can give will be appreciated.

SFC MIKE JENKINS,
112 MP BN. USA.

Madam Speaker, I wholeheartedly support the bill we consider today, but more should be done.

Last year I cosponsored H.R. 5616, a measure introduced by Mr. MCDADE, to assist and promote the creation, development, and growth of small businesses owned by veterans. Earlier this month Mr. MCDADE introduced a similar bill, H.R. 1404, and I am again a cosponsor, as is TIM PENNY, chairman of the Subcommittee on Education, Training and Employment. H.R. 1404 would authorize the SBA to guarantee bank loans to veteran-owned small businesses and establish a goal of awarding 5 percent of Federal procurement to small businesses owned by veterans. Chairman PENNY is expected to conduct hearings on this more comprehensive bill within the next few weeks.

I believe it is in the national interest to enhance, support, and increase the number of small businesses owned and operated by veterans. Veterans have proven their commitment to our Nation and demonstrated their ability to get the job done. They are steady, reliable, and responsible, and we must do what we can to provide them equal opportunity to participate fully in our country's free enterprise system.

I commend the distinguished chairman, Mr. LAFALCE, and ranking minority member, Mr. IRELAND, and all members of the Committee on Small Business for developing and bringing to the floor H.R. 902.

I also want to commend the very able ranking minority member of the Appropriations Committee, and former ranking minority member of the Small Business Committee, Mr. MCDADE, for the leadership he has provided for the past several years in assisting our Nation's veterans in gaining access to programs administered by the Small Business Administration.

I urge my colleagues to support the bill.

Madam Speaker, this is a good bill. It was in our package earlier. The chairman and the minority member felt that we got into some of their jurisdiction. I certainly understand that. They are getting into some of our jurisdiction today. We are not complaining. I hope all Members support this legislation.

Mr. LAFALCE. Madam Speaker, I thank the distinguished gentleman from Mississippi [Mr. MONTGOMERY]. We are always delighted to have his full support. We try to reciprocate.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Madam Speaker, I rise in support of H.R. 902, the Desert Storm Small Business Loan Relief Act. This bill, sponsored by the distinguished chairman of the Small Business Committee JOHN LAFALCE, is needed to correct problems created by the deployment of troops to the Persian Gulf.

The success of our troops during the recent war demonstrates the wisdom of the all volunteer military backed-up by well-trained reserves. While this policy is a military success, problems have been created for the business community. Last Wednesday, the Small Business Subcommittee on Environment and Employment, which I chair, held a hearing on the effect of the deployment of active duty personnel, reservists, and members of the National Guard on small businesses.

During the hearing, we heard testimony describing a number of problems that have developed. Perhaps the most moving was that of Mrs. Carolee Ploof, who's husband was deployed as a member of the Vermont National Guard. Mrs. Ploof is working around the clock to keep her husband's excavation company in business and to keep her own job as the manager of a florist shop. She works every day, and operates a dump truck on the weekends.

Another reservist, Mr. David Lough, is flying C-141 cargo planes to and from the Persian Gulf while attempting to keep his real estate firm operating.

A different problem occurs around areas where small businesses are dependent on nearby military bases. These businesses provide important services for the troops. When the troops left, the firms lost their main source of income and now face economic disaster. This problem can be found near Fort Stewart, GA; Fort Campbell, KY; and Camp Lejeune, NC, as well as other areas.

I do not want to leave the impression that the people facing these problems are complaining—they are not. During the hearing we found that those deployed with the reserves or National Guard remained eager to serve. Their families, struggling to keep businesses going, are proud of their loved ones in

the gulf. The businesses near military bases remain committed to the troops. All they are asking for is a little help to get back in business now that the war is over.

I think it is important that we take steps to help these businesses and those reservists who served. Also, I think it is equally important that the steps we take are cost effective. H.R. 902 deals very effectively with these issues.

It extends the type of loan relief available under the Soldiers' and Sailors' Civil Relief Act to Small Business Administration loans where a principal owner, manager, or key employee has been called to active duty. Also, the bill authorizes \$25 million in new loans for reservists and members of the National Guard who return from active duty and need working capital to reestablish their businesses. In addition, another \$25 million is authorized in emergency loans to businesses near military bases that have suffered economic hardship as a result of this deployment.

Finally, the bill allows the SBA to use disaster field offices to process the loans, which will help reduce redtape.

As I understand the bill, most of the funds authorized will come from existing disaster loan funds controlled by SBA. If other spending is required, it will be subject to the normal appropriating process and the deficit reduction agreement.

It certainly was not anyone's intention that people be financially wiped out for serving their country. H.R. 902 is a good, cost-effective solution to the business problems created by the Persian Gulf deployment. I commend Chairman LAFALCE for sponsoring the bill, and I urge my colleagues to support it.

Mr. LAFALCE. Madam Speaker, might I inquire how much time I have remaining?

The SPEAKER pro tempore (Mrs. UNSOELD). The gentleman from New York has 6 minutes remaining.

Mr. LAFALCE. Madam Speaker, we have heard from members of the Small Business Committee, and we have heard from members of the Committee on Veterans' Affairs. I now yield 2 minutes to the gentleman from Texas [Mr. EDWARDS]. Although not a member of the committee, the gentleman worked diligently with the gentleman from New York [Mr. MARTIN], the gentleman from North Carolina [Mr. LANCASTER], and myself, especially on behalf of those provisions that can be extremely helpful to the people from Fort Hood, TX.

Mr. EDWARDS of Texas. Madam Speaker, many Americans made sacrifices in our Persian Gulf war effort. It was a great example of national unity and commitment for a just cause. I think it is appropriate today that we recognize the real sacrifices in that ef-

fort made by communities across our Nation, communities such as Killeen, Harkers Height, Copperas Cove, and others, in my area of Texas.

Madam Speaker, as neighbor cities to Fort Hood, these and other communities overwhelmingly supported our Nation's effort. They supported our troops and their families with volunteer efforts. Having patriotically supported our country's war effort, these communities now find themselves with vacant apartments, bankrupt businesses, lower home values, and businesses struggling to survive. By trying to provide the very services that the Army wants its soldiers to have and their families to have available, Fort Hood area businesses are now devastated, because 25,000 troops from that area left to do their duty in the Persian Gulf.

□ 1420

These communities and many like them throughout the country do not ask for sympathy or handouts. What they do need and what they do deserve is the availability of SBA loans for businesses devastated by the loss from troops temporarily sent to the Persian Gulf.

I want to commend Chairman LAFALCE and Congressman LANCASTER and others for their strong leadership in seeing that these partners in our war effort are treated fairly and helped as we bring our troops back home and get these communities back to normalcy.

Madam Speaker, these communities are partners in our Nation's defense effort. They played their role in our war effort. Now is the time for us to keep this partnership alive, and with this bill we can see that these communities stay healthy so that our returning troops and their families can continue to live in the kind of communities that they deserve to have.

Mr. SPRATT. Madam Speaker, I rise in support of H.R. 902, the Desert Storm small business loan relief bill. This bill gives needed relief to small businesses adversely affected by the Persian Gulf deployment.

H.R. 902 addresses the range of problems that were graphically described in a hearing held March 13, 1991, by the Committee on Small Business, Subcommittee on Environment and Employment. During that hearing, we received testimony from Members of Congress describing the effects of the deployment on reservist-owned small businesses and on small businesses that rely on business from military communities. There is no way these small businesses could prepare for the effects of this deployment. Jacksonville, NC, a community of 25,000 people relies on Camp LeJeune, a military base with 45,000 troops. Seventy-five percent of the troops stationed in Camp LeJeune were mobilized last August. The first district of Georgia relies on business from Fort Stewart. When 16,000 troops were mobilized from Fort Stewart last August, the small businesses in that area were devastated. The problem was compounded when

25 percent of the military families also left the Fort Stewart area. To illustrate, consider that apartment vacancy rates jumped from 4 percent to 40 percent in the first month. H.R. 902 addresses the problem of communities that are so affected and establishes criteria for determining if the damage is due to the deployment of military troops. It lays down strict requirements for the providing of relief from current SBA loans and the granting of new SBA loans.

H.R. 902 also addresses the problem of small businesses owned by reservists. My testimony submitted to the Small Business Committee described the effects of the deployment on reservists who own and manage small businesses or small farms. Eleven percent of enlisted reservists own small businesses, as do 13 percent of reserve officers. The Small Business Administration has attempted to help these families through counseling programs, but there are many businesses that need more substantial help. In my testimony I gave examples of businesses that are in this situation. The examples included a small farm in North Dakota, an independent tax consultant in Pennsylvania, a contractor in Pennsylvania and a small manufacturing business in South Carolina. Testimony during the hearing held on March 13, 1991, included personal statements from Mrs. Carol L. Ploof of East Middlebury, VT, and Maj. David Lough of Fredericksburg, VA. Mrs. Ploof works at a florist shop and her husband recently started an excavation company. Her husband, a member of the Vermont National Guard was deployed to the gulf. Mrs. Ploof is now at the point where she is considering giving up her job in a floral shop to run her husband's excavation business. She has learned to operate the heavy machinery and is determined to keep his business afloat, no matter what effort is required of her. Major Lough is a real estate broker who has been forced to close down one of his offices since there is a legal requirement to have a licensed broker present in the office and he has been deployed to fly C-141 transport aircraft in support of Desert Shield/Desert Storm. During their testimony these two people expressed their support of their country and their pride in participating in the effort to free Kuwait. They did not ask for special handouts nor do they expect them. However, their testimony drives home the fact that the total force concept has affected their livelihoods. We have an obligation to help these people because of the service they render our country. I am pleased that the Small Business Committee has seen fit to report H.R. 902, and I am proud to speak in support of it.

Mr. RAMSTAD. Madam Speaker, I rise today in support of the Small Business Desert Storm Relief Act.

The men and women of our Armed Forces did more than risk their lives in Operation Desert Storm. When called to active duty and sent to the Persian Gulf, these individuals were forced to pick up, and leave their financial commitments behind.

Many of these individuals had to close down their businesses, not knowing when they were coming back home, but realizing they would still be held accountable for paying their bills.

Entire communities were significantly impacted by large troop deployments. In some cases, the population of entire counties were reduced by 25 to 40 percent. While the troops were away, small mom and pop businesses such as restaurants, laundromats, and even gas stations were forced to close.

Congress has already postponed most tax filing requirements for our troops, but we need to go further. This is a significant and very important step to show we really do back our troops. We also need to provide financial assistance to the small business servicemen and women who were called to duty in Operation Desert Storm.

I am pleased to be an original cosponsor of this legislation. Our Small Business Committee passed it quickly and unanimously. This is a great credit to our distinguished chairman, Mr. LAFALCE, and the distinguished minority member, Mr. IRELAND.

Though the fighting may be over, we cannot simply offer our thanks for a job well done. Our troops need to know we will do more than welcome them home with parades and flag-waving rallies. They need to know we will help them meet their financial obligations they incurred as civilians.

I ask my colleagues to join with me in support of this legislation and send a clear message that we continue to support our troops.

Mr. PACKARD. Madam Speaker, I rise in support of the passage of H.R. 902, the Desert Storm Small Business Relief Act. This legislation will provide much needed relief to the owners of small businesses who were called to duty in the Persian Gulf. Federal law requires companies to protect the jobs of employees who are called into military service. The Federal Government should offer similar protection to independent business owners and managers.

Madam Speaker, I would particularly like to commend the gentleman from North Carolina [Mr. LANCASTER] for his efforts on behalf of small businesses in the communities which support our largest military facilities. I also would like to thank the gentleman from New York, chairman of the Committee on Small Business [Mr. LAFALCE], and the gentleman from Florida, the ranking minority member of the committee [Mr. IRELAND], for their cooperation and responsiveness to the concerns raised by Mr. LANCASTER and others, myself included.

Mr. LANCASTER's language will be very important to the small businesses in my district. The 43d District of California contains Camp Pendleton, home of the 1st Marine Division. Economic life in many of the cities in my district, most notably Oceanside, ground to a halt as thousands of marines left to take their places in the front lines of operation Desert Storm, and their loved ones left southern California to stay with close family members until the 1st Division's return.

Madam Speaker, the Lancaster provision, like the other provisions in this bill, will not be costly. There is a \$50,000 loan cap on the loans in H.R. 902. The Small Business Administration will insure that loans will be made only when these businesses have nowhere else to turn for credit and when they demonstrate the ability to repay the loan. I urge my colleagues to support H.R. 902.

Madam POSHARD. Madam Speaker, as a cosponsor of H.R. 902 I rise in strong support of this bill and ask my colleagues for their support.

This bill is part of our effort to recognize the sacrifice of Americans across this country when they were called to participate in Operation Desert Storm. In some cases these men and women left behind profitable businesses that have not quite been the same without them. This bill provides modest financial assistance to those operations until they can return to their former status.

It also reaches a helping hand to businesses at or near large military installations that sent huge numbers of troops overseas. Those business people have gone without a majority of their customers for quite some time, and they too need some help making ends meet until things return to normal.

This is not extra spending for the American taxpayers. This is a loan program, at interest rates that will allow the borrowers to repair their businesses and continue contributing to the well-being of their communities.

The Small Business Committee has quickly but thoroughly examined this legislation and reported it to you today with a unanimous recommendation. I believe it is a modest but reasonable approach to assist our small business, the backbone of the American economy, and to again say our thanks to the men and women of Operation Desert Storm.

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

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from New York [Mr. LAFALCE] that the House suspend the rules and pass the bill, H.R. 902, 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.

GENERAL LEAVE

Mr. LAFALCE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include therein extraneous matter, on H.R. 902, the bill just passed.

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

There was no objection.

DEPLORING THE RELEASE OF MILLIONS OF GALLONS OF OIL INTO THE PERSIAN GULF

Mr. HAMILTON. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 57) deploring the release of millions of gallons of oil into the Persian Gulf and declaring that Saddam Hussein and Iraq should be held legally, morally,

and financially accountable for this cruel act against the environment, as amended.

The Clerk read as follows:

H. CON. RES. 57

Whereas the release of millions of gallons of oil into the Persian Gulf will have a devastating impact on the wildlife and marine life of the Gulf region and endangers the water supplies of several Gulf states;

Whereas the deliberate torching of more than 500 oil wells in Kuwait has created severe atmospheric pollution; and

Whereas Saddam Hussein is responsible for the degradation of the environment: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) deplores Saddam Hussein's vicious attacks against the environment in releasing millions of gallons of oil into the Persian Gulf and torching hundreds of oil wells in Kuwait; and

(2) declares that Saddam Hussein and the current Iraqi regime should be held liable under United Nations Security Council Resolution 686 (1991) for the costs resulting from these deliberate destructive acts, including—

(A) the costs of containment incurred by any nation,

(B) the clean-up costs incurred by any nation,

(C) the costs of restoration of the natural resources, and

(D) Any other costs associated with these environmental catastrophes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

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

Madam Speaker, I rise in strong support of House Concurrent Resolution 57, as amended. This resolution deplors the release of millions of gallons of oil into the Persian Gulf and declares that Saddam Hussein and Iraq should be held legally, morally, and financially accountable for this cruel act against the environment.

I want to acknowledge the very strong leadership of the gentleman from Florida [Mr. GOSS] on behalf of this resolution. I commend him for his sponsorship of this timely resolution and his attention to this issue.

Madam Speaker, I also want to speak a word of commendation to the gentleman from Pennsylvania [Mr. YATRON] for his strong support and cosponsorship of the resolution.

The Committee on Foreign Affairs considered this resolution last week, amended it, and voted it out by voice vote. The resolution, as amended, is supported by the administration.

This resolution is an appropriate expression by the Congress of its view that those who perpetrate acts of environmental damage should be held responsible for cleaning it up.

I wish to point out to the supporters of this resolution and I am among them, that if Iraq is going to be held responsible for environmental damages, Iraq will have to be allowed to export oil to earn the money necessary to pay for that environmental cleanup.

I urge my colleagues to support House Concurrent Resolution 57, as amended.

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

Madam Speaker, this resolution, which deplores Iraq's use of environmental warfare and declares that Iraq should be held responsible for it.

In the course of defending their illegal occupation of Kuwait Iraqi forces were ordered to attack the environment itself in order to slow down allied military advances. Iraqi forces took actions which resulted in the release of millions of barrels of oil into the Persian Gulf. Prior to retreating from Kuwait, they also set afire several hundred oil wells.

At present, no one can say what environmental effects these actions will have. Large quantities of oil have come ashore on the Saudi and Kuwaiti coasts, including marshes and reefs that are the home of many wildlife species. The burning oil wells have produced concentrations of toxic gases and are pouring countless tons of smoke and soot into the atmosphere.

These actions were unprecedented in the history of warfare. As the administration continues to address the issues resulting from the war—including reparations and war crimes—consideration must be given to how to include deliberate damage to the environment.

The present resolution deplors these acts against the environment which were ordered by Saddam Hussein and his military government in Iraq. It also declares that the Iraqi Government should be held liable for those acts in accordance with United Nations Security Council Resolution 686.

Madam Speaker, I wish to commend the chief sponsor of the resolution, the gentleman from Florida [Mr. GOSS], for his work in bringing this important issue to the floor of the House of Representatives.

I also thank Chairman FASCELL for his support for the resolution. Credit also goes to the chairmen and ranking members of the two subcommittees of jurisdiction, Congressmen HAMILTON, GILMAN, YATRON, and BEREUTER.

This resolution is supported by the administration, and in fact is the first legislative action that the administration has accepted on the subject of liabilities for the Persian Gulf war. I'm sure all Members of this House will give it their strong support.

Madam Speaker, I yield the balance of my time to the gentleman from Florida [Mr. GOSS] for the purposes of

managing the balance of the time on the minority side.

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

Madam Speaker, I thank my colleagues for allowing me the opportunity to address them and ask their support for this amended House Concurrent Resolution 57, a measure which deplores Saddam Hussein's ruinous degradation of the Kuwaiti environment and surrounding Persian Gulf region.

Before getting into my remarks, I wish to express my thanks also, my deep thanks to the many people and many staffers who made this possible.

Chairman FASCELL and ranking member BROOMFIELD of the Foreign Affairs Committee certainly made it all work out as we went through the process of something that had not been tried before. They were flexible and supportive and I appreciate that. Chairman HAMILTON and ranking member GILMAN of the Subcommittee on Europe and the Middle East, the appropriate geographic subcommittee, also bent over backward to help make this work and come to the floor and to the attention of the Members of the House at a very, very timely moment. And of course Chairman YATRON and ranking member BEREUTER of the Subcommittee on Human Rights and International Organizations, which is also cosponsoring with us today, deserve a tremendous amount of credit. One other Member who helped me and shared in this very much is my own ranking leader of the Subcommittee on Western Hemisphere Affairs, the gentleman from California [Mr. LAGOMARSINO], who I think will have something to say on this a little while later.

Paramount, of course, is our concern over the loss of human life and the cruel treatment of hostages and innocent civilians brought about by Saddam Hussein's selfish grab for power. But this does not diminish our outrage over the environmental holocaust he has instigated. To most of us here today, the brief accounts we've been getting of viscous sludge enveloping the shoreline and billowing charcoal clouds blocking any glimpse of the Sun seem to belong to the world of the surreal; however, for the people living there, it is real, and it is tragic, and it is needless. It will be years before the Persian Gulf region recovers from the nightmare of Saddam's atrocities. Personal accounts from visitors to the region express spontaneous amazement and anger; amazement about the totality of the devastation and anger in knowing such devastation is the willful and malevolent consequence of one man's warped desire for power.

The intentional dumping of millions of gallons of oil into the gulf waters and the torching of hundreds of Kuwaiti oil wells must be fully accounted for. These are environmental catas-

trophes of vast proportions. These are deplorable acts that threaten the health, welfare, and economic viability of the region. A recent count showed 700 of Kuwait's 950 oil wells were on fire and approximately 84 million gallons of oil were to be cleaned up.

□ 1430

At this point, there are so many unanswered questions regarding these disasters, it is practically impossible to calculate the costs involved. However, it is safe to say they will easily soar into the millions. In addition to the necessary cleanup and restoration projects, we cannot forget the potential health hazards of pollutants released from the burning wells, or the contamination of water desalination plants by lingering oil slicks. Nobody really yet knows what the dollar consequences will be to agriculture or to marine commerce. Nobody can yet accurately predict a waste of natural resources figure, but it will be high when it arrives.

The outrage against Hussein and public demands for accountability for these acts of unprovoked environmental degradation continue to grow. This resolution recognizes this public sentiment. Whereas United Nations Resolution 686 expresses that Saddam Hussein and the current Iraqi regime should be held liable for "any loss, damage or injury arising in regard to Kuwait and third states," this resolution, which has the support of the State Department and OMB, and, I understand, their boss, because I believe the President of the United States has spoken within the last 24 hours to this, clearly spells out that this liability should apply to the environmental costs as well. We cannot turn back the clock and somehow wish these terrible events away. It is up to the world community to ensure that Saddam Hussein is made responsible for his rape of Mother Nature—and we must send an unquestionable message to other would-be aggressors that such unspeakable acts will not be tolerated. I urge my colleagues' support.

Madam Speaker, I yield 3 minutes to my colleague, the gentleman from New York [Mr. GILMAN], the ranking member of the subcommittee to whom I previously referred.

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

Madam Speaker, I am pleased to rise to lend my strong support to House Concurrent Resolution 57, condemning the release of millions of gallons of oil into the Persian Gulf by Saddam Hussein and the Iraqi Army. I would also like to take this opportunity to commend the gentleman from Florida [Mr. GOSS] and the gentleman from California [Mr. LAGOMARSINO] for their dedication to our environment and hard work on this important measure.

The environmental consequences of the worst oilspill in history, combined with over 800 oil wells currently burning out of control cannot be estimated. At a minimum, the ecosystem of the Persian Gulf region has been disrupted and possibly destroyed. Any environmental recovery will take several decades and billions of dollars both in direct cleanup costs and indirect costs through the destruction of agriculture and fishing.

Most importantly, this resolution urges the U.N. Security Council to hold Saddam Hussein and Iraq financially responsible for these costs through war reparations and any other effective and acceptable measure. By holding Saddam Hussein responsible, we will be sending a clear message to other dictators that such actions will not be tolerated.

Let us not forget that while the immediate effect of the oilspill and massive air pollution from the burning wells have affected only the fish and birds in the gulf, it is only a matter of time when the enormous costs of this disaster begin to be paid in terms of lower harvests of fish and acid rain falling throughout the region.

As we support this resolution, our thoughts and prayers have been and will continue to be with our brave men and women of our Armed Forces serving our Nation in the Persian Gulf, dedicated to bringing freedom to the people of Kuwait. Now it is our turn to make certain that the freedom they fought for so valiantly will not be tainted should Saddam Hussein's environmental crimes go unpunished.

Mr. GOSS. Madam Speaker, I yield 4 minutes to my colleague, friend, and associate who helped make this possible, the gentleman from California [Mr. LAGOMARSINO].

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

Madam Speaker, I rise in strong support of House Concurrent Resolution 57, the resolution our colleague PORTER GOSS introduced along with me in condemning the intentional release of millions of gallons of oil into the Persian Gulf by Saddam Hussein.

Earlier last month, I along with PORTER GOSS and others introduced House Concurrent Resolution 55, which similarly condemns this act of ecoterrorism by Saddam Hussein and holds Iraq 100 percent responsible for the economic losses, environmental damages, and cleanup costs associated with this outrageous oilspill.

This oilspill, which is estimated to be far greater in magnitude and potential damage across the board than the infamous spill in Alaska's Prince William Sound, threatens wildlife, plant life, fishing and aquaculture industries, water desalination plants, and the ecological future of the entire gulf.

Saddam Hussein's reckless actions had little, if any, military value. By threatening water supplies and economic livelihoods, this oilspill especially hurts the working class Arabs throughout the gulf that Saddam Hussein claims to represent and claims to want to liberate. By threatening the gulf waters and the plant life and wildlife that inhabits it—including rare species like the dugong, a relative of Florida's manatee, sea turtles, birds and dolphins, among others, Saddam Hussein is really targeting the environmental heritage and future of the region. As we have witnessed by so many other of his actions in Kuwait, Iran, and inside Iraq, Saddam Hussein is clearly a destroyer, not a liberator.

I want to take this opportunity to thank Congressman DANTE FASCELL, the chairman of the Foreign Affairs Committee, who as a representative of a southern Florida coastal district shares our concern about our oceans, for bringing this issue up before the full committee in a timely manner. During the committee markup, we incorporated some improvements suggested by the State Department as well as the key provisions of my resolution, House Concurrent Resolution 55, into the measure before us today. We have a good, solid resolution that is supported by the administration and has been cosponsored by many of our colleagues on both sides of the aisle representing the full spectrum of political views in this Congress.

Sadly, the consequences of Saddam Hussein's intentionally reckless actions did not end with the liberation of Kuwait. Hundreds of oil wells are still burning in Kuwait and pumping vast amounts of pollution into the air, literally turning day into night and depositing soot everywhere, particularly in the lungs of innocent people. The Kuwaiti Ambassador tells me 1 million barrels a day are being burned. While international efforts, including an interagency team led by the U.S. Coast Guard, have tried to clean up the oilspill in the gulf, deadly pollution still exists and in some cases is settling to the bottom of the gulf suffocating all it covers. These intentional actions of Saddam Hussein aimed at innocent people and our planet itself are nothing more than terrorism in its most vile form. They underscore the type of inhuman dictator Saddam Hussein really is.

I believe this resolution sends an important signal to Iraq and the rest of the world that we will not ignore Saddam Hussein's deliberately destructive ecological terrorism. This resolution declares that Saddam Hussein and the current Iraqi regime should be held liable under U.N. Security Council Resolution 686, 1991, for all costs to any nation including containment, cleanup, restoration of natural resources, and any other costs associated with these

environmental catastrophes. Iraq caused this mess and Iraq is responsible for fully cleaning it up.

I hope that strong action by the United States and the United Nations in response to this disaster will serve as a deterrent to any future tyrant contemplating ecoterrorism. The bottom line is ecoterrorism does not pay and ecoterrorists will be held accountable.

Again, I want to thank PORTER GOSS for his leadership and working with me on this critical issue. Representing an environmentally sensitive part of California's coast and witnessing the tragedy of an oilspill first hand in 1969 in Santa Barbara, this issue is of great importance to me. I urge my colleagues to join me in passing House Concurrent Resolution 57.

Ms. PELOSI. Madam Speaker, I rise today in support of House Concurrent Resolution 57, condemning the Government of Iraq for its use of environmental terrorism during the Persian Gulf war.

On January 12, as Congress considered whether or not to authorize the use of force in the gulf, I raised, in addition to questions about the human costs of war, the issue of war's effect on the environment. Sadly, much of what was warned against has come to pass: Today, fires destroy 6 million barrels of Kuwaiti oil each day—three times the country's normal output; smoke and soot threaten fragile ecosystems as far away as northern India; and over a million gallons of crude oil, an amount 6 times the size of the *Exxon Valdez* oilspill, blacken the beaches and wildlife habitats of gulf coastal areas. The result is an environmental legacy of war that will effect the economies of all the gulf states for decades.

Although we are aware of environmental devastation in the gulf, little is known about the long-term environmental ramifications of the war. On January 25, 17 Members of Congress sent a letter to the U.N. Environmental Programme [UNEP] urging the organization to initiate immediately a study on the environmental effects of a full-scale war in the gulf. More recently, 13 of us called for congressional hearings on the issue. It is imperative that we ascertain the environmental damage to the gulf area, so that the international community can move quickly to mitigate this environmental disaster.

During the months that led up to the war, the President spoke repeatedly of the need to restore peace and stability in the Persian Gulf. Today, massive environmental destruction threatens the economic stability of the entire gulf region and parts of south Asia. Immediate action is required to restore the environmental quality of the gulf and to enact international mechanisms for preventing the use of environmental terrorism in future conflicts.

I urge my colleagues to vote for this resolution and to support further efforts to protect our environment from all ravages of war.

Mr. YATRON. Madam Speaker, I rise in strong support of House Concurrent Resolution 57. This resolution deplors Saddam Hussein's vicious attacks against the environment including the release of millions of gallons of

oil in the gulf. I want to commend Congressman GOSS and Congressman LAGOMARSINO for their leadership in sponsoring this measure. I also want to recognize the outstanding efforts of Chairman FASCELL, and Congressmen HAMILTON, BROOMFIELD, GILMAN, and BEUTNER on this most critical matter.

The resolution calls for the Iraqi Government to pay all costs associated with this massive cleanup. These costs would be consistent with U.N. Security Council Resolution 686 which holds the Iraqi Government liable for this environmental disaster.

The Foreign Affairs Committee passed House Concurrent Resolution 57, after adopting an amendment in the nature of a substitute offered by Mr. GOSS. The substitute further clarifies some of the horrible environmental misdeeds deliberately perpetrated by Saddam Hussein and incorporates some suggestions of the administration.

Madam Speaker, it is now clear that the environmental damage caused by Saddam Hussein will have long-term, devastating effects. To allow such despicable tactics to go unaccounted for would be a gross injustice and would invite future dictators to wage similar atrocities.

Madam Speaker, I ask all my colleagues to support House Concurrent Resolution 57, as amended.

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

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

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Indiana [Mr. HAMILTON] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 57, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title was amended so as to read: "Concurrent Resolution deploring the blatant destruction of the environment in the Persian Gulf region, and declaring that Saddam Hussein and the current Iraqi regime should be held liable under United Nations Security Council Resolution 686 for these cruel acts against the environment."

A motion to reconsider was laid on the table.

□ 1440

GENERAL LEAVE

Mr. HAMILTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 57, as amended, the concurrent resolution just agreed to.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from Indiana?

There was no objection.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Kalbaugh, one of his secretaries.

INTRODUCTION OF THE PUBLIC INTEREST RISK ALLOCATION ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. GLICKMAN] is recognized for 5 minutes.

Mr. GLICKMAN. Madam Speaker, I am pleased to introduce today the Public Interest Risk Allocation Act of 1991. I take great pride in announcing that this important legislation is cosponsored by my good friend and the ranking minority member of the House Judiciary Committee, HAMILTON FISH. We recognize the importance of the private sector in providing high-risk services to the Federal Government and hope that this bill can move forward to provide a fair allocation of the risks involved.

BACKGROUND

The design professional firms that provide architectural and engineering [A-E] services to the Federal Government share a sense of alarm and frustration at the escalating liability exposure they are asked to assume under Federal contracts for activities that have a substantial risk of injury. Under current Federal law, the indemnification protection available to the design professional is extremely limited. This statement outlines the nature of the risks, the key elements of this bill that is a response to deal with those risks, and the benefits-disadvantages to the public and industry that accompany such a response.

I. NATURE OF UNACCEPTABLE RISKS

Madam Speaker, the Federal Government has a need for and requires the assistance of design professional firms to address activities that have a substantial risk of injury. These activities include safety inspections, bridge inspections, asbestos removal, hazardous wastes, mixed wastes, testing, evaluation, et cetera. While contracting for design professional services to address the technical aspects of these activities that have a substantial risk of injury, the Government fails to address the risk-sharing and public safety aspects of the responsibilities which the contractor is asked to assume. Without adequate protection, the Government leaves the contractor significantly exposed to catastrophic loss and the public with severe apprehension with respect to the ability of victims to recover from contractors who perform the work assigned in the event of such a loss. Failure to provide a reasonable limitation on liability through an indemnification provision will result in further erosion of the contractor base. In the past 10 years, there has been a significant decline in the participation of responsible contractors in Federal activities that have a substantial risk of injury. As a result, the contractors who remain in the available pool will tend to be those with few assets who simply count on their abil-

ity to declare bankruptcy to avoid liability in the event of a disaster or catastrophic loss. The impact on the public is enormous.

In certain limited circumstances, the Government has recognized the need for indemnification to obtain the participation of highly skilled, technically superior contractors in selected activities that have a substantial risk of injury. For example, indemnification has been provided in legislation and implementing regulations for nuclear powerplant contractors, space shuttle contractors, military research and development contractors, Federal aviation traffic control system contractors, and selected vaccine manufacturers.

In each instance cited above, our colleagues in the Congress recognized the potential for a catastrophic loss. Members also saw the need for public confidence in the ability of the contractor to perform the contract and to develop an effective solution to meet the Government's requirements without fear of exposure of unlimited liability.

Parallel activities that have a substantial risk of injury with potential for catastrophic loss are present when a design professional is asked to perform the tasks related to the projects that have a substantial risk of injury as outlined above.

II. LIMITATION OF RISKS

To combat the reluctance of responsible design professional firms to participate in activities that have a substantial risk of injury and public fears about the consequences of catastrophic loss, the Congress must narrow the liability exposure of the design professional. This goal can be met best by a series of simple steps designed to share the risk between the design professional and the Government:

Indemnification of contractors who provide design professional services for activities that have a substantial risk of injury over the amount of reasonably priced and available insurance up to a cap of \$5 billion or five times the contract value, whichever is greater.

Coverage of all defined activities that have a substantial risk of injury performed by design professionals clearly acknowledge with contract clause.

Standard: Liability standard for design professionals: claimant must establish by a preponderance of the evidence that design professional services are the proximate cause of the injury.

Statute of Repose: If suit brought within 10 years of date after public use, occupancy, or control of the project.

Exclusion: Gross negligence, intentional misconduct, or bad faith of any director, officer, or managing official.

Contractor liable for proven claims up to amount of insurance coverage—if coverage available at fair and reasonable costs. Government liable for payments under proven claims that represent differential between insurance coverage and claims up to \$5 billion.

Presumption of indemnification in the absence of insurance availability at fair and reasonable price at time contract signed.

Define scope of activities that have substantial risk of injury to include design professional activities to promote, facilitate, or support human health or safety, including emergency preparedness or response, environmental protection or cleanup, health or safety regulation,

and related activities if the activities involve participation in, support of or assistance to that activity, including, but not limited to, activity that constitutes conceiving, designing, planning, testing, analyzing, evaluating, advising, preparing, assembling, manufacturing, constructing, collecting, producing, combining, conducting, performing, controlling, managing, storing, transporting, supplying, disseminating, using, applying, operating, maintaining, repairing, replacing, or disposing.

III. IMPACT ON PUBLIC, GOVERNMENT, AND DESIGN PROFESSIONALS

I would now like to share with my colleagues some of the benefits and advantages to the public, to the Federal Government, and to the design professionals industry that I anticipate will derive from this act. If an indemnification bill for Federal design professionals who contract to perform services that have a substantial risk of injury is adopted, the impact on the interested parties will be significant. This impact can be summarized in the following highlights.

The public will benefit in several ways. First, there will be increased confidence in the quality of design professionals who perform activities that have substantial risk of injury with the predictable assurance that victims of a disaster will receive reasonable compensation.

Although there is a potential limitation on recovery of victims because of the cap, the \$5 billion figure is high enough so that only the most catastrophic incidents might not be fully covered.

For the Government there are also enormous benefits. The improved quality of design professional firms expands the available pool and reduces potential for catastrophe. There is a limitation on Government exposure because of the cap on liability. Appropriately, the Government is required to share risk with design professional firm. Since the Government is only responsible for payment of the proven claims differential between insurance coverage and cap, any potential drain on Treasury is kept to a minimum.

From the perspective of the design professional firms the bill would remove the burden of unlimited liability. With predictable coverage identified at the time of contract award the design professional firm will have an incentive to increase its participation in activities that have a substantial risk of injury.

Design professional firms recognize that the bill leaves to the discretion of the OFPP and the contracting officer the determination of the availability of insurance coverage. This is a vast improvement over current law since it requires that contract be identified as an activity that has substantial risk of injury in contract clause prior to award.

Madam Speaker, I urge my colleagues to give careful consideration to this important measure and to join me in addressing this most serious problem for the members of the design professional community and for the public.

POST-TRAUMATIC STRESS DISORDER

The Speaker pro tempore. Under a previous order of the House, the gen-

tleman from Indiana [Mr. JONTZ] is recognized for 5 minutes.

Mr. JONTZ. Madam Speaker, I rise today to discuss the issue of post-traumatic stress disorder among our Nation's veterans.

The most personal cost associated with war is the toll that it takes on people's lives, particularly the servicemen and women who fought and their families.

In conflicts such as World War II, Korea, Vietnam, and in the Persian Gulf as well, American soldiers have gone into battle as normal and healthy individuals, able to cope with the daily stresses of life. But many have returned adversely impacted by the combat which they experienced, some with physical scars and others with mental scars.

PTSD is a mental health condition which is a response in some soldiers of all wars to the combat they experienced. PTSD also occurs among victims of violent crime, natural disasters and other events outside the realm of normal experience.

As it pertains to combat, studies have shown that the incidence of PTSD is directly related to the intensity and frequency of combat to which a soldier was exposed. PTSD is not the result of combat exacerbating some previous problems that a soldier may have had, as is sometimes mistakenly believed.

More than 960,000—or 30 percent—of our 3.1 million Vietnam theater veterans have been affected by PTSD at one time or another, and an estimated 479,000 are still suffering from the disorder, according to the VA's own study on the readjustment of Vietnam veterans.

It is too soon to tell how many veterans and their families will be affected by the Persian Gulf conflict and the incidence of PTSD associated with it. The war was brief, combat was less severe than expected, and support for the troops has been high. Because of the vastly different nature of the Persian Gulf war, it is unlikely that 30 percent of our Persian Gulf veterans will develop PTSD, but we know that the war will produce some cases of PTSD and that it may be years before we know the full extent of its impact.

We do know today that the Persian Gulf war has already affected Vietnam veterans. Treatment professionals and readjustment counselors from across the country have reported that media coverage of the war has sparked vivid memories of combat and more symptoms of PTSD in Vietnam veterans. The homecoming celebrations, the recognition and benefits we are bestowing on Persian Gulf veterans are well-deserved, but we cannot leave a past generation of veterans forgotten.

It is important for the Congress to remember that we have an obligation to all veterans, regardless of the support which was given to the war in

which they fought, regardless of their age, and regardless of the particular battles in which they served.

Vietnam veterans fought for our Nation just like Persian Gulf veterans did. They risked their lives and suffered wounds both physical and mental. They served their country with skill and dedication—just like our Persian Gulf veterans did.

Many Vietnam veterans in Indiana have been included in "Support the Troops" rallies and are involved in preparations for homecoming celebrations. This inclusion is one means by which we can give proper recognition for the contribution that each and every Vietnam veteran made to our country.

But as long as veterans of Vietnam and other conflicts are bearing the costs of untreated wounds from their service, we cannot rest.

With that in mind, the Congress should endeavor to ensure that each and every veteran who needs PTSD treatment or readjustment counseling receives it from the VA. Persian Gulf veterans and their families will need help, but a need that is no less important is providing help for the 480,000 Vietnam veterans who are still suffering from PTSD—20 years after most of them came home.

Madam Speaker, the Congress has taken some action in recent weeks to provide more funding for the VA's PTSD treatment programs. Two weeks ago the House approved \$4 million as part of the fiscal year 1991 supplemental appropriations bill for 8 new PTSD inpatient units and \$1.4 million to provide readjustment counseling to Persian Gulf veterans. These are good initial steps, but this \$5.4 million by itself will not be adequate to meet the needs which exist for PTSD treatment as identified by the VA's own study completed in 1988 and the VA's own committee of medical professionals who specialize in PTSD treatment.

There are currently 20 inpatient units in VA hospitals to treat PTSD, and if the supplemental appropriation is signed into law, there will be 8 additional units in operation this year.

For the past 7 years, the Chief Medical Director's Special Committee on PTSD has recommended the establishment of a total of 50 inpatient units. For 7 years, their calls have gone unheeded by the administration.

There are currently 44 PTSD clinical teams in VA hospitals to provide medical services and psychological counseling to veterans with PTSD.

For the past 7 years, the Special Committee has recommended the establishment of one clinical team in each of the 158 VA hospitals which deliver mental health services.

The Special Committee's calls cannot be ignored any longer. The incidence of PTSD among veterans and the VA's capacity to treat it have been

well-documented. It is now a matter of devoting the resources necessary to address the problem.

H.R. 841, the Veterans PTSD Treatment and Psychological Readjustment Act of 1991, would implement many of the Special Committee's recommendations.

The legislation was originally introduced in July 1989 in recognition of the foot-dragging by the VA and Congress in expanding PTSD services. This measure was amended into a veterans' health care bill introduced by the chairman of the House Veterans' Affairs Committee, G.V. MONTGOMERY, and was passed by the House in October, but regrettably it was not taken up by the Senate.

With the help of PTSD treatment professionals, mental health organizations and veterans organizations, our bill was refined and reintroduced last month.

Madam Speaker, I want to caution my colleagues that while the increased funding proposed in the supplemental appropriations bill will be helpful for expanding the VA's service delivery system for PTSD treatment, more needs to be done and should be done this session.

What the VA does for PTSD, when properly funded, it does well. The VA's National Center for PTSD is the world's leader in research, education and the development of treatment models for PTSD. Many of the programs at local hospitals are effective, but the program at Marion, IN, for instance, has never had more than 12 beds and has operated on a tenuous basis because it has been funded at the local level, and not by the VA's Central Office.

Madam Speaker, the personal costs of war for the 479,000 Vietnam veterans with PTSD remain today, 20 years after they came home. We've paid the bills for the bullets and bombs, but we haven't fulfilled our obligation to the men and women who fought the war.

I agree with the chairman of the Veterans' Affairs Committee that the costs of any war include providing medical care to those veterans who need it as a result of their participation in that conflict. There is no greater example of a combat-related condition than PTSD. While it is not as visible as a shrapnel wound or a lost limb, it is a mental scar that affects not only the veteran but also his family and friends.

Madam Speaker, as the House considers improvements and funding for veterans' programs, it should pass comprehensive legislation and increased funding to address PTSD.

□ 1450

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 355, RECLAMATION STATES DROUGHT ASSISTANCE ACT AMENDMENTS

Mrs. SLAUGHTER of New York, from the Committee on Rules, submitted a privileged report (Rept. No. 102-25) on the resolution (H. Res. 114) providing for the consideration of the bill (H.R. 355) to amend the Reclamation States Drought Assistance Act of 1988 to extend the period of time during which drought assistance may be provided by the Secretary of the Interior, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CLOROX COMPANY BECOMES 50TH MEMBER OF CIIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. VALENTINE] is recognized for 5 minutes.

Mr. VALENTINE. Madam Speaker, on February 15 the Clorox Co. became the 50th member of the Chemical Industry Institute of Toxicology (CIIT).

CIIT is a nonprofit, industry-funded organization. The Institute provides a conducive environment for extended high-risk interdisciplinary team research. Using contemporary technology, the Institute's scientists focus on basic problems in toxicology.

CIIT, which is located in the Research Triangle Park district which I represent, has been in existence for only 15 years, yet in that time it has established itself as a leader in the development of the basic science of human toxic risk assessment. Primary research at CIIT has produced new methods that are used in laboratories throughout the world, and we have all benefitted from safer and more effective products that have been developed.

I have visited CIIT headquarters and spoken before the board of directors. I have been highly impressed with the Institute and the companies that support it. The list of companies reads like a who's who of industry.

CIIT is an excellent example of how private industries can work together in a responsible manner to protect the public without infringing on the competitive process. I am delighted to recognize the outstanding achievements of CIIT.

The following is a list of the 50 companies which support the CIIT:

Air Products & Chemicals, Inc.
Allied Signal, Inc.
Amoco Chemical Co.
ARCO Chemical Co.
Bayer USA, Inc.
BP America, Inc.
Chevron Corp.
CIBA-GEIGY Corp.
The Clorox Co.
The Dow Chemical Co.
Dow Corning Corp.
E.I. du Pont de Nemours & Co., Inc.
Eastman Kodak Co.
Ethyl Corp.

Exxon Chemical Co.
Fina Oil & Chemical Co., subsidiary of American Petrofina, Inc.
FMC Corp.
GAF Chemicals Corp.
General Electric Co.
Georgia Gulf Corp.
The BF Goodrich Co.
W.R. Grace & Co.
Hoechst Celanese Corp.
Huls American Inc.
ICI American Inc.
The Lubrizol Corp.
Lyondell Petrochemical Corp.
Mallinckrodt, Inc.
Manville Corp.
Mobil Research & Development Corp.
Monsanto Co.
Nalco Chemical Co.
National Starch & Chemical Co.
NOVA Corporation of Alberta
Occidental Chemical Co.
Olin Corp.
Phillips 66 Co.
PPG Industries, Inc.
The Procter & Gamble Co.
Quantum Chemical Co.
Reichhold Chemicals, Inc.
Rhone-Poulenc, Inc.
Rohm & Haas Co.
Sandoz Crop Protection Corp.
Shell Chemical Co.
Texaco, Inc.
Union Carbide Corp.
Unocal Corp.
Volkswagen of America.
Vulcan Materials Co.

IN CELEBRATION OF 100TH ANNIVERSARY OF BIRTH OF CHIEF JUSTICE EARL WARREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. EDWARDS] is recognized for 60 minutes.

GENERAL LEAVE

Mr. EDWARDS of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

Mr. EDWARDS of California. Madam Speaker, I rise for this special order to commemorate the 100th anniversary of the birth of one of the greatest Chief Justices to lead the Supreme Court of the United States, Chief Justice Earl Warren.

With our eyes on the unbelievable police brutality recently recorded in the Los Angeles area, with the rollback of civil rights across the land, it is a fitting time to remind ourselves of the legacy of Chief Justice Earl Warren and the Warren Court.

Earl Warren was part and parcel of the American Dream. He was born to immigrant parents on March 19, 1891,

in Los Angeles, CA. After the family moved to Bakersfield, his dad worked as a railroad car repairman. It was a family of very modest means, but steeped in religious faith and rich in love.

Warren was a product of California's public schools. Following an interest in the law held from his earliest youth, he worked his way through college and law school at the University of California at Berkeley. He was admitted to the California Bar in 1914.

After being discharged as a first lieutenant at the end of World War I, he began a distinguished career in public service that spanned a half-century. I would be remiss if I neglected to mention that he also was a lifelong devotee of the great American pastimes of football and baseball.

A self-made man, Earl Warren worked his way up in various crime enforcement positions, and by 1925 he was elected the district attorney of Alameda County, CA. He proved a tough adversary of the criminal element and built a national reputation as a tough but fair prosecutor, totally committed to law and order.

After 14 years of exemplary service, Warren was elected State attorney general and acquired fame as the racket-busting attorney general of California. Demonstrating his great skill as an administrator, he also modernized an antiquated attorney general's office. Under Warren's leadership, that office became second only to the Governor's in its power and influence.

In 1942, Earl Warren ran for Governor of California. Even though he was a lifelong Republican, he cross-filed and won three primaries—the Republican, the Democratic, and the Progressive. He won the election, too, taking office during the turbulent years of World War II. He went on to serve as Governor of California for an unheard of three consecutive terms, from 1943 to 1953.

Throughout his tenure, he was well-loved, well-respected, and he led the State with great wisdom and skill during California's wartime industrialization and postwar growth. A great administrator, his successes included a Department of Mental Hygiene that became a model for other States, an outstanding program for highway development, the Central Valleys project that provided Californians with low cost hydroelectric energy, a strengthened California university system, and a reorganized State prison system.

After the death of Chief Justice Fred M. Vinson, President Eisenhower called on Governor Warren. In nominating him as Chief Justice of the United States Supreme Court, President Eisenhower had this to say of Earl Warren:

A man whose reputation for integrity, honesty, middle-of-the-road philosophy, experience in government, experience in the law,

were all such as to convince the United States that here was a man who had no ends to serve except the United States, and nothing else.

In 1953, Warren resigned as Governor of California to don the black robes and the awesome responsibility of the 14th Chief Justice of the United States. The new Chief Justice was faced with a host of justiciable problems that urgently demanded redress.

For those who have criticized the Warren Court for its so-called judicial activism, the Washington Post said it best on the occasion of Earl Warren's 75th birthday:

Not since the formative days of the Republic when John Marshall presided over its deliberations has the Supreme Court played so dynamic a part in American affairs as during the dozen years since Earl Warren became Chief Justice of the United States. Great issues of individual rights, not yet ready for judicial decision in the first century and a half of the country's territorial and economic development, presented themselves inescapably for adjudication. A willingness on the part of Justices to meet issues when they become ripe for resolution . . . is really nothing more than a recognition of the Supreme Court's responsibility to serve effectively as guardian of a living Constitution related to current realities—and to serve especially as guardian of the spirit of liberty characterizing that Constitution.

Indeed, in 1789, when James Madison wrote to Thomas Jefferson regarding the need for a bill of rights for the new nation's constitution, he argued that the liberties contained therein would only "acquire by degrees the character of fundamental maxims and as they become incorporated with the national sentiment, counteract the impulses of interest and passion."

Warren served as Chief Justice from 1953 to 1969, years of intense social upheaval. Here's the way Charles Morgan, Jr., in an article in the Nebraska Law Review's November 1968, issue described how it was back then:

*** [Earl Warren] presided over the Court at a time when an accumulation of assorted injustices could no longer be swept under the judicial rug.

Black children were attending public schools that were considerably more separate than equal, and penniless prisoners were being put on trial without assistance of counsel. Even when a lawyer was appointed to represent an impoverished defendant in court, his conviction might already have been assured by a confession wrung from him in the station house by force, by guile, or simply by taking advantage of his ignorance of his right to silence and to counsel.

When Earl Warren raised his right hand in 1953 and swore to "administer justice without respect to persons and do equal right to the poor and to the rich", he took those words quite literally.

Called to address some of the most controversial and far-reaching issues ever to come before it, the Warren Court made the Bill of Rights binding on State governments; outlawed public school segregation; forbade compulsory

religious exercises in the public schools; barred racial discrimination in voting, in marriage laws, in the use of public parks, airports, buses and bus terminals, and in housing sales and rentals; enunciated the one-man-one-vote doctrine; protected the exercise of free speech; curbed wiretapping; upheld the right to be secure against unreasonable searches and seizures; strengthened the right to counsel; guaranteed the right to jury trial when charged with something more serious than a "petty" offense; upheld the right to disseminate birth control information. The list goes on, but let me highlight just those historic decisions.

In *Brown versus Board of Education*, issued in 1954, the Warren Court struck down the whole structure of segregated public schools. Here, Chief Justice Warren wrote:

To separate [Negro pupils] from others of similar age and qualifications solely because of their race generates a feeling of inferiority *** that may affect their hearts and minds in a way unlikely ever to be undone ***.

We conclude that in the field of public education, the doctrine of separate but equal has no place. Separate education facilities are inherently unequal.

Miranda versus State of Arizona, handed down in 1966, breathed life into the Constitution's guarantee of due process and made clear that the police, in the administration of the law, are not above it.

Thus, in this decision, the Court ensured the right of every arrested person to see a lawyer before being questioned by the police, the right to be informed of the nature of an accusation, and the guarantee that no one shall be compelled in any criminal case to be a witness against himself. Here, the Chief Justice wrote:

The current practice of incommunicado interrogation is at odds with one of our Nation's most cherished principles—that the individual may not be compelled to incriminate himself. Unless adequate protective devices are employed to dispel the compulsion inherent in custodial surroundings, no statement obtained from the defendant can truly be the product of his free choice.

In *Reynolds versus Sims*, issued in 1964, the Warren court laid down the guiding principle of one man, one vote. Here, Warren wrote:

Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests.

The right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.

Earl Warren once said:

The heart of any constitution consists of its bill of rights, those provisions that secure to the people their liberty of conscience, of speech, of the press, of lawful assembly, and

the right to uniform application of the laws and to due process.

Chief Justice Warren's deep and passionate commitment was to that heart, the individual rights of each citizen, rich or poor, black or white, regardless of status or lack thereof. When he announced his retirement from the bench, Warren said:

Justice in individual cases is the basis of justice for everyone. A failure to protect and further anyone's individual rights leads to justice for no one *** Justice will be universal in the country when the processes as well as the courthouse are open to everyone. This can occur only as the institutions of justice, the courts and their processes are kept responsive to the needs of justice in the modern world. Such a goal will be accomplished only as all elements of the legal system, the law-makers, practicing attorneys, legal scholars and judges, recognize the ever-changing effects of the law on society and adapt to them within the principles which are fundamental to freedom.

Once when he was asked how he would like to be remembered in the history books, Warren said: "I'd like to be remembered as having done the best I could". A nation grateful for his steady stewardship in tumultuous times will remember him for that and for so much more.

Earl Warren's record of public service left us legacies of fairness, honesty, and ability which his successors have found difficult to equal, impossible to surpass. Enforcing the rule of law, he changed the face of our Nation.

The Warren court, with little help from Congress or the White House, helped the country take a giant step toward our national goal of equal justice under law. Earl Warren showed us the path to justice. It is up to us to follow it.

Mr. MARTINEZ. Madam Speaker, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman from California.

Mr. MARTINEZ. Madam Speaker, I thank the gentleman for yielding to me.

Madam Speaker, I rise today to honor the centennial birth of a great American and to pay tribute to a historic figure who left his imprint on American society—Chief Justice Earl Warren. Earl Warren's careers in politics and law are impressive testimonials to his stature and brilliance, but it is for his role as Chief Justice of the U.S. Supreme Court that he will be best remembered and embraced by future generations of Americans.

Several years prior to becoming the Chief Justice, Earl Warren, then Governor of the State of California, stated:

The heart of any constitution consists of its bill of rights, those provisions that secure to the people their liberty of conscience, of speech, of the press, of lawful assembly, and the right to uniform application of the laws and to due process.

Madam Speaker, it is these very rights that Earl Warren spoke of as

Governor of California in 1947, that he would champion as Chief Justice of the Supreme Court from 1953 until his retirement in 1969. For Earl Warren, "equal justice under the law" meant exactly that, equal justice for all individuals regardless of the color of their skin or the size of their purse.

During his 16-year tenure as Chief Justice of the U.S. Supreme Court, Earl Warren strengthened civil rights for all Americans, including minorities. Ever cognizant of the fragile balance between the overbearing powers of the State and the rights of citizens, the Warren Court moved to protect and clearly delineate the fundamental civil liberties of individuals—our "inalienable rights"—from the encroachment of Government. Moreover, Earl Warren wove compassion with justice in a series of landmark Court decisions that strengthened the very fabric and moral fiber of this great Nation.

It was under the Warren Court that the specious doctrine of "separate but equal" was finally overturned and laid to rest in *Brown versus Board of Education*. In that historic decision, Chief Justice Warren, writing for a unanimous Court, wrote " * * * in the field of public education, the doctrine of 'separate but equal' has no place. Separate education facilities are inherently unequal." The Warren Court subsequently moved to dismantle the legal barriers that had separated black Americans from white Americans—setting the stage for the Civil Rights Act of 1964.

In *Reynolds versus Sims*, the Warren Court restored one of the most sacred and fundamental principles in American democracy, the principle of "one man, one vote." Writing the majority opinion, Chief Justice Warren stated that "legislators represent people, not trees or acres" and went on to argue that " * * * the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." Thus, reapportionment could not be used to dilute or weaken the vote of a single American citizen.

In *Miranda versus State of Arizona*, the Warren Court strengthened the rights of suspects not to incriminate themselves by imposing strict constraints on the admissibility of confessions. Decision after decision, the Warren Court ruled in favor of the constitutional rights of the individual, protecting the rights of the people from the potentially excessive and sometimes overzealous reach of the Government. Former Associate Justice Tom Clark said of Chief Justice Warren's tenure of the Supreme Court:

Beyond question, the rights of man have been enlarged and extended further and given more constitutional protection than ever before. This is not to say that the Chief Justice brought this about singlehandedly

* * * but as one who was on the court, I add that it might well have never been done without him.

Chief Justice Warren understood that our Founding Fathers designed the Constitution of the United States to be a living document, a document that would have the flexibility to address the changing needs of our dynamic society. In this regard, Americans owe an eternal debt of gratitude to Earl Warren for breathing new life into the Constitution, making this most cherished document more responsive to the needs of people, which lies at the very heart of American democracy.

Mr. EDWARDS of California. Madam Speaker, I thank the gentleman from California [Mr. MARTINEZ]. The gentleman is one of the great heroes of southern California and has been forthright and skillful in advancing the rights of Hispanic Americans, as a matter of fact of all Americans. I know that he keenly appreciates the enormous contribution made by Chief Justice Earl Warren, our fellow Californian, and I thank the gentleman from California [Mr. MARTINEZ] very much.

Madam Speaker, I now have the honor of yielding to one of our dear friends, someone who was here when the Warren court was in sway, the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Madam Speaker, I rise today, on the 100th anniversary of his birth, to pay tribute to one of the most distinguished men of this century, Chief Justice Earl Warren.

Earl Warren was one of the most esteemed and courageous judges our Highest Court has ever produced. He was responsible for helping to shape this country's modern social and political destiny, and continues to stand out as a source of leadership and pride for the entire Nation.

I feel privileged to have been able to regard him as a close friend as well as a leader. I have especially fond memories of my friendship with Earl Warren which began in 1943 when he was sworn in as Governor and I as a member of the California State Assembly. During the time we served together in Sacramento, we were able to establish a professional camaraderie which I treasure to this day. I also fondly recall my personal relationship with Earl Warren and his family. My mother and Nina Warren were close friends, and when my wife Lee and I visited Washington before I was elected to Congress, we often spent evenings with the Warrens. Their son, Earl Jr., served as my campaign manager in northern California when I was a candidate for Lieutenant Governor.

Earl Warren's service to the public began in 1920 when he served as a deputy city attorney for Oakland, and ran uninterrupted until his resignation from the Supreme Court in 1969. After serving as city attorney, he served as a

district attorney, State attorney general, Governor for three terms, and Chief Justice of the Supreme Court for 15 years.

As Chief Justice, Earl Warren headed the Supreme Court during a time of unprecedented turmoil and change in the world and the Nation. It was a time when the Court was called upon to decide some of the most significant and controversial issues ever to come before it.

Chief Justice Warren viewed the Supreme Court as the ultimate arbiter of the Constitution. He became the conscience of America, challenging the States to accept a wider application of the Bill of Rights. Decisions made by the Court, under Chief Justice Warren's leadership, applied Bill of Rights guarantees such as the right to counsel and protection against self-incrimination to State crimes as well as to Federal offenses. These decisions have had a revolutionary impact on our legal, social, and political structures.

While some present-day conservatives would label the Warren Court as excessively liberal, and regard it with disdain, I strongly believe that the Supreme Court under the leadership of Chief Justice Warren was instrumental to the betterment of this Nation. "Judicial activism" has always been a misnomer, meant to defame a shining record in support of the constitutional and civil rights which are the backbone and lifeblood of the United States.

America is a better place because of Earl Warren. Few can claim such distinction; few are so deserving of our recognition of commendation.

Mr. EDWARDS of California. Madam Speaker, I thank the gentleman from California [Mr. ANDERSON]. I find it very moving that he and his family had such a wonderful, personal relationship with the Chief Justice.

I do know that the gentleman from California [Mr. ANDERSON] had a very distinguished career in the State legislature as an assemblyman from the southern part of California. He later served as the Lieutenant Governor of California, the No. 2 political position in our great State. Since his election to Congress, he has had a remarkably successful record and brought great credit to our State. As I say, it is very moving that the personal aspects of his friendship with Earl Warren and his wife have been made a part of the RECORD today.

Now, Madam Speaker, it is my honor and pleasure to yield to the gentleman from California [Mr. MINETA], the former mayor of San Jose, also a good personal friend.

Mr. MINETA. Madam Speaker, I appreciate the gentleman from California taking out these special orders.

Madam Speaker, I must admit that it is with a profound sense of irony that I rise in tribute to former Chief Justice of the U.S. Supreme Court Earl Warren

on this the occasion of his centennial of his birth.

Earl Warren's distinguished career in public service spanned 50 years. As Chief Justice from 1953 to 1969, he proved himself a force for promoting justice for all people. The Warren Court set about protecting individual rights and strengthened the constitutional rights of all Americans. The legal landmarks are many, including:

The halt to racial segregation in our schools;

The guarantees of due process for everyone, limited admissibility of confessions, limited use of lineup identifications, each person's right to counsel, protection against illegal searches and seizures;

The establishment of the principle of "one-man, one-vote" guaranteeing equal representation for all Americans;

The declaration of poll taxes as unconstitutional;

The unconstitutionality of State laws forbidding interracial marriages; and,

The strengthening of the constitutional separation of church and state.

Many of these decisions were not popular at the time, but nearly everyone has come to recognize how far Chief Justice Warren brought this country in the quest to protect the rights of all people.

But, as I said, the many achievements of the Warren Court constitute a great irony for me when cast against an earlier legal standard, a standard which led to the forced removal and internment of 120,000 Americans of Japanese ancestry by the U.S. Government during the Second World War.

I was one of those thousands interned. I was 10 years old at the time. My only crime, in the eyes of California and the Nation, was my ancestry; and one set of those eyes belonged to Earl Warren, who was in 1942 attorney general for the State of California.

Wartime hysteria, racism, and a failure of political leadership were the ingredients that led directly to the internment. So, too, was the failure to distinguish between the actions of the empire of Japan and the rights of Americans of Japanese ancestry endowed by the United States Constitution.

In 1942, Attorney General Warren supported the forced removal of Americans of Japanese ancestry from the west coast in his testimony before this Chamber's Select Committee Investigating National Defense Migration. Even the name of the committee suggests the national defense canard used to justify the internment, despite the fact that no such security threat ever existed.

"I do not mean to suggest that it should be thought that all of these Japanese (sic) who are adjacent to strategic points are knowing parties to some vast conspiracy to destroy our State by

sudden and mass sabotage," said Warren.

Undoubtedly, the presence of many of these persons in their present locations is merely coincidence, but it would seem equally beyond doubt that the presence of others is not coincidence. . . .

But, in any case, it is certainly evident that the Japanese (sic) population of California is, as a whole, ideally situated, with reference to points of strategic importance, to carry into execution a tremendous program of sabotage on a mass scale should any considerable number of them be inclined to do so.

In 1980, the Commission on Wartime Relocation and Internment of Civilians spoke plainly about the influence Warren had had on the committee.

The overpowering mass of Warren's data—maps and letters and lists from all over California—gripped the imagination and turned the discussion to fruitless argument about whether land was bought before or after a powerline or plant was built; no one focused on whether there was reason to believe that this 'evidence' meant anything at all.

Where does this leave Earl Warren in our history, and in our memory? Like many other Americans, it leaves him swept up in a tide of hysteria that would haunt their consciences for decades.

In his memoirs, published in 1977, Earl Warren wrote,

I have since deeply regretted the removal order and my own testimony advocating it, because it was not in keeping with our American concept of freedom and the rights of citizens.

Whenever I thought of the innocent little children who were torn from home, school friends, and congenial surroundings, I was conscience-stricken.

It was wrong to react so impulsively, without positive evidence of disloyalty, even though we felt we had a good motive in the security of our state. It demonstrates the cruelty of war when fear, get-tough military psychology, propaganda, and racial antagonism combine with one's responsibility for public security to produce such acts.

Madam Speaker, amen.

Chief Justice Warren learned this truth after the moment in time which did so much harm to so many innocent people. But he learned this lesson of history long before our Nation did, as a whole, with the enactment of the Civil Liberties Act of 1988, which offers an apology and redress to surviving former internees.

The fact that the Chief Justice Warren came to his conclusion on his own reveals the strength of the man and his conscience, but also the strength of our American Nation.

One reason that the United States is the world's greatest successful experiment in self-government is because we try to acknowledge our human frailties and protect the future from the mistakes of the past.

This Earl Warren did for himself regarding the internment. This Earl Warren did for our Nation on so many occasions as the Chief Justice of the U.S. Supreme Court.

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Mr. EDWARDS of California. Madam Speaker, I thank the gentleman from California [Mr. MINETA] for his very moving statement. It is very much to his credit that he laid out the record of Chief Justice Warren's actions during the difficult period after Pearl Harbor, and I believe it is to the Chief Justice's credit that later on he reviewed the decision that he had made and admitted publicly that it was a tragic mistake.

Years later, long after Chief Justice Warren was gone, Congressman NORMAN MINETA was the author and instigator and manager of the Civil Liberties Act of 1988, which provided for the apology and redress, monetary redress, for those good Americans who had been put away after Pearl Harbor, to our great discredit.

So I believe Mr. MINETA did everything he could to wipe the record clean, and it is very much to his credit.

Madam Speaker, when we read about and see on television the unbelievable police brutality that took place in Los Angeles the other day and when we experience the rollback in civil rights, the veto of good civil rights bills, we must remind ourselves of the legacy of Chief Justice Warren and the Warren court.

Earl Warren was a product of the public schools, like my friend the gentleman from California [Mr. MINETA] and my colleague, the gentleman from California [Mr. ANDERSON]. He worked his way through college and law school at the University of California at Berkeley.

When you think of the Warren court and its accomplishments, it is really unbelievable to think that so much could be done by a court, so many decisions that changed the way we live in this country and all to the better.

The Warren court made the Bill of Rights binding on State governments, outlawed public school segregation, and made compulsory religious exercise in the public schools a forbidden practice. It barred racial discrimination in voting, in marriage laws, in the use of public parks, airports, buses and bus terminals, and in housing sales and rentals.

The court produced the 1-man, 1-vote decision, outlawing the control of our Senate assembly seats and congressional districts by a very few people.

The Warren court curbed wiretapping, upheld the constitutional prohibition against unreasonable searches and seizures, strengthened the right to counsel, guaranteed the right to a jury trial, and enforced the right to disseminate birth control information. The list of landmark decisions goes on. Certainly Brown versus Board of Education, the decision to require the desegregation of our public schools, towers among them.

Justice Earl Warren's deep and passionate commitment was to the indi-

vidual rights of each citizen, poor or rich, black or white, and regardless of status or lack thereof.

The Warren court, with little help from Congress or the White House, helped the country take a giant step toward our national goal of equal justice under law. Earl Warren showed us the path to justice and, Madam Speaker, it is up to us to follow that path.

Mr. PANETTA. Madam Speaker, I am proud, as a Californian and as an American, to be able to join my colleagues today in honoring the memory of one of the great men of this century, Earl Warren.

Earl Warren was one of the most outstanding and influential Chief Justices in the history of the Supreme Court. As the leader of a Court which helped to produce a virtual revolution in civil and human rights in this country, his contribution is incalculable. The decisions of the Warren Court had such a huge impact that they serve as a dividing line in American history almost as significant as the American Revolution and the Civil War.

The U.S. Constitution is a document that evolves as American society evolves over decades and over centuries. Yet the country remains loyal to its fundamental concepts. They are the basis for a faith in the law in this Nation that is unshakable. The Warren Court remained true to that faith and yet provided new interpretations which helped the Constitution to adjust to a changing America. That took a special genius, and while many other justices obviously played major roles, it was the Chief Justice who provided the leadership which was absolutely essential to accomplishing that mission. For that leadership, the American people owe Earl Warren their eternal gratitude.

In addition, it should not be forgotten that Earl Warren was one of California's outstanding Governors. His tenure was one of the great examples of progressive Republican leadership that existed in California and a number of other States around the Nation in the middle part of this century.

Madam Speaker, I want to thank DON EDWARDS for taking this special order to honor Earl Warren. It gives the House and the American people an opportunity to reflect on a unique period in American judicial history—and on a unique man. Particularly at a time when the Supreme Court too often seeks to retreat rather than move forward, it is good to remember the leadership and the accomplishments of Earl Warren.

Mr. BROWN. Madam Speaker, to say that the era of the Warren court brought about a legal revolution in our country would be no understatement. In the areas of race relations, free speech, criminal justice, and artistic expression, to name only a few, the Supreme Court under the leadership of Justice Earl Warren brought about an unprecedented wave of social change. One could easily argue that Earl Warren had a greater impact on our country than even the President who appointed him, Dwight D. Eisenhower.

One has only to name a few of the major decisions of the Warren court to realize the profound impact which Earl Warren's leadership had on the United States. *Brown versus Board of Education*. *Miranda versus Arizona*.

Gideon versus Wainwright. It is hard to imagine our society today in the absence of these landmark decisions.

Because of the Warren court, all criminal defendants have a right to counsel in a court of law. Because of the Warren court, the premise of separate but equal was discredited, and schools across our Nation were integrated. Because of the Warren court, the rights of criminal suspects are clearly outlined in the law, and police officers are required to uphold those rights. In light of the tragic beating by police officers of a criminal suspect, Rodney King, in Los Angeles earlier this month, I believe the principles of the Warren court are particularly resonant today.

Perhaps the greatest tribute we can pay to Earl Warren is to remain vigilant in upholding the rights established during the 15 years of his tenure as Chief Justice. It is necessary that we remain vigilant. As the March 3 incident in Los Angeles shows us, challenges and threats to our basic human rights still exist. It is the responsibility of the citizens of a free society to ensure that those rights are not violated, and if they are, to oppose those who would diminish those rights.

Mr. DELLUMS. Madam Speaker, it is most appropriate that we pause today to reflect on the momentous career of a man who used his platform as a public servant to enrich the lives of Americans and who helped expand the freedoms that many of us now take for granted.

As Chief Justice of the U.S. Supreme Court, Earl Warren led the Court during some of the most turbulent years in our Nation's civil rights history, from 1952 to 1969. Under Warren's leadership the Court handed down numerous landmark decisions that changed the course of the struggle for civil rights in this country.

It is ironic that this 100th anniversary of Earl Warren's birth comes at a time when we are once again struggling to define the new path of civil rights law in the United States. Just at the time when this issue is being debated across the land, we are looking back on the brilliant career of a man who, along with his colleagues on the Court, brought us through the first round of this struggle.

He will always be remembered for *Brown versus the Board of Education*, which for the first time in American history effectively ended legal segregation in the public schools and furthermore lent the authority of the law to the struggle of African-Americans.

Chief Justice Earl Warren was also a proud Californian who started his career as a public servant as deputy city attorney in Oakland. Warren went on to serve as attorney general and Governor of the great State of California.

Although we are proud to have this great man hail from our State, we Californians were happy to share him with the rest of the country. We could not have asked for a man with a greater commitment to law and with greater foresight and compassion. He came to the Court just when this country needed him most. We are grateful that a man of his stature was there to lead us through the storm.

Mr. HORTON. Madam Speaker, today marks the 100th anniversary of the birth of Chief Justice Earl Warren. So, it is fitting that we take a moment and pause to reflect on the

profound impact that this man and his court have had on America.

In 1953, after a long and distinguished career in California politics, President Eisenhower appointed Earl Warren to the position of Chief Justice of the United States. This marked the beginning of a 16-year tenure during which the Court's rulings impacted on nearly all areas of our daily lives.

Just 8 months after his appointment, Chief Justice Warren wrote the Court's unanimous opinion in *Brown versus Board of Education*. The words are now cemented in Americans' memories: "Separate educational facilities are inherently unequal."

By ruling that racial segregation in public schools was unconstitutional, the Warren court served as one of the catalysts for the civil rights movement of the 1960's. The *Brown* decision also served as the foundation from which the Court proceeded to outlaw all public discrimination. The *Brown* decision and those that followed from it were essential landmarks on the road to full constitutional rights for all Americans.

While *Brown* may have had the most profound effect on America's social structure, Chief Justice Warren often described *Baker versus Carr* as the most important opinion rendered by the Court during his tenure. This decision further codified the one-man, one-vote principle that is embodied in the Constitution. In this regard, it is most fitting that we are paying tribute to him in this, a year which is observing massive redistricting throughout the country. Ultimately, the Warren court extended the one-man, one-vote principle to State and local governments, which was the beginning of the Court's efforts to extend most of the Bill of Rights to the States.

In addition to widening the scope of the rights provided by the Constitution, the Warren court also provided a greater degree of protection for those accused of crimes. The embodiment of this change was Chief Justice Warren's opinion in *Miranda versus Arizona*, which gave new meaning to the rights to remain silent, to be free from unreasonable searches and seizures, and to be represented by counsel.

But beyond these particular examples of the Warren court's agenda, was Earl Warren's deep-rooted sense of fair play. Perhaps this value was best expressed by Earl Warren himself during his farewell radio address to Californians, just prior to assuming his duties as Chief Justice. He said:

If throughout the years, [the Court's] work is well done, the home of every American will always be his castle—every human life will have dignity, and there will forever be one law for all men.

It is clear that this was, indeed, a guiding principle for Earl Warren. For him, the laws of this country needed to have an element of fairness for everyone. This was just simply part of his pragmatic approach.

To Earl Warren, social justice was more important than legalism. It did not matter whether a case involved \$5 or \$5 million—it still came down to the one simple test—fairness. Again, Earl Warren himself provides us with the best insight into his thinking.

You sit up there, and you see the whole gamut of human nature. Even if the case

being argued involves only a little fellow and \$50, it involves justice. That's what is important.

Today, Earl Warren remains one of the giants of the U.S. Supreme Court. Two hundred years ago, when our Nation was still young, the Supreme Court was expected to support and bolster the strength of the Federal Government. Over time, our Republic has solidified itself, and the role of the Court has changed so that it is now one of the chief protectors of the people—defending them from ever-expanding governmental authority. I am confident that Earl Warren would approve of this new role of the Court.

Mr. MATSUI. Madam Speaker, it is with great honor that I join in this tribute to the memory of Chief Justice Earl Warren. Today marks the 100th anniversary of the birth of a truly great American—a man who throughout his life worked to better the Nation. Earl Warren is best remembered through the decisions handed down by the Warren court, rulings which shaped him as a humanitarian, judicial scholar, and a national leader. The impression he left on American society has been a lasting and profound one.

Under the leadership of Earl Warren the Supreme Court handed down such landmark decisions as *Brown versus Board of Education*, *Miranda versus State of Arizona*, and *Gideon versus Wainwright*, decisions that have proved to be timeless in their influence on the rights of Americans. He believed the Constitution existed to protect all Americans and to provide opportunity to all, and the rulings handed down by the Supreme Court under Chief Justice Warren remain current today.

Earl Warren believed the Constitution was a document written to reflect the values and principles of the Nation, and interpreted the Constitution to best protect all those in need. Many times the decisions handed down by the Warren court were not received by the Nation with open arms. *Brown versus Board of Education* set off a chain of events surrounding the integration of the Nation's schools that still remain to be resolved. To this day, we are still working to ensure that all children have an equal educational opportunity, free of discrimination and bias.

He was a true visionary—a man who worked to craft an America that was responsive to the needs of all citizens, no matter how high or low their status. The Constitution, he believed, protected all citizens, and this is borne out in numerous decisions that banned evidence obtained by illegal search and seizure, placed strict limitation on the use of lineup identifications, and moved to guarantee both rich and poor the right to counsel at all relevant points of the criminal procedure.

Earl Warren saw and used the Constitution as an instrument to affect change. His interpretation of the words guaranteeing liberty and equal opportunity to all was carried out through the rulings handed down during his tenure as Chief Justice. He believed in the spirit of the words in the Constitution.

As Chief Justice, as a citizen, and as a national leader, Earl Warren lived his life to uphold the guarantees included in the Constitution. His energy and commitment were unparalleled and remain a beacon to this day. We owe a tremendous debt of gratitude to the vi-

sion and commitment of Earl Warren, one that truly embodies the words of the Constitution that all men are created equal.

Mr. GONZALEZ. Madam Speaker, I join my colleagues on this, the 100th anniversary of Chief Justice Earl Warren's birth in recognition and celebration of his remarkable life and great achievements.

Chief Justice Warren was driven by the promise held within the Constitution of the United States that all people, rich and poor, black, brown, and white, men and women, have equal rights under law. He fought to make this promise open to everyone.

In *Brown versus Board of Education*, the Warren court opened public education to all regardless of race. The reverberations of striking down the practice of separate but equal were felt throughout Nation. Here in Texas, the fight was taken up in the State senate. In 1957, filibustered two sets of race bills in the Texas Senate, one with State Senator Abraham Kazen, Jr., for 36 hours and a second alone for 20 continuous hours. Eight of the 13 bills were defeated and 1 of those that passed was declared unconstitutional by a Federal court.

Following the lead of his effort to eliminate the vestiges of slavery in our society, Chief Justice Warren opened wide the political process so that every woman and man could participate regardless of race or economic standing. The Warren court struck down the gerrymandered voting districts that cut minorities out of the political process. In its place the court established the principle of one person, one vote. Again, effects of the decision permeated the Nation, something I carried here to the House of Representatives. The first legislation I introduced upon coming to Congress in 1962 was a resolution calling for the abolishment of the poll tax in five States where it still existed, including Texas.

From opening the political process, Chief Justice Warren sought to ensure free access to information and freedom of thought. He fought against censorship and indoctrination, and for freedom of conscience.

In his effort to make sure everyone had access to the rights guaranteed by the Constitution, Chief Justice Warren also sought to protect those rights for the accused, regardless of whether or not they could afford expensive lawyers.

Chief Justice Warren was one who stood up for the fair treatment of all people regardless of race or wealth, whether it was popular or not. The importance and magnitude of his impact on this country during an era of great change deserves not only celebration, but also thoughtful reflection, for the profound nature of what Chief Justice Warren accomplished ensures its enduring relevance. And this is a relevance that should not be ignored as we confront the challenges of racial and sexual bias and economic disadvantage that continue to this day. On this the 100th anniversary of this birth, we can take a lesson from Chief Justice Warren and be inspired to carry on the hope and promise of his life and work in our own endeavors today.

Mr. TORRES. Madam Speaker, I thank my colleague, the gentleman from California [Mr. EDWARDS], for reserving time this evening so

that we might pay tribute to the late Chief Justice Earl Warren.

In describing the 50 years of Earl Warren's public service, we hear consistently the phrases:

A statesman with the wisdom and courage to help the Nation honor its commitment to the rule of law and equal justice for all.

A force for promoting justice and protecting individual rights.

Known for his down-to-earth realism and pragmatism.

An authentic Horatio Alger.

A man of action.

When speaking of Earl Warren, we hear most often words such as competence, honesty, integrity, excellence, warmth, kindness, humanitarian, judicial scholar, and national leader.

All those phrases and words are accurate descriptions of the man, but what I remember most about Earl Warren is his selfless devotion to public service. Every job he held, every position to which he was elected, every appointment he accepted, he always placed his own affairs aside. He always acted to benefit others, in the true spirit of public service.

As a young man growing up in California, I remember Earl Warren's service as Governor of California. I recall that he was universally liked, that his policies with respect to health care and education were years ahead of his time, and that he left for his successors an excellent, nonpartisan civil service system.

Yet for all his leadership as Governor, when he left California in 1953 to become Chief Justice of the Supreme Court, he left a State in which minority schoolchildren attended inferior schools, impoverished prisoners were denied adequate counsel, and the legislature was deaf to the pleas of many citizens. In due time, Earl Warren changed all that.

With the school desegregation decisions he wrote, beginning with *Brown versus the Board of Education*, he did more to help this country prepare for the next century than almost any educator. He unleashed the resources to make it possible for talent to flourish, whether that talent was embodied in the doctor's son or lay latent in the washerwoman's daughter. He understood intuitively that equal educational resources could translate into expanded economic opportunity and heightened national strength.

The decisions he wrote on criminal justice, including the *Miranda* decision, have forever changed our view of what we expect of a fair criminal justice system. We are revolted today by the sight of police clubbing an unarmed suspect, in part, because of what Earl Warren taught us: That the rights of the accused must always be protected.

His simple assertion in *Reynolds versus Sims* that "Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests," has enfranchised millions of Americans. It has given them a voice in Congress, in State legislatures, in city councils and county boards that they would otherwise not have had. That simple statement, and the implementation of the relevant decision of the Court, has paved roads, bought new school books, built hospitals, saved our environment, and helped untold numbers of people.

Once again, I thank my close friend, the gentleman from California, himself a stalwart protector of the Constitution, for allowing us this opportunity to honor the late Earl Warren on his 100th birthday.

Mr. MILLER of California. Madam Speaker, I join my colleagues in rising tonight to honor the memory of one of the greatest Americans of our century on the centennial of his birth.

It can truly be said, by friend and foe alike—and he had plenty of both—that few men affected the history of the Nation as decisively as the late Chief Justice of the Supreme Court Earl Warren. Throughout a half century of public service—as a district attorney in Alameda County, as Governor of California for three terms, and particularly as Chief Justice—Earl Warren demonstrated the quality of character to which every public official should rightly aspire.

Others who knew him personally can speak to his personal qualities. I knew him through my own study of the law, and as a student developed the greatest respect not only for the genius of his legal mind, but also for his willingness to use his powers and opportunities to reshape the Nation for the modern age.

Perhaps his devotion to individual rights and civil liberties, so frequently exhibited throughout his judicial career, was his way of repenting for a political decision to sanction the internment of fellow citizens during World War II because of their Japanese ancestry. Whether consciously contrite or not, the remainder of his career was spent methodically tearing down the barriers of racial discrimination and bias that had characterized American society and American law for the first century and a half of our history.

The striking down of the concept of separate but equal in the *Brown versus Board of Education* case, set the early tone of the Warren court. For a decade and a half, Chief Justice Warren lived by the adage he included in his book, "A Republic If You Can Keep It: A prime function of government has always been to protect the weak against the strong."

A prime function, yes; but one not always carried out by those entrusted with the responsibilities of leading our country, or other nations either.

Yet using the authority of the Court as few before or since him, Earl Warren handed down decision after decision that expanded the rights of the individual against the State, a record for which ironically was branded a traitorous liberal by conservatives who claim to honor the primacy of the individual.

In *Brown versus Board of Education*, the unanimous Warren Court dealt the deathblow to entrenched, legally sanctioned racism and segregation. In *Reynolds versus Sims*, the Warren Court established the principle of one person, one vote, that revolutionized the political system and improved the representation of people in our legislative process. In *Miranda versus Arizona*, the Court established the fundamental rights of the individual accused of crime to be informed to their legal and constitutional rights.

Somehow, along the way, this paragon of civil rights and civil liberties became the special target of extremists who resented his monumental efforts to guarantee our constitutional legacy to every citizen. I recall well the

"Impeach Earl Warren" billboards and bumper stickers in the 1960's that were displayed by those incapable of understanding or appreciating the enormous contributions of this extraordinary jurist.

The achievements and career of this great American have particular relevance today when too often political party and partisanship have been elevated to an unhealthy and counterproductive level in the Nation, when vitriol substitutes for reason, when superficiality and banality fill the public debate, when symbol is more valued than substance. For a decade, we, in the United States and particularly those in the government, have frequently substituted opportunism and symbolism for the strong and decisive leadership this country desperately needs.

Earl Warren did not let partisanship stand in the way of doing what he believed the Constitution demanded. He was, after all, a longtime Republican officeholder who became more venerated by Democrats than by those of his own party.

Unlike too many elected officials today, Earl Warren was not fearful of approbation from the public when a fundamental rule of law was at stake. True, he enjoyed an appointment for life. But a lifetime appointment does not shield you or your family from the venality and hatred his courage brought down upon his shoulders. And how tragic it is if the pursuit of office and power are used to justify our own unwillingness to take courageous actions.

And yet, we have failed. Failed to tell the truth to the American people, failed to pass the laws that must be enacted, failed to endorse strong medicine when it was the remedy called for. We have instead spent more than a decade waving flags, selling candidates like automobiles, relying on catch phrases and public relations ploys, instead of doing the difficult work of Government. And not surprisingly, our constituents' views of elected officials reflect that lack of leadership.

We, in 1991, cannot claim to have a role model if we truly seek to restore the greatness of America and to secure the respect of our country men and women and history. Few men or women present so unsullied a legacy of nonpartisanship, of thoughtful leadership, of innovative policy and of political courage than the man whose centennial we salute today. I am honored to join my colleagues in paying my respects to a great Californian and a great American, Chief Justice Earl Warren.

Mr. FAZIO. Madam Speaker, I would first like to thank my colleague from California, Mr. EDWARDS, for the opportunity to pay homage to Chief Justice Earl Warren on the occasion of the 100th anniversary of his birth. Chief Justice Warren was truly one of the greatest public servants of his century. I could easily provide a long list of his achievements, but ultimately, his contribution to our Nation is immeasurable. He spent 50 years in service to the public, serving without interruption in public office from 1920 until 1969, as district attorney for Alameda County in California, attorney general of California, Governor of California, and then, finally, as Chief Justice of the Supreme Court. Although he distinguished himself in each one of these offices, it was through his leadership on the Supreme Court that he truly made his mark.

Chief Justice Warren presided over the highest court in the land during a time of great political and social change in our country, and it was under his guiding hand that the Supreme Court handed down some of its most landmark decisions. For example, in *Brown versus Board of Education*, the Warren court ruled that school segregation was unconstitutional, declaring that racially segregated schools were inherently unequal. Further, Chief Justice Warren presided over the Court when it handed down its decision in *Reynolds versus Sims*, bringing about more equal political representation through its one person, one vote ruling. It was also the Warren court that ruled in *Gideon versus Wainwright* that all defendants in serious criminal cases have a constitutional right to legal counsel. Each one of these landmark cases was a great contribution to our society, reaffirming the constitutionally protected rights of every citizen.

Through his legacy on the Supreme Court, Chief Justice Warren insisted all Americans, regardless of their race, social position, or economic status, have the same constitutional guarantees. Earl Warren provided a legacy of individual rights that I hope will long continue, and one that we will look to for inspiration for many years to come. It is with great gratitude and respect that I take this opportunity to recognize his great achievements on this day, the 100th anniversary of his birth.

Mr. STARK. Madam Speaker, it is with great pleasure that I join Representative EDWARDS of California and my colleagues today in paying tribute to the late Chief Justice of the U.S. Supreme Court, Earl Warren. He has remained a lasting inspiration to all those committed to justice in the United States. His achievements stand in lasting testimony to a man who was not afraid of controversy or conflict in order to follow his convictions of what was right.

Coming from humble beginnings he epitomized the possibilities of the American Dream. He was the son of a Norwegian-born railway worker who used to tell him that the family was too poor, on \$70 a month, to give him a middle name. He worked his way through law school and in 1923, at the age of 32, was elected District Attorney of Alameda County in my constituency. Having built a reputation for fairness and a strong social conscience, he became the Governor of California in 1942. During his two terms of office he served the Californian people admirably. He initiated badly needed welfare and prison reforms and fought hard to establish a State health-insurance program. It was his dynamism and his unflinching belief in justice that Earl Warren brought to the bench when appointed by President Eisenhower in October 1953.

He faced the challenges of history with his unique mixture of humanity and stubbornness. His court attacked racism head on with the decision, in 1954, that declared segregation in schools illegal. This decision proved to be the catalyst for a national awakening to the problem of racial injustice in American society. His leadership of the Supreme Court over the next 16 years established it as the true guardian of our Constitution. The *Miranda* decision in 1966 established the right of every arrested person to see a lawyer before being questioned by the police. The *Gideon* case established the

right to counsel as a fundamental right and essential to ensure a fair trial. This decision was based on Earl Warren's common sense interpretation of the Constitution and the sixth amendment that clearly states that, "in all criminal prosecutions the accused shall have the assistance of counsel for his defense." Throughout his leadership Earl Warren never wavered from his guiding principle of justice for all. On numerous occasions the Warren court upheld the first amendment's right to free speech. During the 16 years that the Supreme Court was honored by his wise and thoughtful leadership, so many landmark decisions were made that its impression will be felt well into the next century.

It is ironic that at a time when we are commemorating the centennial of one of America's greatest leaders and servants, we are facing an erosion of the very rights Earl Warren sought to protect and preserve. We must endeavor to ensure that this great man's principles are kept in mind in the protection of our individual and constitutional rights.

Mr. ROYBAL. Madam Speaker, I rise to honor the memory of one of the most important Americans to ever serve in the judicial branch of our Government, former Chief Justice Earl Warren.

Chief Justice Warren would have been 100 years old today. During his tenure he was able to do more to ensure liberty and equality for all Americans than almost any President. He presided over a Court which struck down the noxious idea that our children's schools should be kept racially separate. He saw that every person, no matter how poor, had the right to a lawyer when they had to stand trial. The Warren Court's decision in *Miranda* versus the State of Arizona ensured that all criminal suspects must be advised of their rights to legal counsel before being interrogated. His Court assured that authorities could not illegally seize evidence and then use it in court. The Warren Court struck down the undemocratic manner in which many States elected their legislators. He stated that legislators must represent people, not land areas. This ensured that urban Americans could be equally represented.

No other Supreme Court, before or since, has done as much to ensure that the promise of our Constitution be extended to protect all Americans.

MESSAGE FOR THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1282. An act making supplemental appropriations and transfers for "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1991, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1282) an act making supplemental appropriations and transfers for Operation Desert Shield/Desert Storm for the fiscal year ending September 30, 1991, and for other purposes,

requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. JOHNSTON, Mr. LEAHY, Mr. SASSER, Mr. DECONCINI, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Mr. HATFIELD, Mr. STEVENS, Mr. GARN, Mr. KASTEN, Mr. D'AMATO, Mr. RUDMAN, Mr. COCHRAN, Mr. SPECTER, and Mr. DOMENICI, to be the conferees on the part of the Senate.

ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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.

(For message, see proceedings of the Senate of today, Tuesday, March 19, 1991.)

ACTIVITIES OF U.S. GOVERNMENT IN UNITED NATIONS AND AFFILIATED AGENCIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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 Foreign Affairs.

(For message, see proceedings of the Senate of today, Tuesday, March 19, 1991.)

TRIBUTE TO LEROY COLLINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BACCHUS] is recognized for 5 minutes.

Mr. BACCHUS. Madam Speaker, I rise today to honor and to remember the legacy of a man I have long considered to be the first citizen of my State of Florida, former Gov. Leroy Collins.

Madam Speaker, the first time I heard Leroy Collins speak was when I was a small boy. He gave a speech on the radio. I remember it for two reasons. First, my parents told me that Leroy Collins was a wonderful man and a wonderful Governor; and, second, his voice was so reassuring. Perhaps it was his reassurance that has made so many of us remember him for so long and so well. Leroy Collins provided reassurance to a generation of Floridians and more.

Madam Speaker, as Governor, Leroy Collins led us at a time when we needed reassurance and when we needed the

example of his gentility, his gentleness, his generosity and, most of all, his vision. There are so many examples of his vision.

There was time in the 1950's, when most southerners fought against integration. It was Leroy Collins who refused to close the public schools of Florida when those who called for the preservation of segregation were willing to close them. He told Floridians that equal opportunities should be available for all our children. Leroy Collins fought for a minimum foundation for education that equalized the opportunities in the public schools and all of Florida. This he did three decades ago and more.

Madam Speaker, he pioneered environmental laws that were the foundation for laws in Florida that are now the model for some other States. He did all that and more.

Ruben Askew and BOB GRAHAM have both been quoted many times as saying that Leroy Collins was the greatest Governor that Florida ever had. They should know. After his service as Governor, he came to Washington and helped President Johnson on the war on poverty. He helped work for peace in Selma, peace between the races, peace among all Americans.

Madam Speaker, he paid the price for that when he ran for the U.S. Senate in 1968 in Florida. A racist campaign was conducted against him, and Leroy Collins never served in a Congress of the United States. But that was the last such overt racist campaign in Florida, and I believe it was because of the courage and the character that Leroy Collins showed at that time.

Afterward, deep in debt, in order to repay his creditors, he wrote a book called *Forerunners Courageous*. It was a history book about great Floridians. We should now amend that book to add Leroy Collins among those called forerunners courageous because he was one.

Today I had lunch with a friend of Governor Collins, Don Fuqua, who served many years in this House and also served in the Florida Legislature with Governor Collins, and Don Fuqua told me something that one of his doctors told him a few days ago, just after the Governor died in Tallahassee. He said, "Leroy Collins taught us how to live."

Madam Speaker, that made me remember a spring day a few years ago when my wife and son, Joey, and I went to Tallahassee to visit with Governor Collins and Mrs. Collins at the mansion there, the grove where he lived, a mansion he has now given to the people of Florida. I remember the lemonade, and the iced tea and cookies that Mrs. Collins made. I remember Governor Collins taking my son down into his study to show him all the books he read and encouraged him to read, and I remember Governor Collins taking my son

out into the back yard on the long green lawn and pushing my boy, Joey, on that swing.

Joey will miss Governor Collins. I will miss him. We all will miss him. But his reassurance, and his example, and his leadership and his vision remain for all those who love Florida and who love America.

Someone once said that the true test of a leader is whether, when he is gone, there are others left with the courage, and the will and the strength to carry on.

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Madam Speaker, Governor Collins passed that test. In Florida there are those among us who, because of him, have the will to carry on.

Mr. BENNETT. Madam Speaker, will the gentleman yield?

Mr. BACCHUS. I yield to the gentleman from Florida.

Mr. BENNETT. Madam Speaker, we just heard a very beautiful tribute to a very beautiful, wonderful man that Florida was lucky enough to have in its leadership.

As has been stressed by my predecessor on the floor here today, Governor Collins was chiefly known in the hearts of people in the State of Florida, throughout the world, and certainly in this country for the courage he showed in doing the things that were right to do, even though they were not politically or personally the best things for him to do at the time. He had the courage to do things, and indeed he is an inspiration to people of this generation and will be an inspiration to people for generations to come.

Madam Speaker, we are very, very deeply grateful that he lived, and that he lives on in the hearts of many people.

Madam Speaker, the death of Florida's 33d Governor, Leroy Collins is an event we have learned of with sincere sadness. He was a much loved, much revered public servant; a great man in every respect. We in Congress send our loving sympathy to Mary Call Collins, his beloved widow, and their four children. The Library of Congress has furnished me, for inclusion at this point in the RECORD, the following brief history of his outstanding accomplishments.

THOMAS LEROY COLLINS

Thirty-third Governor (January 4, 1955-January 3, 1961), was born in Tallahassee on March 10, 1909, one of four sons and two daughters of a grocer, Marvin Collins, and his wife, the former Mattie Brandon. LeRoy Collins was graduated from Tallahassee's Leon High School, attended the Eastman School of Business at Poughkeepsie, N.Y., and received a law degree from Cumberland University. He was married in 1932 to Mary Call Darby, a great-granddaughter of Richard Keith Call, twice Territorial Governor of Florida. Governor and Mrs. Collins raised their four children in the Call family home, "The Grove," which was acquired by them in 1941, and is located across the street north of the official Governor's Mansion in Tallahassee. He was elected at 25 as Leon County

Representative in the Legislature, and reelected in 1936 and 1938. He was elected to the Senate in 1940 to complete an unexpired term, reelected in 1942, resigned to serve in the Navy during World War II, reelected in 1946 and again in 1950. He was the first Governor to be elected for consecutive terms. He was first elected in 1954 to complete the two remaining years of the term of the late Governor Dan McCarty and reelected in 1956 for a regular four-year term. He also made political history in 1956 by being the first Florida Governor to win a first primary victory, defeating five opponents. Governor Collins was the first American Governor to serve simultaneously as chairman of the Southern Governors' Conference and the National Governor's Conference. As chairman of the latter, he led the first delegation of Governors on a foreign visit, to the Soviet Union in 1959 to compare its republic-level governments with the states. He was the first Governor since the Civil War to serve as permanent chairman of a Democratic National Convention, in Los Angeles in 1960. He led efforts to establish a strong, diversified state basic economy supported by industry, agriculture and tourism through creation of State Development Commission and assisted in its promotion program. His prime interest was education, and he worked to strengthen and modernize Florida's school system from the grade schools through the universities. He sponsored educational television, nuclear science, a broad community college program and university expansion and improvement. In the racial unrest of his time he took a moderate course, counselling progress under law, and the state experienced only minimal disorder. He served two terms as chairman of the Southern Regional Education Board. Upon completion of six years as Governor, he became president of the National Association of Broadcasters. He resigned this at the request of President Lyndon B. Johnson to become the first Director of the Community Relations Service under the 1964 Civil Rights Act. Also by Presidential appointment, he became Under Secretary of Commerce on July 7, 1965. He resigned this position effective October 1, 1966 to return to Florida and become a partner in a Tampa law firm. He was successful in obtaining the Democratic nomination for the U.S. Senate in the primary elections of 1968 but was defeated in the general election. In early 1969 he resigned from the Tampa firm and after business associations for one year which required his residence in Miami, continues to live at "The Grove" and practice law as counsel to the firm of Ervin, Varn, Jacobs, Odom and Kitchen with offices at 305 South Gadsden Street.

REPORT FROM KUWAIT

The SPEAKER pro tempore (Mrs. UNSOELD). Under a previous order of the House, the gentleman from Oklahoma [Mr. INHOFE] is recognized for 60 minutes.

Mr. INHOFE. Madam Speaker, I am going to be joined in just a minute or so by the gentlewoman from Maryland [Mrs. BENTLEY]. Twelve of us who are Members of Congress just returned 2 days ago from Kuwait. We were the first of any Americans who are Members of Congress to be there. In fact, when the plane landed in Kuwait City, it was the first nonmilitary airplane to

land in Kuwait City. We came in from Bahrain.

Many times the perceptions that we get from the newspapers are not all that accurate, and perhaps the perceptions that people get from Members of Congress might be a little prejudiced also, but I came back with some perceptions that made it very clear that we will be doing a special order on the subject at some length tomorrow afternoon at the conclusion of our legislative session. This will be called the First Freedom Flight. Those of us who went there as Members of Congress were 2 Democrats and 10 Republicans, Members that they consider to be among the strongest supporters of the President's initiative to use force where force had to be used. When we got there, accompanied by some pretty great Americans, our Secretary of Commerce, Robert Mosbacher, Alexander Haig, Frank Carlucci, and a few others, we came down and descended into the city of Kuwait. It was a beautiful, sunny day in Bahrain. The sun was shining. It could not have been a nicer day. I guess we could say it was perfect weather, but as we descended into Kuwait City, as that first nonmilitary flight to land there, it became very dark. All of a sudden it became black, just as if it were midnight, although it was 9 o'clock in the morning.

We looked down as we were making a final approach onto the runway, and we saw flames shooting out of the ground, and we landed there as the first civilian airplane in Kuwait City. What we had gone through was the burning oil fields.

Those of us from Oklahoma are from, as they say, the Oil Patch, but we never knew anything like this in the Oil Patch.

We got in vehicles accompanied by armored cars and by grenade launchers, because there are still Iraqis out there in the middle of the oil fields who did not know the war was over, so you have to have automatic weapons and you have to have grenade launchers, and you have to take every precaution. As we drove through the little town outside the oil fields—and it was pitch black at the time—we could see the bunkers on these beautiful little houses that were there just a matter of 1 month ago, spotlessly clean, in this paradise of the Middle East. And as we started going through, we started going through pools of oil.

When the Iraqis evacuated and went back to Iraq, they knew they had had it down there, but they were going to destroy everything they could find to destroy. And what is the greatest asset of Kuwait? The oil fields. So they took these oil fields, and there were 1,000 producing wells. This is not like we think of a producing well in this country, where you have to pump the oil. This oil is all under pressure and it is blowing out of the ground. They were

not satisfied to torch the wells. They had to get petroleum engineers down from Iraq to do it in such a way that you could not put the fire out. Out of these 1,000 oil wells they ignited a little over 700 of them, and they were blowing up in the air.

I wish I had pictures that could be seen, Madam Speaker, so we could all share that sight. I think it can be characterized, as I mentioned to a group last night, in this way: All the time you are growing up, you wonder what hell must look like. When we went from the sunshine into the oil fields where it became black all of a sudden, the temperature dropped between 15 and 20 degrees and the fire was shooting out of the ground and we could hear gunshots in the background from the Iraqis who did not know that the war was over. That was the environment we were in, and I thought surely that was what I had always envisioned, what hell must look like. We could see 50 wells at one time burning, with fire shooting out of the ground.

Just one well was blowing out 30,000 barrels a day. Those of us who are from the Oil Patch and are familiar with what it takes to produce oil know what a problem we have had in this country because people do not understand that we need to be energy sufficient and not dependent upon the Middle East. Fortunately, some of the people who did not understand that before do understand it now. Those of us from the Oil Patch, whether we are from Oklahoma, Texas, or Louisiana, know that if you are going to have a relatively successful well and it comes out with 50 or 60 barrels a day, you have done a pretty good job. This was 30,000 barrels a day that was blowing up into the atmosphere. If you tried to translate that into money, because that is the way we all think of it, it comes out to 6 million barrels a day or \$3 billion a month. That is \$3 billion a month that is coming out of the ground, blowing up into the sky now, and it was done for no purpose by the Iraqis who were trying to do their best to destroy a civilization that had taken place, the backbone of which was their oil industry. And, of course, they successfully did that.

They anticipate it will take close to 2 years to get all of the fires out. We might think that that would be simple, that we could just go over there and throw a blanket over them and smother them, but it does not work that way. It has to be done very professionally so we do not disturb the refining capability of the future and so we can protect the reserves.

That is what is going on over there, and I think this is probably the predicate to this special order we will hear tomorrow. That is the environment. This smoke, depending on where the wind is coming from, covered a 500-mile radius, and the area within that

radius is black. So when you are in Kuwait City, it can be beautiful and sunny, and all of a sudden, a minute or two later, it is black and you are covered with that oily, sooty grime. That is the second largest oil field in the world, and it is burning now, and there is nothing that is really going to be done about it in the very near future.

I would say this, though: That those of us out in Oklahoma will be participating in the reconstruction because we understand how the oil industry works. Tomorrow we also will be talking a little bit about Kuwait, the occupation, the postoccupation, and what it is really like there. I would ask you to envision being in a city that has no lights, no power, no electricity, no water, and no food, and it has been that way since the end of the war and will be in the foreseeable future. They did manage to get a little bit of electricity on while we were there, but not very much. To operate in that environment is a very difficult thing.

We went to the royal palace. The royal palace, as some people might remember from shows like "The King and I," where they dramatized what the Arabian world looks like, is actually a beautiful place. The royal palace is one that was obviously built when no expense was spared. There was a lot of abundance at that time. It is a beautiful, palatial place, and that is where Saddam Hussein's barbaric brother was holding out at his headquarters, and that is where the generals were making most of the decisions. As we looked, we could see they had left the beautiful chandeliers. They did not pilfer, they did not loot that what they left because they had to leave too quickly. When they left, they did not loot the rest of it because they did not have time.

We walked through the palace. We were some of the first to go through there, and we saw on the second floor where the generals worked and made the decisions that were made as to where they were going to defend their positions and where they were going to expand and go on down south.

□ 1530

Interestingly, down in the basement they had a 30 by 30 big battle scene, a model. They had sand down there. They had the Persian Gulf. It was obvious that they thought the allied forces and the United States were going to attack them from the water, from the sea, from the Persian Gulf. So they had all of their bunkers dug in. You could not go 100 feet on the beautiful beach without seeing bunkers that were in.

What did they use in this 30 by 30 model down there to express the different armaments and the artillery and the building and the vehicles? They used Lego toys. So some of you guys that have done that, they found something to do, and that is about the men-

tality of the Iraqis anyway. So they were doing that. That was in the basement.

The third floor was one of the largest and most sophisticated torture chambers that was in Kuwait at the time. You have to keep in mind that we look back at totalitarian dictators throughout the history of this country, people like Adolf Hitler, people who had committed atrocities that were indescribable, and no one yet has been able to equal the torture devices used by the Iraqis.

There is a book that everyone ought to read, it is by a guy named Armando Valladares, who spent 22 years in the Castro Cuban Communist prison camp. He describes the tortures that took place there.

When I read that book by Armando Valladares, I got to thinking, you know, this has got to be the worst thing that even Hitler would have thought about. What we saw that took place in this awful building was something that made the Castro Cuba prison camps and prisons look like a Sunday School.

On the third floor there they started showing us the devices where they strapped the feet in. They would take rubber hose and beat the feet until they beat them to their bones, and then throw salt water on the feet. They would drill holes in their legs with electric drills. They did this, and they chose a room that had nothing like carpet or anything to temper the noise, so the screams would go through the royal palace. We often, in offices, in this country have background music. That is their background music. They wanted to hear the screams of people being murdered and raped and tortured. So 24 hours a day, the screams were coming out, day after day after day, during the occupation.

They showed us a device that they put on both temples, and they crank it until the skull splits open, and they said they can keep them alive until the brain is actually out of the head. That is why so many bodies that had been tortured were bodies that didn't have a brain in the cavity. It was empty.

It is one thing to read about it and hear it. It is another thing to see where it happened. There is still blood on the walls, hair on the instruments, and it was an awful thing. But this is the background where the decisions were made by this animal called Saddam Hussein.

We went from there to the Embassy. Now, as you know, there is a problem in international law about going into the Embassy, but, fortunately for us, so we could go in, it was taken over by the Kuwait Government and we were given permission to go in.

In there we saw the same things, that were taking place of the same type and nature. The No. 3 person, I guess is the easiest way to describe him, the person

behind the Crown Prince, who is behind the Emir of Kuwait, is the gentleman who is also the Ambassador from Kuwait to the United States and has been for 10 years. He has a beautiful family, five children. He and one of his daughters, a 15-year-old daughter, came over there with us.

We walked in their home, their beautiful home there, which to most of us in this country we would call that a palace. As we walked in, we saw that is where another subheadquarters was taking place from Saddam Hussein, where he occasionally visited. In there they had time before they left, that they knew the war was over, so they stole everything. They ripped the wallpaper off the wall, they stole the carpet. They looted this. They took the doorknobs off. They blasted the safe. They took everything, just cleaned it out.

When the little 15-year-old girl and I went up the second floor and went into what I guess was her bedroom before, it had been used as a torture chamber. There were all the devices, the electrical shock devices that Saddam Hussein had developed in this state of the art torture, that were up there in this little girl's bedroom, which I don't know if they will ever go back and inhabit.

This was right on the Persian Gulf. On the roof of it, of course, you have the bunkers where you were looking out, and they clearly were expecting that that would come from the Persian Gulf. Of course, it did not do it.

You have read about Hell's Highway. They did not take any pictures, because at that time they did not have any. We have a lot of pictures. I am not able to show Members and the Speaker here today, but if I did, if I had the capability of doing that, it would surprise you. Because when they knew they had had it and the Iraqis were retreating back to Iraq on the road, the one major road going north out of Kuwait, there was a hill, not very high hill, but a hill. The vehicles were military vehicles, the tanks, the trucks, and all of the civilian vehicles that the Iraqis could steal from the Kuwaitis. They had loaded them up with all of the loot from the town. They would even go into a store and take all the receipt books, shoot the owner of the store, and steal everything in the store, and steal the inventory and receipt books so 10 years from not if someone said, "You stole that," they would say, "No, here is a receipt for it."

Anyway, they had the cars and trucks laden down so some of them at the front were not able to get up the hill fast enough. An Apache helicopter came up, saw them, fired a few rockets, and then, before you know it, the F-15's came in. I think they were from the 82d Airborne, I am not sure which group it was. They came in and wiped them out.

So when you go up the road, for 10 miles, you go by every conceivable kind of military and civilian vehicle, that had been so laden down with loot that they were all down. They killed them all. They were able to get them when they escaped.

Do you remember the story about the little kid that reaches in the candy jar and takes so much that his hand could not come out? That is exactly what happened there. If it had not been for their looting, probably many of them would have been alive today.

Incidentally, if has not been announced yet, but while we were there, and this was yesterday while it happened, it is a custom in Kuwait to name the major roads on the major streets in the town after capitals of Arab nations. So they had one called Amman, of course named after the capital of Jordan. They changed that to the Road of Liberation.

Guess what they named Bagdad Highway? George Bush Road.

Anyway, there are some exciting things and good things that are happening over there. Four things were discovered during the time we were there that I think are worth mentioning today, because otherwise we will not really have an understanding of what Saddam Hussein was all about.

There are a lot of sympathizers. I made a stop in Tulsa, my hometown, coming here from Kuwait. There is a letter to the editor in this morning's paper where someone was talking about how could we have been so cruel to a fine gentleman like Saddam Hussein.

There are minds like that in this country who do not understand that this individual is the most barbaric animal in the history of warfare, in the history of leadership in the world.

They discovered just north of the Iraq-Kuwait border a bunker. They dug down, and it was where they hid all of their ammunition, their artillery. There was more live ammunition and artillery there than the NATO forces have in all of Europe combined. Keep in mind, this was after the war was lost.

Saddam Hussein had no intention of stopping with Kuwait. He did not care about Kuwait. He wanted Kuwait, and Bahrain, and Saudi Arabia, and the Emirates, and Egypt, Israel, and the rest of the Middle East, and he was on his way to getting it done.

I will share three documents with Members. These documents, incidentally, are signed by Saddam Hussein. These were discovered about the time that we were there.

One of the documents calls for the execution of 14 Kuwaiti citizens for every Iraqi soldier that was killed. They were carrying this out. They would go out at random and bring out 14 every time they had an Iraqi soldier killed. They would line them up and

execute them. This was signed by Saddam Hussein.

The second one was calling for the execution of all retreating Iraqi soldiers, that is, those that knew the war was over, that there was no way of winning it. If they came back, they were going to execute them. He wanted them to stay there and die. That is why you saw so many Iraqi soldiers surrendering, thinking they would be executed by the allies, and finding out they were not going to be. They found out that humanitarianism does exist somewhere in the world.

□ 1540

But the last one is one that sounds a little hysterical, if it were not for the fact that it was seen by our U.S. Ambassador just the same day that I talked to him, the day before yesterday. This was a document signed by Saddam Hussein, and listen very carefully. It was dated February 21. What happened on February 21? On February 21 was when Gorbachev had his peace initiative that he was going to try to get us to agree to and get the allies to agree to. All he really wanted from February 21 was 21 days to give them a chance to evacuate, almost a pause, a 21-day pause.

Saddam Hussein was absolutely convinced that we were going to accept that initiative, and so he had an order that he signed on February 21 that called for the execution of all male Kuwaitis and the rape of all female Kuwaitis in 21 days. What he was doing was wiping out an entire nation and changing it to Iraqis in 21 days that would be produced by the next generation.

If that is not a madman, if that does not put him in a dimension so that the American people can understand.

I was very pleased coming back to be accompanied by a number of pilots from the 58th Tactical Fighter Squadron from Eglund Air Force Base. One of them was a young captain named Brad Powell. He had been over there. He had flown I believe 35 missions. I do not know how many kills he had; F-15's is what they were flying.

I said to him and to the rest of them that were there, I asked the same question that I asked the ground troops when I was in Saudi Arabia earlier on on that trip when I was in Kuwait, I said what were your three major fears during the time that this took place. Do you know what he said?

No. 1 was that Congress would not vote to support the President. What does that mean? Those individuals who voted not to support the President, maybe that was a safe vote to make at that time. It seemed to make a lot of sense, because if it had been a devastating war with a loss of a lot of American lives, that is a lot easier out, is it not?

Fortunately, the majority, a very small majority did vote to support the President, give him the right of force, if necessary, to follow through on the declaration of war and to be able to send in the troops that were over there.

It is true when they say he could have sent troops over anyway, but if he sent troops over without support of the Congress, then that is interpreted by our troops and interpreted by the enemy as not support of the American people, and we would have another Vietnam on our hands. It would be going in there for a partial war.

Madam Speaker, the one thing this country cannot ever have again in its history is a partial war. When I see the veterans who came back from one of the cruelest wars of all time, and then find that there are people like Jane Fonda and Angela Davis permeating the veins of politicians in this country here saying that the war was not necessary and the people were not really behind it, one of the glorious things about this is at least the people were behind it.

Anyway, their No. 1 fear was that we would not vote to give the President that support.

The second greatest fear that they had was that Saddam Hussein would respond to the demands of the alliance and evacuate from Kuwait early on. These soldiers knew more than the American people knew. They are over there and they knew what a mad dog this man is. They all knew that all he would do is go back up to Iraq and work on his biological warfare and his chemical warfare and further develop the nuclear warfare that he was just getting on line, and that in a year or 2 years later our troops would still be there, all of these people who are coming home in this victory would still be up there waiting for it to happen, waiting for the ax to drop, and it would drop when Saddam Hussein had nuclear capability. Then it would not just be a problem for Kuwait or for the Middle East, but for the entire civilized world.

Does anybody really believe that if Saddam Hussein went back and started his oil production up again that those 50 companies that were French companies and Japanese companies and some American companies that gave him the technology that he needed for his biological, chemical and nuclear activity, that he would somehow decide that he would be a nice guy again and not go out, and that they would not go ahead and continue to sell him that capability? Does anyone believe that this man who had executed thousands of his own citizens is going to go back to Iraq, if he still had his capability, and that he would not build it up once the income from the vast oil reserves was on line again? I do not think anyone is going to be naive enough to believe that, and certainly our soldiers were not because they said that their one concern that

he was going to do what the ultimatum said and go back into Iraq. If he had had any sense, he would have done that, because he had an easy out at the time, but he did not do it because he wanted total annihilation at that time. He did not want to have to wait.

The third major concern that the soldiers had, that was repeated again by Capt. Brad Powell of the 58th was that we would accept Gorbachev's initiative. The Gorbachev initiative, as I mentioned before, was on February 21, and on February 21 it called for a withdrawal to take place, but one that would be in what he described as, the Soviets described as a reasonable period of time, one that would be orderly. And he was under the same assumption that if we accepted that in the alliance, that Saddam Hussein would start packing up and leaving, and would shake hands with his captors who would then turn them loose and everything would just turn out fine.

But that was not going to be happening, and our troops there knew that. They knew that if he had 21 more days that not only would he be able to in some devious, perverted way to destroy a nation, but he would be able to do it in a manner that would be a threat to them.

I can remember the week before Christmas. There is some confusion in the American public at that time. If you remember, that was before the real declaration came. That was when we had a half a million troops that were over there. That was when there was some doubt. They figured the Air Force was all ready to go, but maybe the ground troops were not. They were not quite in place at that time. And we say a lot of media here in this country who were saying that the morale level of troops is low, and that we have to do something about it because the troops are ready to cash in and come home. In fact, they specifically said that 97 percent of our troops in Saudi Arabia wanted to jump ship and come home. Wow.

I checked into it, and I found out what it was, what it was that gave that newspaper that excuse to come up with that conclusion. Do you know what it was? This was the week before Christmas. The week before Christmas they asked the troops in a survey: "Would you rather spend Christmas at home with your family or in Saudi Arabia?" Ninety-seven percent of the troops, including General Schwarzkopf, would rather have spent Christmas at home with their families. But because of that, they said that morale was low.

What else did they say? There were many media myths that were floating around at that time.

They said our equipment was not going to work. They said specifically that the Patriot missile, the anti-missile missile has never been tried under actual conditions, and there

were some very high-level military people who are saying it is not going to work when you get into actual warfare and actual warfare environment. And they said that the Apache helicopter is not going to be functionally right because they cannot maintain it, they do not have the equipment and personnel to maintain it properly.

My background is aviation, and I have been a licensed pilot for 35 years now, I am a commercial pilot and I know a little bit about aviation. So I went over there and I flew around in some of these vehicles that they said were not supposed to work. They were operating perfectly. Now history has shown in retrospect that we were the best equipped country for a war in the history of warfare, that our troops were the best trained, our equipment was the most modern and advanced, our equipment was kept up and maintained better. The spare parts were there in place.

So those individuals who did not want us to be in a position where we would ultimately have to go to war, of course they might have had a number of motivations for that notion, they were trying to say that we were not prepared for war. We were prepared for war, and Christmas came, and of course we know the rest of the story.

Anyway, those were the concerns of our troops that were there. That is what is happening over there at this time, and those documents that were uncovered I think should be a lesson for all mankind that there are people in this country who do not think like we do.

□ 1550

How many times have we heard people say, "Why is it that Saddam Hussein did not respond to the massive air power of America and the alliance?" There is a very good answer to that. The answer to that is that he did not know that we had that kind of strength. Why did not Saddam Hussein know that? Because Saddam Hussein did not understand Western thinking.

At that point when I was in Saudi Arabia before Christmas, Saddam Hussein had only spent one night in his life in the Western world, and that was in Paris, France. I doubt if he was on a factfinding mission at that time, and he certainly did not know how the American people thought.

Saddam Hussein started out with a very large group of people around him advising him, but as they told him things he did not want to hear, he executed them. He was finally down to five people, five people, and one was a cousin, one was an uncle, one was a brother, and two were brothers-in-law. They told him exactly what he wanted to hear, because if they did not tell him exactly what he wanted to hear, he would execute them. So they told him exactly what he wanted to hear.

I am kind of glad that they did, because he was not aware that we had that capability. With his ultimatums that he came up with, Saddam Hussein was not prepared, because he did not know. There can be no doubt in anyone's mind as to what an animal he is.

I would say to the gentlewoman from Maryland [Mrs. BENTLEY] that I have been talking for 45 minutes about our experience that we had together, about the documents that were uncovered, about the torture chambers and about a war that had to be fought. And, you know, you have to come to the conclusion that if we had not fought the war then, we would have had to fight it when he had nuclear capability, and then it would be a matter for the entire civilized world.

Mrs. BENTLEY. Madam Speaker, will the gentleman yield?

Mr. INHOFE. I am happy to yield to the gentlewoman from Maryland.

Mrs. BENTLEY. Madam Speaker, I want to commend the distinguished gentleman from Oklahoma for taking this time and for getting it underway. I apologize, but I have had committee hearings all afternoon, and I have not been able to hear what the gentleman has been saying, but his summary presents it very well.

I am going to just repeat probably some of what the gentleman has already said, because I think it is so important, the fact that our Ambassador, the United States Ambassador in Kuwait, has the written document from Saddam Hussein, the written directive actually, which said or which ordered his people to execute all Kuwaiti males if there had been any extension of time, if we had not gotten under way when we did, if the bombing had not started, and the war had not gotten under way, all of the Kuwaiti males were to be executed. I think that in itself, that document in itself, is enough to call for a war crimes trial.

Mr. INHOFE. I would interrupt the gentlewoman from Maryland to just give the rest of that directive that he signed. In addition to the execution of the male population, it was the raping of the women, and one can only come to the conclusion that he did it to annihilate a nation and turn it, within a generation, into a nation of Iraqis.

Mrs. BENTLEY. Very, very definitely, and the torture, some of the weapons that we saw that were involved concerning women up in the torture chambers; that just shows you exactly what little feeling he had for human beings and what little feeling any of the Iraqis had for human beings.

I think, you know, I just thank God that President George Bush moved when he did, that this Congress did approve his going in, and that he moved when he did, because if there had been any other delay there would have been a total annihilation of this whole country.

Mr. INHOFE. I would suggest to the gentlewoman from Maryland that it should be required reading for all Americans, and certainly all school kids coming up, the Amnesty International report of the human rights violations to Kuwaitis. That is a published and documented document wherein they describe on pages 37, 38, and 39 the indescribable tortures that this state-of-the-art barbarian was able to inflict upon the people, the way he would raise them in the air with their arms tied behind their back and drop them from high levels to break their joints and their bones, and as we saw over there, the instruments that they used once they were in that position. As disgusting and as sickening as it is to talk about, it should be required reading so people would know what happened, because, unfortunately, I think the gentlewoman would agree, for many Americans who do not understand the real Saddam Hussein.

Mrs. BENTLEY. Well, perhaps many Americans do not understand it because Americans do not have that kind of mind. They do not think of doing this to other people. They just do not understand that other human beings do believe in torturing, they do believe in desecrating, they do believe in cutting.

I think of that one instrument that they had in the room. It was what I would call a dandelion puller, because it has the two prongs.

Mr. INHOFE. Yes.

Mrs. BENTLEY. And they bent it like this, and then they used that to tear the skin off of the bodies of the people.

The other item that was a cleaning item that they used in guns, and this is what they used to torture women with, and then we saw the photographs which had been played back here, but, again, when you see them in living color, all of them together with the people whose eyes have been pushed out, with the people whose ears have been cut off, this again just makes you sick.

Mr. INHOFE. I would have two observations that I would share with the gentlewoman from Maryland, and that is that was happening actually long before, well, back in December and November, the tortures that were taking place. When I was in Saudi Arabia, I met and talked to a family, a man and wife and a child, a 13-year-old boy. The 13-year-old boy had had his eyes burned out with cigarettes for carrying, not even demonstrating with it, but carrying a Kuwaiti flag.

But when the gentlewoman says the American people do not understand, I think that is true, because you have to keep in mind that the mentality that we are dealing with is one that it is difficult to be in a position to understand it.

I mentioned before the gentlewoman came in about how he did not have the information that was at all accurate.

He had information that people told him in order not to be executed, and so he had no way of knowing what the real scene was, what the real danger and the real capacity of the alliance was.

Mrs. BENTLEY. The gentleman may recall the one story we were told about the mother and her four sons when the Iraqi soldiers came to the home. They took one of the sons out in the yard there, and before the eyes of the other four, they shot the one and killed him. They took the other three sons with them, and a few days later they brought the other three sons back, let them embrace their mother, and then they took those three out in the back yard and killed all three of them.

Mr. INHOFE. That is right.

Mrs. BENTLEY. This is the type of a person that we were giving sanctions to when we said that we could go on and on forever with sanctions. There would not have been anybody left.

Mr. INHOFE. The sanctions, "Give sanctions a chance to work," that is exactly what Saddam Hussien wanted was time.

Mrs. BENTLEY. That is right.

Mr. INHOFE. Time was in his favor. Time was in his favor.

Mrs. BENTLEY. As the gentleman said when I came into the Chamber, he was pointing out that if there had been any more time, if this had not taken place now that he would have developed his nuclear capability and put his chemical capability to work. We were very, very fortunate that we had the intelligence that we had, the technology to locate all of this, and to destroy it before he was ever able to really use it.

Mr. INHOFE. And that we were humble enough to believe it.

You know, today I heard General Powell give a speech at noon, and I looked at him, and I can remember both Powell and General Schwarzkopf, Dick Cheney, our President, when you look at our team at the top, when you compare it to their team at the top, what a contrast it is. It is almost as if it is prophetic that we would at that particular time in history have those four individuals working.

Mrs. BENTLEY. Yes, it really is almost prophetic.

Did not the gentleman have a marvelous feeling as we were there and the strong feeling that the people of Bahrain and the people from Kuwait whom we were able to see, I mean, there are still many, many of them who are still MIA's, how much they loved America for what America did for them and how proud you felt and I know I felt that we were Americans and that we were able to come to the rescue of this country?

Mr. INHOFE. I think that is something we need to share with the Speaker, with the Members of this institution, with all of America.

□ 1600

We remember the liberation of Europe, during World War II, and how quickly some of these countries forgot.

I had a recent experience that reminded me that there are some who always remember General Patton and others who were there at the liberation. I do not think we can equate it to the troops driving down the streets of Paris or any of the liberated countries from World War II, because even though other Members and I were not involved in a military way on the front lines, there was not one car that went by on that devastated highway that I described in some detail, where those individuals who did not wave and give everyone that victory sign that they developed. After the cars went by we would see in the back the picture of the American flag and George Bush. I have never seen an appreciation at the level that it was.

Mrs. BENTLEY. If the gentleman will continue to yield, it was from the littlest kid on up to the older people. They really did appreciate and were very appreciative of what we had done for them.

Mr. INHOFE. And I believe they should have been.

Mrs. BENTLEY. I am proud that we as Americans did it.

Mr. INHOFE. I think we can speak on behalf of the whole delegation that went over, and I have already described who the delegation was, that a good job was done for humankind, and almost as I said before, something almost prophetic about it, and the fact that we were fortunate enough to be the eyes and ears of half a million people, that we each represent, was one of the high honors of my lifetime.

Mrs. BENTLEY. Certainly a trip that no Member will ever forget.

Again, I want to commend the gentleman from Oklahoma for getting this underway and for saying all that he did. I am sure that some of the other Members will want to pick this up in a day or two.

Mr. INHOFE. I thank the gentleman for her comments.

RULES OF PROCEDURE FOR THE SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES FOR THE 102D CONGRESS

(Mrs. SCHROEDER asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, I submit herewith for publication in the CONGRESSIONAL RECORD the rules of procedure of the Select Committee on Children, Youth, and Families for the first session of the 102d Congress, as follows:

RULES OF THE SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES, 102D CONGRESS, APPROVED MARCH 13, 1991

RULE 1.—MEETINGS

The regular meetings of the committee shall be held on the third Thursday of each month at 9:45 a.m., except when Congress has adjourned. The chairwoman is authorized to dispense with a regular meeting or to change the date thereof, and to call and convene additional meetings, when circumstances warrant. A special meeting of the committee may be requested by members of the committee in accordance with the provisions of House Rule XI, 2(c)(2). Every member of the committee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days (excluding Saturdays, Sundays, and legal holidays) prior to each meeting or hearing explaining (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The majority staff shall be responsible for providing the same information on witnesses whom the minority may request.

RULE 2.—QUORUMS

A majority of the members of the committee shall constitute a quorum, except that two members shall constitute a quorum for taking testimony and receiving evidence. Proxies shall not be used to establish a quorum. If the chairman is not present at any meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

RULE 3.—COMMITTEE REPORTS

Every investigative report shall be approved by a majority vote of the committee at a meeting at which a quorum is present. Supplemental, minority, or additional views may be filed in accordance with House Rule XI, 2(1)(5). The time allowed for filing such views shall be three calendar days (excluding Saturdays, Sundays, and legal holidays) unless the committee agrees to a different time, but agreement on a shorter time shall require the concurrence of each member seeking to file such views. A proposed report shall not be considered in committee unless the proposed report has been available to the members of the committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays) prior to the consideration of such proposed report in the committee. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings available to the members of the committee prior to the consideration of the proposed report in the committee.

RULE 4.—PROXY VOTES

A member may vote by proxy on any measure or matter before the committee and on any amendment or motion pertaining thereto. A proxy shall be in writing and be signed by the member granting the proxy; it shall show the date and time of day it was signed and the date for which it is given and the member to whom the proxy is given. Each proxy authorization shall state that the member is absent on official business or is otherwise unable to be present; shall be limited to the date and specific measure or matter to which it applies; and, unless it states otherwise, shall apply to any amendments or motions pertaining to the measure or matter.

RULE 5.—ROLLCALLS

A rollcall of the members may be had upon the request of any member.

RULE 6.—RECORD OF COMMITTEE ACTIONS

(a) The committee staff shall maintain in the committee offices a complete record of committee actions including a record of the rollcall votes taken at committee business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the committee offices are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement.

(b) 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 chairwoman 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.

RULE 7.—TASK FORCES

There shall be no more than three temporary task forces of the committee; the jurisdiction of each shall be established by the chairwoman of the committee. Each task force shall have fourteen members, divided between majority and minority party members in the ratio of nine to five. The chairwoman and ranking minority member of the committee shall serve ex officio on each task force.

Members of the majority party shall have the right to bid for task force chairs in order of full committee seniority. No member elected as a task force chairperson may choose a second task force position before all other members of the majority party have selected one task force assignment in order of full committee seniority. After each member of the majority party has selected one task force assignment, each may bid, in order of full committee seniority, for a second task force assignment. No member may serve on more than two task forces.

The chairperson of each task force may designate one committee staff member who shall serve at the pleasure of such chairperson, with the approval of the chairwoman of the full committee. Such staff members shall be paid from funds provided for the appointment of committee staff pursuant to primary and additional expense resolutions.

RULE 8.—HEARINGS DATES AND WITNESSES

The chairwoman of the committee, after consultation with the ranking minority member of the committee, shall announce the date, place, and subject matter of all hearings at least one week prior to the commencement of any hearings, unless she, after consultation with that member, determines that there is good cause to begin such hearings at an earlier date. The minority members shall supply the names of witnesses they intend to call to the chairwoman of the committee at the earliest possible date. Witnesses appearing before the committee shall, so far as practicable, submit written statements at least 24 hours in advance of their appearance.

RULE 9.—OPEN MEETINGS

Meetings for the transaction of business and hearings of the committee shall be open to the public or closed in accordance with Rule XI of the House of Representatives.

RULE 10.—FIVE-MINUTE RULE

A committee member may question a witness only when recognized by the chairwoman for that purpose. In accordance with

House Rule XI 2(j)(2), each committee member may request up to five minutes to question a witness until each member who so desires has had an opportunity. Until all such requests have been satisfied, the chairwoman shall, so far as practicable, recognize alternately on the basis of seniority those majority and minority members present at the time the hearing was called to order and others on the basis of their arrival at the hearing. Thereafter, additional time may be extended at the direction of the chairwoman.

RULE 11.—INVESTIGATIVE HEARINGS; PROCEDURE

Investigative hearings shall be conducted according to the procedures in House Rule XI, 2(k). All questions put to witnesses before the committee shall be relevant to the subject matter before the committee for consideration, and the chairwoman shall rule on the relevance of any questions put to the witness.

RULE 12.—STENOGRAPHIC RECORD

A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the chairwoman may prescribe.

RULE 13.—TV, RADIO, AND PHOTOGRAPHS

When approved by a majority vote, an open meeting or hearing of the committee may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, by any of such methods of coverage, subject to the provisions of House Rule XI, 3. In order to enforce the provisions of said rule or to maintain an acceptable standard of dignity, propriety, and decorum, the chairwoman may order such alternation, curtailment or discontinuance of coverage as she determines necessary.

RULE 14.—STAFF

The chairwoman shall have the authority to appoint and terminate employees of the professional and clerical staff of the committee. The ranking minority member shall have the authority to select minority staff to be appointed by the chairwoman and to refer minority staff to be terminated by the chairwoman. The authorization for the creation of new majority staff positions, subject to the budget, shall rest with the chairwoman, and the ranking minority member shall have the same authority with respect to minority staff.

RULE 15.—STAFF DIRECTION

The majority staff shall be subject to the direction of the chairwoman of the committee and shall be assigned to such committee business as she considers advisable. The minority staff shall be subject to the direction of the ranking minority member of the committee and shall be assigned to such committee business as he considers advisable.

RULE 16.—AUTHORIZATION FOR TRAVEL

Travel to be paid 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 chairwoman. Travel may be authorized by the chairwoman for any member and any staff member in connection with the attendance of hearings conducted by the committee 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 chairwoman in writing the following:

- (1) The purpose of the travel;
- (2) The dates during which 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 to be made;

(4) The names of members and staff seeking authorization.

RULE 17.—ADDITIONAL DUTIES OF CHAIRMAN

The chairwoman of the committee shall:

(1) Make available to other committees the findings and recommendations resulting from the investigations of the committee as appropriate;

(2) Prepare a budget for the committee and present such budget to the committee for its approval; and

(3) Authorize and issue subpoenas as provided in House Rule XI, 2(m)(1), in the conduct of any investigation or activity or series of investigations of activities within the jurisdiction of the committee.

RULE 18.—AMENDMENT OF RULES

These rules may be modified, amended, or repealed by a majority vote of the committee, if at least two legislative days' written notice of the proposed change has been provided each member of the committee prior to the meeting date on which such changes are to be discussed and voted upon.

CONFERENCE REPORT ON S. 419

Mr. GONZALEZ submitted the following conference report and statement on 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:

CONFERENCE REPORT (H. REPT. 102-27)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Resolution Trust Corporation Funding Act of 1991".

TITLE I—RTC RESOLUTION PROCESS AND FUNDING

SEC. 101. THRIFT RESOLUTION FUNDING.

Section 21A(i) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(i)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving the left margin of such subparagraphs (as so redesignated) 2 ems to the right;

(2) in the heading, by striking "BORROWING" and inserting "FUNDING";

(3) by inserting after such heading the following new paragraph designation and heading:

"(1) BORROWING.—"; and

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

"(2) INTERIM FUNDING.—The Secretary of the Treasury shall provide the sum of \$30,000,000,000 to the Corporation to carry out the purposes of this section."

SEC. 102. REPORTS.

(a) IN GENERAL.—Section 21A(k) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(k)) is amended—

(1) in paragraph (1)(A)—

(A) by striking "The" and inserting "Notwithstanding section 9105 of title 31, United States Code, the"; and

(B) by striking everything after "standards" the first place it appears and inserting ". The audited statements shall be transmitted to the Congress by the Oversight Board not later than 180 days after the end of the Corporation's fiscal year to which those statements apply.";

(2) in paragraph (1)(B), by striking ", or by an independent certified public accountant retained to audit the Corporation's financial statement,"; and

(3) by adding at the end the following:

"(8) OPERATING PLANS.—

"(A) IN GENERAL.—Before the beginning of each calendar quarter, the Oversight Board shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives a detailed financial operating plan covering the remaining quarters of the Corporation's fiscal year in which that quarter occurs.

"(B) CONTENTS.—At a minimum, a detailed financial operating plan shall include—

"(i) estimates of the aggregate assets of institutions that are projected to be resolved in each quarter,

"(ii) the estimated aggregate cost of resolutions in each quarter,

"(iii) the estimated aggregate asset sales and principal collections in each quarter, and

"(iv) the Corporation's summary pro forma financial statement at the end of each quarter.

"(9) REPORTS ON SEVERELY TROUBLED INSTITUTIONS.—The Director of the Office of Thrift Supervision shall deliver on a quarterly basis to the Oversight Board a list of savings associations for which the Director has determined grounds exist, or are likely to exist in the current fiscal year of the Corporation and in the next following fiscal year of the Corporation, for the appointment of a conservator or receiver under the Home Owners' Loan Act. The Oversight Board shall report the aggregate number and assets of such savings associations to Congress within 60 days after the end of each calendar quarter."

(b) FIRST REQUIRED PLAN.—The first plan described in section 21A(k)(8) of the Federal Home Loan Bank Act, as amended by subsection (a), is due not later than 30 days after the date of enactment of this Act.

(c) TIMELINESS OF REPORTS.—

(1) IN GENERAL.—At any time when an agency is delinquent in providing information to Congress or any of its committees as required by paragraph (1), (4), (5), (6), (8), or (9) of section 21A(k) of the Federal Home Loan Bank Act or by subsection (b) of this section, the President of the Oversight Board, and the head of any agency responsible for such delinquency shall, within 15 days of such delinquency, in testimony before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives—

(A) explain the causes of such delinquency; and

(B) describe what steps are being taken to correct it and prevent its recurrence.

Testimony shall not be required pursuant to the preceding sentence before either Committee if the Chairman and Ranking Member of such Committee agree that such testimony is not necessary. For purposes of this paragraph, the term "head of an agency" means the Chairman of the Resolution Trust Corporation with respect to reports to be filed by such Corporation, the Director of the Office of Thrift Supervision with respect to reports to be filed by such Office, and the Comptroller General with respect to audits

to be conducted by the General Accounting Office.

(2) **TRANSITION RULE.**—Any information described in paragraph (1) of this subsection that is delinquent on the date of enactment of this Act shall be provided to the appropriate committees of Congress not later than 30 days following enactment of this Act. Failure to provide such information as required by this paragraph shall be considered as a delinquency under the provisions of paragraph (1).

SEC. 103. STATUS OF EMPLOYEES.

(a) **RESOLUTION TRUST CORPORATION.**—Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding at the end the following new subsection:

“(a) **STATUS OF EMPLOYEES.**—

“(1) **LIABILITY.**—A director, member, officer, or employee of the Corporation or of the Oversight Board has no liability under the Securities Act of 1933 with respect to any claim arising out of or resulting from any act or omission by such person within the scope of such person's employment in connection with any transaction involving the disposition of assets (or any interests in any assets or any obligations backed by any assets) by the Corporation. This subsection shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other acts or omissions outside the scope of such person's employment.

“(2) **DEFINITION.**—For purposes of this subsection, the term ‘employee of the Corporation or of the Oversight Board’ includes—

“(A) any employee of the Office of the Comptroller of the Currency or of the Office of Thrift Supervision who serves as a deputy or assistant to a member of the Board of Directors of the Corporation; and

“(B) any officer or employee of the Federal Deposit Insurance Corporation who performs services for the Corporation on behalf of the Federal Deposit Insurance Corporation, acting as exclusive manager.

“(3) **EFFECT ON OTHER LAW.**—This subsection does not affect—

“(A) any other immunities and protections that may be available under applicable law with respect to such transactions, or

“(B) any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a person described in paragraph (1) participating in such transactions.

This subsection shall not be construed to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.”

(b) **FEDERAL DEPOSIT INSURANCE CORPORATION.**—Section 2 of the Federal Deposit Insurance Act (12 U.S.C. 1812) is amended by adding at the end the following new subsection:

“(f) **STATUS OF EMPLOYEES.**—

“(1) **IN GENERAL.**—A director, member, officer, or employee of the Corporation has no liability under the Securities Act of 1933 with respect to any claim arising out of or resulting from any act or omission by such person within the scope of such person's employment in connection with any transaction involving the disposition of assets (or any interests in any assets or any obligations backed by any assets) by the Corporation. This subsection shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other acts or omissions outside the scope of such person's employment.

“(2) **DEFINITION.**—For purposes of this subsection, the term ‘employee of the Corporation’ includes any employee of the Office of the Comptroller of the Currency or of the Office of

Thrift Supervision who serves as a deputy or assistant to a member of the Board of Directors of the Corporation in connection with activities of the Corporation.

“(3) **EFFECT ON OTHER LAW.**—This subsection does not affect—

“(A) any other immunities and protections that may be available to such person under applicable law with respect to such transactions, or

“(B) any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a person described in paragraph (1) participating in such transactions.

This subsection shall not be construed to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.”

SEC. 104. INCIDENTAL POWERS.

(a) **RESOLUTION TRUST CORPORATION.**—Section 21A(b)(10)(N) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(10)(N)) is amended by adding at the end the following: “The Corporation may indemnify the directors, officers and employees of the Corporation on such terms as the Corporation deems proper against any liability under any civil suit pursuant to any statute or pursuant to common law with respect to any claim arising out of or resulting from any act or omission by such person within the scope of such person's employment in connection with any transaction entered into involving the disposition of assets (or any interests in any assets or any obligations backed by any assets) by the Corporation. For purposes of this subparagraph, the terms ‘officers’ and ‘employees’ include officers and employees of the Federal Deposit Insurance Corporation or of other agencies who perform services for the Corporation on behalf of the Federal Deposit Insurance Corporation, acting as exclusive manager. The indemnification authorized by this subparagraph shall be in addition to and not in lieu of any immunities or other protections that may be available to such person under applicable law, and this provision does not affect any such immunities or other protections.”

(b) **OVERSIGHT BOARD.**—Section 21A(a)(5) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(a)(5)) is amended—

(1) by redesignating subparagraphs (I) and (J) as subparagraphs (J) and (K), respectively; and

(2) by inserting after subparagraph (H) the following:

“(I) indemnify, from funds made available to it by the Corporation, the members, officers, and employees of the Oversight Board on such terms as the Oversight Board deems proper against any liability under any civil suit pursuant to any statute or pursuant to common law with respect to any claim arising out of or resulting from any act or omission by such person within the scope of such person's employment in connection with any transaction entered into involving the disposition of assets (or any interests in any assets or any obligations backed by any assets) by the Corporation, and the indemnification authorized by this provision shall be in addition to and not in lieu of any immunities or other protections that may be available to such person under applicable law, and this provision does not affect any such immunities or other protections.”

SEC. 105. CLARIFICATION OF REVIEW OF PRIOR CASES.

Section 21A(b)(11)(B) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(11)(B)) is amended—

(1) by striking “The Corporation shall exercise” and inserting the following:

“(C) **PROVISIONS APPLICABLE TO REVIEW OF PRIOR CASES.**—

“(i) **IN GENERAL.**—The Corporation shall exercise”; and

(2) by adding at the end of subparagraph (C), as so designated by paragraph (1) of this section, the following:

“(ii) **ADDITIONAL PROVISIONS.**—The Corporation, in modifying, renegotiating, or restructuring the insolvent institution cases resolved by the Federal Savings and Loan Insurance Corporation between January 1, 1988, and the date of enactment of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, shall carry out its responsibilities under section 519(a) of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1991 (104 Stat. 1386) and shall, consistent with achieving the greatest overall financial savings to the Federal Government, pursue all legal means by which the Corporation can reduce both the direct outlays and the tax benefits associated with such cases, including, but not limited to, restructuring to eliminate tax-free interest payments and renegotiating to capture a larger portion of the tax benefits for the Corporation.”

TITLE II—RTC DISPOSITION OF AFFORDABLE HOUSING

SEC. 201. AMENDMENTS RELATING TO SCOPE OF PROGRAM.

(a) **DEFINITION OF CORPORATION.**—Section 21A(c)(9)(C) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(9)(C)) is amended by striking the period at the end and inserting “, except that for purposes of subsection (c)(2) only, the term means the Resolution Trust Corporation acting in any capacity.”

(b) **SALES TO INSURED DEPOSITORY INSTITUTIONS EXCLUDED FROM PROGRAM.**—Section 21A(c)(10) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(10)) is amended to read as follows:

“(10) **EXEMPTION FOR CERTAIN TRANSACTIONS WITH INSURED DEPOSITORY INSTITUTIONS.**—The provisions of this subsection shall not apply with respect to any eligible residential property after the date the Corporation enters into a contract to sell such property to an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act), including any sale in connection with a transfer of all or substantially all of the assets of a closed savings association (including such property) to an insured depository institution.”

SEC. 202. AMENDMENTS RELATING TO SALE PROCEDURES.

Section 21A(c)(6)(A)(i) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(6)(A)(i)) is amended to read as follows:

“(i) **SALE PRICE.**—The Corporation may sell eligible single family property to qualifying households, nonprofit organizations, and public agencies without regard to any minimum purchase price.”

SEC. 203. SCOPE OF APPLICATION.

The amendments made by sections 201 and 202 of this Act to section 21A of the Federal Home Loan Bank Act shall be effective only during the period beginning on the date of the enactment of this Act and ending at the end of fiscal year 1991, and section 21A shall apply after the end of such period as if such amendments had not been made.

TITLE III—RTC MANAGEMENT REFORMS

SEC. 301. MANAGEMENT ENHANCEMENT GOALS.

Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding at the end the following new subsection:

“(r) **MANAGEMENT ENHANCEMENT GOALS.**—“(1) **ACTION TO ACHIEVE SPECIFIC GOALS.**—The Corporation, upon the enactment of this subsection, shall take action to assure achievement of the management goals specified in this paragraph, as follows:

“(A) **MANAGING CONSERVATORSHIPS.**—The Corporation shall standardize procedures with respect to its (i) auditing of conservatorships, (ii) ensuring and monitoring of compliance with Corporation policies and procedures by conservatorship managing agents, and (iii) ensuring and monitoring of conservatorship managing agent performance. These procedures shall be developed and implemented not later than September 30, 1991.

“(B) **PACE OF RESOLUTIONS.**—The Corporation shall take all reasonable and necessary steps to reduce the length of time institutions remain in conservatorship, with the goal that no institution shall be in conservatorship for more than 9 months.

“(C) **INFORMATION RESOURCES MANAGEMENT PROGRAM.**—The Corporation shall develop and incorporate within its strategic plan for information resources management, (i) a translation of program goals into the communication and computer hardware and software, and staff needed to accomplish such goals, (ii) a systems architecture to ensure that all systems will work together, and (iii) an identification of corporation information and systems needs at all operational levels.

“(D) **SECURITIES PORTFOLIO MANAGEMENT SYSTEM.**—The Corporation shall develop within its information architecture framework, a centralized system for the management of its portfolio of securities. This system shall be developed and implemented not later than September 30, 1991.

“(E) **TRACKING REO ASSETS.**—The Corporation shall develop, within its information architecture, an effective system to track and inventory real-estate-owned assets. This system shall be developed and implemented not later than September 30, 1991.

“(F) **ASSET VALUATION.**—The Corporation shall develop a process for the quarterly valuation or updating of valuations of the assets it holds in its capacity as receiver (or as a result of such capacity). Such process shall incorporate, to the extent practical, Corporation disposition experience. In addition, the necessary information systems shall be developed to track and manage these valuations.

“(G) **STANDARDIZATION OF DUE DILIGENCE AND MARKET FORMAT.**—The Corporation shall develop a program for performing due diligence on one- to four-family mortgages and for marketing such loans on a pooled basis.

“(H) **CONTRACTING.**—The Corporation, in order to identify the need for any changes in its contracting process which would enhance the independence, integrity, consistency and effectiveness of that process, shall consult on a regular basis with other agencies and organizations that have large scale contracting and procurement systems, and shall review on a regular basis its organizational structure and relationships. The Corporation shall develop and have in widespread use the following:

“(i) A manual setting forth comprehensive policies and procedures.

“(ii) A revised and expanded directive that clearly and definitively describes the roles and responsibilities of all those involved in the contracting process.

“(iii) A revised and expanded directive that sets forth in detail the standard procedures to be followed in evaluating contractor proposals.

“(iv) A set of standardized solicitation and contract documents for use by all Corporation officers.

“(v) A series of standardized contracting training modules for use by Corporation personnel and private contractors.

“(2) The Corporation shall, not later than September 30, 1991, file with the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Banking, Finance and Urban Affairs of the House of Representa-

tives, a report on the progress being made toward full compliance by the agency with this subsection, as well as a timetable for completing those items not yet completed.”

TITLE IV—MINORITY CONTRACTING REPORT

SEC. 401. MINORITY AND WOMEN BUSINESS POLICY, OUTREACH AND EQUAL OPPORTUNITY REPORTING REQUIREMENT.

Section 21A(k)(5)(B) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(k)(5)(B)) is amended by adding at the end the following new clause:

“(r) A complete description of all actions taken by the Corporation pursuant to subsections (a), (b), and (c) of section 1216 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 with respect to the employment of and contracting with minorities, women, and businesses owned or controlled by minorities or women and any other activity of the Corporation pursuant to the outreach program of the Corporation for minorities and women. Such description shall specify the steps taken by the Corporation, in its corporate capacity and its capacity as conservator or receiver, to implement the minority and women outreach programs required by section 1216(c) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 and shall set forth information and data showing—

“(I) the extent to which and means by which contract solicitations have been directed to minorities, women, and businesses owned or controlled by minorities or women by the Corporation and by the Federal Deposit Insurance Corporation on behalf of the Corporation;

“(II) the extent to which prime contracts and subcontracts have been awarded to minorities, women, and businesses owned or controlled by minorities or women, including data with respect to the number of such contracts, the dollar amounts thereof, and the percentage of Corporation contracting activity represented thereby (including contracting activity by the Federal Deposit Insurance Corporation on behalf of the Corporation);

“(III) contracting and outreach activity with respect to joint ventures and other business arrangements in which minorities, women, or businesses owned or controlled by minorities or women have a participation or interest; and

“(IV) the extent to which the Corporation's minority and women contracting outreach programs have been successful in maximizing opportunities through the outreach policies established by the Corporation for participation of minorities, women, and businesses owned or controlled by minorities or women in the Corporation's contracting activities.”

And the House agree to the same.

From the Committee on Banking, Finance and Urban Affairs, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

- HENRY GONZALEZ,
- B. VENTO,
- DOUG BARNARD, Jr.,
- CHARLES SCHUMER,
- BARNEY FRANK,
- TOM CARPER,
- ESTEBAN EDWARD TORRES,
- CHALMERS P. WYLIE,
- JIM LEACH,
- BILL MCCOLLUM,
- MARGE ROUKEMA,

From the Committee on Energy and Commerce, for consideration of sec. 4 of the Senate bill, and modifications committed to conference:

- EDWARD J. MARKEY,
- Managers on the Part of the House.
- DON RIEGLE,
- PAUL SARBANES,

JAKE GARN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate accepted the House amendment to the Senate bill with the following additional Amendments:

The addition of the auditing and reporting requirements from Section 3 of the Senate bill (except for the employee sanctions for delinquent reports and except that the first financial operating plan would be due 30 days after the date of enactment as opposed to 10 days); the immunity and indemnification provisions of the Senate bill with amendments; and the Senate's requirement directing the Resolution Trust Corporation (RTC) to seek reductions in tax benefits in its negotiations for changes in the 1988 thrift deals.

The final bill includes provisions that require an annual audit of the RTC by the General Accounting Office; financial operating plans from the Oversight Board; reports on projected transfers of savings associations from the OTC to the RTC; limited immunity and indemnification provisions; and direction to the RTC on renegotiation of the 1988 deals.

In addition, the bill includes provisions to improve the efficiency and effectiveness of the RTC's affordable housing provisions, provides for management reforms and improves minority contracting reporting requirements.

Some members of the conference believe that the RTC has not included racial and ethnic groups in the business activities of the Corporation in a significant way, to the detriment of the national interest. Therefore, the Conference Report requires the RTC in its semi-annual report to provide a complete description of all actions taken by the RTC pursuant to the minority outreach program prescribed by FIRREA with respect to the employment of and contracting with minorities and women, and businesses owned or controlled by minorities and women.

The conferees expect, however, that the RTC will, to the maximum practicable extent, make available contracting and subcontracting opportunities to minority individuals and women or to companies owned and controlled by minorities and women. It is further expected that the RTC will exercise its utmost authority, resourcefulness and diligence in ensuring that such contracting opportunities reflect a fair proportion of minority and women individuals, or companies owned or controlled by minorities and women, engaged in the activities of the Corporation. It is understood that this would apply to every type of contracting activity, including conservatorships, entered into by the RTC and by the FDIC on behalf of the Corporation.

SECTION-BY-SECTION ANALYSIS OF THE RESOLUTION TRUST CORPORATION FUNDING ACT OF 1991

Section 1. Short Title

The "Resolution Trust Corporation Funding Act of 1991."

TITLE I—RTC RESOLUTION PROCESS AND FUNDING

Section 10A. Thrift Resolution Funding

Additional Treasury Funding. The bill appropriates \$30 billion for interim funding of the RTC.

Section 102. Reports

Amends FIRREA to require an annual audit of the RTC by the GAO without exception. The audits must be completed within 180 days of the close of the fiscal year. (Prior law required an annual audit but permits the Oversight Board to contract with an independent accountant to conduct the RTC audit if the GAO notifies the Board that it will not perform the audit for that fiscal year.)

Requires the Oversight Board to submit quarterly financial operating plans to the House and Senate Banking Committees, and specifies the minimal contents of the quarterly financial operating plan. The first plan is due within 30 days of the date of enactment of this Act.

Requires the OTS to provide the Oversight Board quarterly with a list of savings associations that are projected to fail or to be placed into conservatorship during the current and following fiscal years. The Oversight Board must provide the aggregate number and assets of such institutions to the Congress within 60 days after the end of each calendar quarter.

Section 103. Status of Employees

Clarifies current law that provides that directors, officers, and employees of the RTC, the Oversight Board, and the FDIC are not subject to personal civil liability under the Securities Act of 1933 when they act within the scope of their employment in connection with asset disposition activities. The subsection is not to be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other acts or omissions outside the scope of such person's employment. The subsection is not to be construed to limit or alter in any way the immunities that are available under applicable law for any federal official or employee.

Section 104. Incidental Powers

Provides that the directors, officers, and employees of the FDIC, RTC, and Oversight Board may be indemnified by the RTC or the Oversight Board.

Section 105. Clarification of Review of Prior Cases

Requires the RTC to pursue all legal means to reduce the direct outlays and tax benefits of the 1988 thrift deals, consistent with achieving the greatest overall savings to the Federal government.

TITLE II—RTC DISPOSITION OF AFFORDABLE HOUSING

Section 201. Amendments Relating to Scope of Program

(a) Definition of Corporation. Expands the RTC affordable housing program to include eligible single family properties held in conservatorships.

(b) Sales to Insured Depository Institutions Excluded From Program. Excludes from the program any properties that are sold to an insured depository institution, including properties transferred in connection with the sale of a failed institution.

Section 202. Amendments Relating to Sale Procedures

Allows the RTC to sell eligible single family properties to qualifying families, non-profit organizations, and public agencies without regard to minimum sales price. Deletes the requirement for the RTC to establish "net realizable market value" for eligible residential property.

Section 203. Scope of Application

Provides that the provisions of Title II shall apply from date of enactment through the end of fiscal year 1991 only.

TITLE III—RTC MANAGEMENT REFORM

Section 301. Management Enforcement Goals

Requires the RTC to develop various programs, procedures, and systems for the management of conservatorships, pace of resolutions, information resources management, securities portfolio management, tracking REO, asset valuation, performing due diligence, and contracting. The RTC must file a report with the House and Senate Banking Committee on progress being made toward full compliance with this section by September 30, 1991.

TITLE IV—MINORITY CONTRACTING REPORT

Section 401. Minority and Women Business Policy, Outreach and Equal Opportunity Reporting Requirements

Requires a complete description of actions taken pursuant to section 1215 of FIRREA (affirmative program for equal employment opportunity and minority outreach provisions) with respect to the RTC's employment of and contracting with minorities, women and businesses owned or controlled by minorities or women. Specifically requires detailed reporting on minority and women owned business contract solicitations, contract awards, and outreach regarding joint ventures.

From the Committee on Banking, Finance and Urban Affairs, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

HENRY GONZALEZ,
B. VENTO,
DOUG BARNARD, Jr.,
CHARLES SCHUMER,
BARNEY FRANK,
TOM CARPER,
ESTEBAN EDWARD TORRES,
CHALMERS P. WYLIE,
JIM LEACH,
BILL MCCOLLUM,
MARGE ROUKEMA,

From the Committee on Energy and Commerce, for consideration of sec. 4 of the Senate bill, and modifications committed to conference:

EDWARD J. MARKEY,
Managers on the Part of the House.
DON RIEGLE,
PAUL SARBANES,
JAKE GARN,
Managers on the Part of the Senate.

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. GOSS) to revise and extend their remarks and to include extraneous material:)

Mr. GINGRICH, for 60 minutes each day, on April 9, 10, 11, 16, 17, and 18.
Mr. INHOFE, for 60 minutes, today.
Mr. WYLIE, for 60 minutes, on March 20.

(The following Members (at the request of Mr. JONTZ) to revise and extend their remarks and to include extraneous material:)

Mr. WHEAT, for 5 minutes, today.

Mr. BACCHUS, for 5 minutes, today.
Mr. CHAPMAN, for 5 minutes, today.
Mr. GLICKMAN, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. JONTZ, for 5 minutes, today.
Mr. VALENTINE, for 5 minutes, today.
Mr. WATERS, for 60 minutes, today.
Mr. KOPETSKI, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. GALLEGLY in three instances.
Mr. LENT.

Mr. DORNAN of California.

Mr. MACHTLEY.

Mr. HENRY.

Mr. KOLBE.

Mr. MCEWEN.

Mr. COLEMAN of Missouri in two instances.

Mr. GILMAN.

Mrs. MORELLA.

Mr. PORTER, in three instances.

Mr. GEKAS.

Mr. KLUG.

(The following Members (at the request of Mr. JONTZ) and to include extraneous matter:)

Mr. BONIOR.

Mr. NEAL of Massachusetts.

Mr. ROE.

Mrs. SCHROEDER.

Mr. STARK.

Mr. BILBRAY.

Mr. DORGAN of North Dakota.

Mr. LEHMAN of Florida.

Mr. LAFALCE.

Mr. JONTZ.

Mr. MAZZOLI in three instances.

Mr. PANETTA in two instances.

Mr. SCHUMER.

Mr. RICHARDSON.

Mr. KOSTMAYER.

Mr. DERRICK.

Mr. SKELTON.

Mr. MATSUI.

Mr. FAZIO in two instances.

Mr. LAROCO.

Mr. SHARP.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 133. Joint resolution authorizing and requesting the President to designate the second full week in March 1991 as "National Employ the Older Worker Week."

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 483. An act entitled the "Taconic Mountains Protection Act of 1991"; to the Committee on Agriculture.

S. 669. An act to provide a land transfer to the Missouri Housing Development Commission; to the Committee on Armed Services.

S. 674. An act to designate the United States Post Office located at 304 West Commercial Avenue in Monterey, Tennessee, as the "J.E. 'Eddie' Russell Post Office"; to the Committee on Post Office and Civil Service.

ADJOURNMENT

Mrs. BENTLEY. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 20, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

886. A letter from the Chief of Legislative Liaison, Department of the Army, transmitting notice of the Department's decision to convert the food services function at Fort McPherson, GA, by DOD civilian personnel to private contractors, pursuant to 10 U.S.C. 2304 nt.; to the Committee on Armed Services.

887. A letter from the Chief of Legislative Liaison, Department of Army, transmitting notice of the Department's decision to convert the word processing function at the Kansas City District, USACE by DOD civilian personnel to private contractors, pursuant to 10 U.S.C. 2304 nt.; to the Committee on Armed Services.

888. A letter from the Chairman, Resolution Trust Corporation, transmitting the report on enforcement issues, pursuant to Public Law 101-647, section 2540 (104 Stat. 4885); to the Committee on Banking, Finance and Urban Affairs.

889. A letter from the Acting Secretary, Department of Education, transmitting the followup report of the National Advisory Council on Women's Educational Programs, pursuant to 20 U.S.C. 3346(c) (1) and (4); to the Committee on Education and Labor.

890. A letter from the Chairman, National Foundation on the Arts and Humanities, transmitting the Federal Council on the Arts and the Humanities, 15th annual report on the Arts and Artifacts Indemnity Program for fiscal year 1990, pursuant to 20 U.S.C. 977; to the Committee on Education and Labor.

891. A letter from the Secretary, Department of Energy, transmitting the annual report of actions under the Powerplant and Industrial Fuel Use Act of 1978 during calendar year 1990, pursuant to 42 U.S.C. 8482; to the Committee on Energy and Commerce.

892. A letter from the Chairman, Washington, Utilities and Transportation Commission, transmitting, the 1991 report on the status of the Washington State telecommunications industry; to the Committee on Energy and Commerce.

893. A letter from the Executive Director, Board for International Broadcasting, transmitting a draft of proposed legislation to amend the Board for International Broad-

casting Act of 1973, as amended, to authorize appropriations for fiscal years 1992 and 1993 for carrying out that act and the Inspector General Act of 1978, as amended, pursuant to 31 U.S.C. 1110; to the Committee on Foreign Affairs.

894. A letter from the Inspector General, Department of Health and Human Services, transmitting the report on the Department controls over obligations for advisory and assistance services need to be strengthened; to the Committee on Government Operations.

895. A letter from the Chairman, Federal Maritime Commission, transmitting the Department's annual report of activities under the Freedom of Information Act for the calendar year 1990, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

896. A letter from the Director, Institute of Museum Services, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

897. A letter from the Senior Vice President and Chief Financial Officer, Tennessee Valley Authority, transmitting the reconciliation to the budget report, statement on internal accounting, and administrative control, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

898. A letter from the Solicitor, U.S. Commission on Civil Rights, transmitting the Department's annual report of activities under the Freedom of Information Act for the calendar year 1990, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

899. A letter from the Department of the Interior, transmitting the safety of dams programs modification report, "O'Neill Forebay Dam"; to the Committee on Interior and Insular Affairs.

900. A letter from the Department of the Interior, transmitting copies of the Reclamation Reform Act of 1982, annual report to the Congress, February 1991, and the Reclamation States Drought Assistance Act of 1988, report to the President and the Congress; to the Committee on Interior and Insular Affairs.

901. A letter from the Administrator, Federal Aviation Administration, transmitting the semiannual report on the effectiveness of the Civil Aviation Security Program for the period July 1, 1989 through December 31, 1989, pursuant to 49 U.S.C. app. 1356(a); to the Committee on Public Works and Transportation.

902. A letter from the Secretary, Department of Agriculture, transmitting the rehabilitation needs of each Forest Service region, resulting from disastrous forest fire damage during the previous year, pursuant to Public Law 101-286, section 202(1) (104 Stat. 174); jointly, to the Committees on Agriculture and Interior and Insular Affairs.

903. A letter from the Secretary of Energy, transmitting the first annual report by the Department on its activities relating to the Defense Nuclear Facilities Safety Board; jointly, to the Committees on Armed Services and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. FORD of Michigan: Committee on Education and Labor. Report of the Committee on Education and Labor pursuant to section 302(b) of the Congressional Budget Act of 1974, as amended (Rept. 102-24). Referred to the Committee of the Whole House on the State of the Union.

Mr. BEILENSON: Committee on Rules. House Resolution 114. Resolution providing for the consideration of H.R. 355, a bill to amend the Reclamation States Drought Assistance Act of 1988 to extend the period of time during which drought assistance may be provided by the Secretary of the Interior, and for other purposes (Rept. 102-25). Referred to the House Calendar.

Mr. CLAY: Committee on Post Office and Civil Service. Report of the Committee on Post Office and Civil Service, pursuant to section 302(b) of the Congressional Budget Act of 1974 (Rept. 102-26). Referred to the Committee of the Whole House on the State of the Union.

Mr. GONZALEZ: Committee of Conference. Conference Report on S. 419 (Rept. 102-27). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WHITTEN:
H.R. 1462. A bill to establish the Reconstruction Finance Corporation to make loans and loan guarantees to individuals or concerns engaged in industry, agriculture, and commerce, who would otherwise be unable to obtain needed financing or refinancing essential for continued operation thereby preventing unemployment and resulting disruption of the economy, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1463. A bill making appropriations to meet our economic problems coming from changing conditions with essential productive jobs for the fiscal year ending September 30, 1991, and for other purposes; to the Committee on Appropriations.

By Mr. JONES of North Carolina (for himself, Mr. LENT, Mr. HUBBARD, Mr. DAVIS, Mr. TAUZIN, and Mr. STUDDS):

H.R. 1464. A bill to authorize appropriations for fiscal year 1992 for the Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROWN (for himself and Mr. WALKER) (both by request):

H.R. 1465. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and inspector general, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BRUCE (for himself, Mr. ROYBAL, Mr. TOWNS, Mr. STUDDS, Mr. SCHEUER, Ms. PELOSI, Mr. SIKORSKI, Mr. BOUCHER, Mr. GORDON, Mr. BILBRAY, Mr. RICHARDSON, Mr. SYNAR, Mr. COLEMAN of Texas, Mr. VALENTINE, Mr. COX of Illinois, and Mr. WEISS):

H.R. 1466. A bill to amend title VII of the Public Health Service Act to increase the support provided to programs for the training of medical rehabilitation health person-

nel, to establish an Advisory Council on Allied Health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARDIN (for himself, Mr. STARK, and Mr. DONNELLY):

H.R. 1467. A bill to amend title XVIII of the Social Security Act to reduce from 1 year to 30 days the deadline for submitting claims to the Secretary of Health and Human Services for services provided under part B of the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. CRANE (for himself and Mr. SHAYS):

H.R. 1468. A bill to authorize and direct the General Accounting Office to audit the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and Federal Reserve banks and their branches; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DARDEN:

H.R. 1469. A bill to amend the Federal Deposit Insurance Act to include foreign deposits in the assessment base; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BROOKS:

H.R. 1470. A bill to establish evidentiary standards for Federal civil antitrust claims based on resale price fixing; to the Committee on the Judiciary.

By Mr. DAVIS (for himself, Mr. LENT, Mr. JONES of North Carolina, Mrs. BENTLEY, and Mr. FIELDS):

H.R. 1471. A bill to amend the Merchant Marine Act, 1936, to provide reemployment rights for merchant seamen who are employed in activation or operation of certain vessels of the United States during periods of national defense need, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DORGAN of North Dakota (for himself, Mr. MATSUI, Mr. CRANE, Mr. SUNDQUIST, Mr. BUNNING, Mr. AU COIN, Mr. BREWSTER, and Mr. KOPETSKI):

H.R. 1472. A bill to amend the Internal Revenue Code of 1986 to restore prior law with respect to the application of employer Social Security taxes to employees' cash tips; to the Committee on Ways and Means.

By Mr. DORNAN of California (for himself, Mr. LANCASTER, Mr. WILSON, and Mr. GILMAN):

H.R. 1473. A bill to repeal section 3205 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. GLICKMAN (for himself and Mr. FISH):

H.R. 1474. A bill to provide a comprehensive system for assuring compensation to injured parties through indemnification by the United States of its design professionals for liability in excess of reasonably available financial protection; to the Committee on the Judiciary.

By Mr. JONTZ (for himself, Mr. SHARP, Mr. HAMILTON, Mr. JACOBS, Ms. LONG, and Mr. ROEMER):

H.R. 1475. A bill to restore Federal recognition to the Miami Tribe in Indiana; to the Committee on Interior and Insular Affairs.

By Mr. KOLBE (for himself, Mr. UDALL, Mr. STUMP, Mr. RHODES, and Mr. KYL):

H.R. 1476. A bill to provide for the divestiture of certain properties of the San Carlos Indian Irrigation Project in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KOSTMAYER (for himself and Mr. McDADE):

H.R. 1477. A bill to provide for the transfer of certain real property to the National Park

Service for inclusion in the Upper Delaware Scenic and Recreational River; to the Committee on Interior and Insular Affairs.

By Mr. LAUGHLIN (for himself, Mr. TAUZIN, Mr. BROOKS, Mr. DE LA GARZA, Mr. ORTIZ, Mr. LIVINGSTON, Mr. HUTTO, Mr. FIELDS, Mr. HAYES of Louisiana, Mr. CALLAHAN, Mr. LANCASTER, Mr. JEFFERSON, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. PARKER, Mr. BAKER, Mr. DELAY, Mr. GRAY, and Mr. HARRIS):

H.R. 1478. A bill to provide relief to shrimp fishermen from economic hardship caused by the mandatory use of turtle excluder devices under the Endangered Species Act, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Ways and Means.

By Mr. LEWIS of Florida:

H.R. 1479. A bill to amend title 5, United States Code, to provide that the Civil Service Retirement and Disability Fund be excluded from the budget of the U.S. Government; jointly, to the Committees on Post Office and Civil Service and Government Operations.

By Mr. NEAL of North Carolina:

H.R. 1480. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MILLER of Ohio:

H.R. 1481. A bill to amend title 10, United States Code, to authorize the detail of personnel of the Department of Defense to assist the Immigration and Naturalization Service and the U.S. Customs Service perform border patrol-related activities; jointly, to the Committees on Armed Services and the Judiciary.

By Mr. MURPHY (for himself, Mr. HORTON, Mr. COLEMAN of Texas, Mr. YATRON, Mr. BEREUTER, Mr. PENNY, Mr. LENT, Mr. EVANS, Mr. TOWNS, Mr. HYDE, Mr. DERRICK, Mr. FROST, Mr. LANCASTER, Mr. RAMSTAD, Mr. BRUCE, Mr. LAGOMARSINO, Mr. ROE, Mr. OWENS of Utah, Mr. ERDREICH, Mr. CHAPMAN, and Ms. NORTON):

H.R. 1482. A bill to amend title IV of the Higher Education Act of 1965 to allow resident physicians to defer repayment of title IV student loans while completing accredited resident training programs; to the Committee on Education and Labor.

By Mr. PALLONE (for himself, Mr. BROWN, Mr. SCHEUER, Mr. WOLPE, Mr. DWYER of New Jersey, Mr. SHAYS, Mr. OWENS of Utah, Mr. HAYES of Louisiana, Mr. JONTZ, Mr. JOHNSON of South Dakota, Mrs. MINK, Mr. DE LUGO, Mr. GILMAN, Mr. NEAL of North Carolina, Mr. ECKART, Mr. RAVENEL, Mr. UPTON, Mr. ROE, Ms. SLAUGHTER of New York, Mr. ANDREWS of Maine, Mr. HUGHES, Mr. ANDREWS of New Jersey, Mr. MFUME, and Mrs. LOWEY of New York):

H.R. 1483. A bill to require the Secretary of Energy, in close consultation with the Administrator of the Environmental Protection Agency and the Director of the National Institute of Environmental Health Sciences, to develop and implement a comprehensive study of the potential human health effects of electric and magnetic fields, to evaluate whether improved engineering designs of electricity delivery systems to residences and workplaces will reduce potential health risks posed by electric and magnetic fields, and to establish a comprehensive public information dissemination program on issues related to electric and magnetic fields; jointly, to the Committees on Energy and Commerce and Science, Space, and Technology.

By Mr. PANETTA:

H.R. 1484. A bill to amend the Internal Revenue Code of 1986 to reduce the occupational tax on retail dealers in liquors and beer, to limit the period during which such tax may be assessed; to the Committee on Ways and Means.

H.R. 1485. A bill to amend the Internal Revenue Code of 1986 to provide that certified public accountants and enrolled agents may represent taxpayers in certain Tax Court cases involving \$10,000 or less; to the Committee on Ways and Means.

By Mr. RICHARDSON:

H.R. 1486. A bill to amend title IV of the Act of December 19, 1980 (94 Stat. 3227) to provide further relief to the Vermejo Conservancy District from its repayment obligations for the construction, operation, and maintenance of the Vermejo reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROHRBACHER:

H.R. 1487. A bill to amend the Internal Revenue Code of 1986 to provide a limitation on the application of the affiliated service group rules of section 414(m) of such Code in the case of certain bone fide business transactions; to the Committee on Ways and Means.

By Mrs. SCHROEDER:

H.R. 1488. A bill to amend the Department of Energy Organization Act to prohibit Department of Energy contractors from taking retaliatory personnel actions against any employee who discloses information which the employee reasonably believes evidences a violation of Federal law relating to the contract; to the Committee on Energy and Commerce.

By Mr. SHARP (for himself, Mr. MOORHEAD, Mr. TAUZIN, Mr. LEVINE of California, and Mr. BELENSON):

H.R. 1489. A bill to increase the safety to humans and the environment from the transportation by pipeline of natural gas and hazardous liquids, and for other purposes; jointly, to the Committee on Energy and Commerce and Public Works and Transportation.

By Mr. SMITH of New Jersey (for himself, Mr. MOLLOHAN, Mrs. VUCANOVICH, Mr. HYDE, Mr. BONIOR, Mr. STENHOLM, Mr. APPEGATE, Mr. VOLKMER, Mr. ROE, Mr. TAUZIN, Mr. LENT, Mr. ARCHER, Mr. BLILEY, Mr. HUNTER, Mr. WEBER, Mr. MCCOLLUM, Mr. DANNEYER, Mr. KYL, Mr. HENRY, Mr. RAHALL, Mr. HOLLOWAY, Mr. EMERSON, Mr. LIGHTFOOT, Mr. OXLEY, Mr. DORNAN of California, Mr. PETERSON of Minnesota, Mr. BOEHNER, Mr. SMITH of Texas, Mr. SANTORUM, Mr. RHODES, Mr. BUNNING, Mr. WALSH, Mr. LAGOMARSINO, Mr. HASTERT, Mr. MCCREERY, Mr. DOOLITTLE, Mr. HANSEN, Mr. DELAY, Mr. GRANDY, Mr. INHOFE, Mr. ARMEY, Mr. PACKARD, Mr. HANCOCK, Mr. PAXON, Mr. BARTON of Texas, Mr. SUNDQUIST, and Mr. COMBEST):

H.R. 1490. A bill to establish, with respect to abortions and parental notifications, a requirement in programs in which the Secretary of Health and Human Services provides financial assistance to non-Federal entities for the provision of health services; to the Committee on Energy and Commerce.

By Mr. SOLOMON:

H.R. 1491. A bill to amend the Anti-Drug Abuse Act of 1988 to eliminate the discretion of the court in connection with the denial of certain Federal benefits upon conviction of certain drug offenses; to the Committee on the Judiciary.

By Mr. STARK (for himself and Mr. COYNE):

H.R. 1492. A bill to provide coverage under the Medicare Program to individuals receiving extended unemployment compensation benefits or trade readjustment allowances, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. VENTO (for himself, Mr. ANNUNZIO, Mr. KLECZKA, Mr. KANJORSKI, Mr. NEAL of North Carolina, Mr. SANDERS, Mr. ABERCROMBIE, Mr. BONIOR, Mr. BRYANT, Mrs. COLLINS of Illinois, Mr. COSTELLO, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. EVANS, Mr. FUSTER, Mr. GEJDENSON, Mr. GORDON, Mr. GUARINI, Mr. HARRIS, Mr. HERTEL, Mr. KOLTER, Mr. KOPETSKI, Mr. LANCASTER, Mr. LEHMAN of California, Mrs. LOWEY of New York, Mr. MCCLOSKEY, Mr. MRAZEK, Ms. PELOSI, Mr. PENNY, Mr. RANGEL, Mr. SABO, Mr. SMITH of Florida, and Mr. VALENTINE):

H.R. 1493. A bill to amend the Electronic Fund Transfer Act to provide that the endorsement, deposit, transfer, or other form of negotiation of a check by any consumer may not constitute the authorization of the consumer to make any preauthorized electronic fund transfer from the consumer's account and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WALSH (for himself, Mr. BOEHLERT, Ms. SLAUGHTER of New York, Mr. MARTIN, Mr. HORTON, Mr. SANDERS, and Mr. MCDADE):

H.R. 1494. A bill to establish on a temporary basis a minimum basic formula price for the computation of Class I milk prices; to the Committee on Agriculture.

By Mr. WILLIAMS (for himself and Mr. OWENS of Utah):

H.R. 1495. A bill to increase Federal payments in lieu of taxes to units of general local governments, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPIN:

H.J. Res. 191. Joint resolution designating January 5, 1992 through January 11, 1992 as "National Law Enforcement Training Week"; to the Committee on Post Office and Civil Service.

By Mr. COLEMAN of Missouri:

H.J. Res. 192. Joint resolution proposing an amendment to the Constitution of the United States to prohibit the Supreme Court or any inferior court of the United States from ordering the laying or increasing of taxes; to the Committee on the Judiciary.

H.J. Res. 193. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations made by the United States shall not exceed its revenues, except in time of war or national emergency; and to provide for the systematic paying back of the national debt; to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. BEVILL, Mr. BILIRAKIS, Mr. BLILEY, Mr. BROWDER, Mr. CALLAHAN, Mr. CRAMER, Mr. DICKINSON, Mr. ERDREICH, Mr. ROWLAND, Mr. WISE, Mr. BONIOR, Mr. MOODY, Mr. PICKETT, Mr. APPEGATE and, Mr. LAUGHLIN):

H.J. Res. 194. Joint resolution designating May 12, 1991, as "Infant Mortality Awareness Day"; to the Committee on Post Office and Civil Service.

By Mr. McNULTY (for himself, Mr. WELDON, Ms. OAKAR, Mr. FEIGHAN, Mr. HORTON, Mr. DORNAN of Califor-

nia, Mr. ESPY, Mr. WALSH, Mr. LANCASTER, Mr. SCHEUER, Mr. BROOKS, Mr. PANETTA, Mr. MARTIN, Mr. LAGOMARSINO, Mr. EVANS, Mr. SLATTERY, Mr. ROE, Mr. BLAZ, Mr. MCGRATH, Mr. MRAZEK, Mr. ACKERMAN, Mr. KOSTMAYER, Mr. SOLOMON, Mr. ABERCROMBIE, Ms. SLAUGHTER of New York, Mr. SERRANO, and Mr. FISH):

H. Con. Res. 100. Concurrent resolution expressing the sense of the Congress that the President should award the Presidential Medal of Freedom to Martha Raye; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. OLIN introduced a bill (H.R. 1496) for the relief of Octavianus David Reinhart; 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. 7: Mrs. KENNELLY, Mr. MINETA, Mr. PALLONE, Ms. DELAURO, Ms. NORTON, Mr. ANDREWS of New Jersey, Mr. ANDREWS of Maine, Mr. GUARINI, Mr. PANETTA, Mr. FORD of Tennessee, and Mr. FLAKE.

H.R. 10: Mrs. LLOYD.

H.R. 44: Mr. YATRON, Mr. DWYER of New Jersey, Mr. SHAW, Mr. PALLONE, and Mr. GAYDOS.

H.R. 53: Mr. KILDEE, Mrs. LOWEY of New York, Mr. MARKEY, Mr. SCHAEFER, and Mr. MOLLOHAN.

H.R. 62: Mr. ZIMMER, Mr. OLIN, and Mr. KANJORSKI.

H.R. 64: Mr. BILIRAKIS, Mr. MCCOLLUM, Mr. LANCASTER, Mr. GOSS, Mr. LEHMAN of Florida, and Mr. JOHNSTON of Florida.

H.R. 66: Mr. FROST, Mr. TRAFICANT, Mr. RINALDO, Mr. RHODES, Mr. SMITH of Texas, Mr. ROTH, Mr. DWYER of New Jersey, Mr. RITTER, Mr. KANJORSKI, and Mrs. MEYERS of Kansas.

H.R. 94: Mr. WILSON.

H.R. 179: Mr. SIKORSKI, Mr. UPTON, and Mr. HUGHES.

H.R. 252: Ms. PELOSI, Mr. HOCHBRUECKNER, Mr. YATRON, Mr. MCGRATH, Mr. GILMAN, Mr. JACOBS, Mr. GIBBONS, Mr. TORRES, Mr. FEIGHAN, Mr. GUARINI, Mr. LANTOS, Mr. DWYER of New Jersey, Mr. PORTER, Mr. KOSTMAYER, Mr. RAHALL, Mr. WILSON, Mr. LIPINSKI, and Mr. OWENS of New York.

H.R. 298: Mr. MCGRATH and Mr. CUNNINGHAM.

H.R. 357: Mr. FISH, Mr. HOAGLAND, and Mr. ENGEL.

H.R. 418: Mr. UPTON, Mr. CAMPBELL of Colorado, Mr. JEFFERSON, Mr. FALEOMAVAEGA, Mr. HALL of Texas, and Mr. QUILLEN.

H.R. 483: Mr. NEAL of North Carolina, Mr. SABO, Mr. FROST, Mr. SANTORUM, Mr. LANCASTER, Mr. KENNEDY, Mr. PRICE, and Mrs. BOXER.

H.R. 559: Mr. ANDREWS of Texas.

H.R. 576: Mr. KOPETSKI, Mr. PARKER, Mr. HAYES of Illinois, Mr. BRUCE, Mrs. LOWEY of New York, Mr. HYDE, Mr. ALEXANDER, Mr. OWENS of Utah, Mr. GALLO, Mr. EMERSON, Mr. KOLTER, Mr. KANJORSKI, Mr. BURTON of Indiana, Mr. QUILLEN, Mr. SANGMEISTER, and Mr. MOLLOHAN.

H.R. 583: Mr. BEVILL.

H.R. 585: Mr. COSTELLO, Mr. FAWELL, and Mr. MARKEY.

H.R. 602: Mr. COUGHLIN, Mr. FISH, Mr. HERTEL, Mr. KOLTER, Mr. LAGOMARSINO, Mr. MARTIN, Mr. MILLER of Ohio, Mr. NEAL of North Carolina, Mr. UPTON, and Mr. WOLPE.

H.R. 652: Mr. FROST and Mr. KLECZKA.

H.R. 680: Mr. RANGEL and Mr. CLINGER.

H.R. 754: Mr. ABERCROMBIE, Mr. CONYERS, Mr. FISH, and Ms. WATERS.

H.R. 756: Mr. FISH, Mr. MOODY, and Mr. UPTON.

H.R. 785: Mr. SCHEUER.

H.R. 830: Mr. HUCKABY.

H.R. 840: Mr. HANSEN, Mr. UPTON, Mr. STEARNS, Mr. DORGAN of North Dakota, Mr. SIKORSKI, Mr. ROGERS, Mr. COBLE, Mr. KOPETSKI, Ms. NORTON, Mrs. KENNELLY, and Mr. LANCASTER.

H.R. 888: Mrs. UNSOELD.

H.R. 902: Mr. HUBBARD and Mr. BOEHNER.

H.R. 919: Mr. FROST.

H.R. 924: Mr. PETRI, Mr. INHOPE, and Mr. MCDADE.

H.R. 972: Mr. CAMPBELL of Colorado.

H.R. 999: Mr. BACCHUS.

H.R. 1000: Mr. RANGEL, Mr. RAVENEL, Mr. McNULTY, Mrs. BOXER, Mr. TOWNS, Mr. OWENS of Utah, Mrs. LLOYD, Mr. RAMSTAD, Mr. LEVIN of Michigan, Mr. MCDERMOTT, Mr. BROWN, Mr. ECKART, Mr. MFUME, Ms. PELOSI, and Mr. TRAFICANT.

H.R. 1052: Mr. RAMSTAD, Mr. HOCHBRUECKNER, and Mr. QUILLEN.

H.R. 1054: Mr. SANTORUM, Mr. FISH, Mr. OXLEY, and Mr. MCEWEN.

H.R. 1059: Mr. LAGOMARSINO, Mr. ROE, Mr. WAXMAN, and Mr. HOAGLAND.

H.R. 1079: Mr. LAUGHLIN, Mr. PICKLE, Mr. HORTON, and Mr. PARKER.

H.R. 1081: Mrs. BOXER.

H.R. 1107: Mr. ALEXANDER, Mr. ANDREWS of New Jersey, Mr. ASPIN, Mr. BEVILL, Mr. BILBRAY, Mr. BROWDER, Mr. CARPER, Mr. CLEMENT, Mr. DERRICK, Mr. DIXON, Mr. DOOLITTLE, Mr. DORGAN of North Dakota, Mr. ECKART, Mr. FOGLIETTA, Mr. FROST, Mr. GEREN of Texas, Mr. GONZALEZ, Mr. HAMMERSCHMIDT, Mr. HEFNER, Mr. HOYER, Mr. HUGHES, Mr. JONES of Georgia, Mr. LAFALCE, Mr. LANCASTER, Mr. LANTOS, Mr. LEHMAN of California, Mrs. LLOYD, Mr. MACHTLEY, Mr. MRAZEK, Mr. PENNY, Mr. POSHARD, Mr. ROE, Mr. SANTORUM, Mr. SERRANO, Mr. SHARP, Mr. SOLARZ, Mr. SPENCE, Mr. STAGGERS, Mr. TORRICELLI, and Mr. WISE.

H.R. 1120: Mr. FISH, Mr. FROST, Mr. KOPETSKI, and Mr. YATRON.

H.R. 1124: Mr. PERKINS, Ms. OAKAR, and Mr. ABERCROMBIE.

H.R. 1156: Mr. BLILEY and Ms. MOLINARI.

H.R. 1171: Mr. McNULTY, Mr. DORGAN of North Dakota, Mr. NOWAK, Mr. RAVENEL, Mr. DWYER of New Jersey, Mr. LIPINSKI, Mr. PETRI, Mr. COSTELLO, and Mr. VALENTINE.

H.R. 1184: Mr. HOLLOWAY and Mr. HUCKABY.

H.R. 1197: Mr. BRUCE, Mr. BRYANT, Mr. DWYER of New Jersey, and Mr. STARK.

H.R. 1226: Mr. HORTON, Mr. BELENSON, Mr. DWYER of New Jersey, and Mr. WEISS.

H.R. 1259: Mr. PAYNE of New Jersey, Mr. GOSS, Mr. RAMSTAD, Mr. ABERCROMBIE, Mrs. LLOYD, Mr. ROHRBACHER, Mr. CONDIT, Mr. INHOPE, Mr. ESPY, Mr. HOAGLAND, Mr. MARLENEE, Mr. KANJORSKI, Mr. DWYER of New Jersey, Mr. GALLEGLY, Mr. QUILLEN, and Mr. DERRICK.

H.R. 1263: Mr. ECKART, Mrs. JOHNSON of Connecticut, Mr. JEFFERSON, Mr. DOOLEY, Mr. BRYANT, Mr. KOLTER, and Ms. NORTON.

H.R. 1264: Mr. ECKART, Mrs. JOHNSON of Connecticut, Mr. JEFFERSON, Mr. DOOLEY, Mr. BRYANT, Mr. KOLTER, and Ms. NORTON.

H.R. 1285: Ms. NORTON.

H.R. 1360: Mr. FROST, Mr. JEFFERSON, Mr. PORTER, Mrs. LOWEY of New York, Ms. NOR-

TON, Ms. SLAUGHTER of New York, Mr. LEVINE of California, and Mr. KENNEDY.

H.R. 1373: Mr. MOORHEAD, Mr. HUGHES, and Mr. FROST.

H.R. 1386: Mr. MILLER of California.

H.R. 1397: Mrs. BENTLEY, Mr. BAKER, Mr. DOOLITTLE, Mr. LIGHTFOOT, and Mr. SMITH of New Jersey.

H.R. 1446: Mr. BRUCE.

H.J. Res. 80: Mr. BLILEY.

H.J. Res. 81: Mr. MORRISON and Mr. COX of California.

H.J. Res. 107: Mr. RAHALL and Mr. PALLONE.

H.J. Res. 134: Mr. ARCHER, Mr. BROOMFIELD, Mr. BROWN, Mr. CONYERS, Mr. DEFAZIO, Mr. GRADISON, Mr. HALL of Ohio, Mr. HAMMERSCHMIDT, Mr. HERTEL, Mr. HUBBARD, Mr. JEFFERSON, Mr. LIVINGSTON, Mr. MARKEY, Mr. MFUME, Mr. MOORHEAD, Mr. SARPALIUS, Mr. SHAYS, Mr. SIKORSKI, Mr. SLATTERY, Mr. WASHINGTON, and Mr. YOUNG of Alaska.

H.J. Res. 141: Mr. LAGOMARSINO, Mr. HAMMERSCHMIDT, Mr. PAXON, Mrs. MEYERS of Kansas, Mr. FROST, Mr. GUARINI, Mr. MRAZEK, Mrs. BYRON, Mr. ABERCROMBIE, Mr. DONNELLY, Mr. JEFFERSON, Mr. PAYNE of New Jersey, Mrs. KENNELLY, Ms. NORTON, Mr. ESPY, Mr. NICHOLS, and Ms. SNOWE.

H.J. Res. 142: Mr. FORD of Michigan, Mr. LOWEY of New York, Mr. FAWELL, Mr. HENRY, Ms. MOLINARI, Mr. KLUG, Mr. GUNDERSON, Mr. KILDEE, Mr. SAWYER, Mr. BARRETT, and Mr. HORTON.

H.J. Res. 148: Mr. BALLENGER.

H.J. Res. 156: Mr. ROWLAND, Mr. ROGERS, Mr. RAY, Ms. PELOSI, Mr. HUNTER, Mr. FASCELL, Mr. HOAGLAND, Mr. EMERSON, Mr. LAFALCE, Ms. SNOWE, and Mr. ALEXANDER.

H.J. Res. 169: Ms. NORTON, Mr. DEFAZIO, Mr. LEVINE of California, Mr. VALENTINE, Mr. GUARINI, Mr. RIGGS, Mr. MCNULTY, Mr. BACHUS, Mr. JEFFERSON, Mr. WILSON, Mr. PAYNE of Virginia, Mr. LAGOMARSINO, Mrs. LLOYD,

Mr. LANTOS, Mr. LEHMAN of Florida, Mr. BARNARD, and Mr. ANDREWS of Maine.

H.J. Res. 171: Mr. THOMAS of Georgia, Mr. OXLEY, Ms. KAPTUR, Mr. MAVROULES, Mr. HASTERT, Mr. BUNNING, Mr. LIVINGSTON, Mr. EMERSON, Mr. NEAL of North Carolina, Mr. DANNEMEYER, Mrs. MINK, Mr. RAMSTAD, Mr. FRANK of Massachusetts, Mr. CLEMENT, Mr. BLILEY, Mr. FASCELL, and Mr. STOKES.

H. Con. Res. 20: Mr. SOLOMON.

H. Con. Res. 56: Mr. RANGEL.

H. Con. Res. 77: Ms. NORTON, Mr. RAMSTAD, and Mr. MFUME.

H. Con. Res. 81: Mr. FROST, Mr. BALLENGER, Mr. MOORHEAD, Mr. DUNCAN, Mr. BARNARD, Mr. CRANE, Mr. ANDERSON, Mr. LEWIS of California, and Mr. SCHAEFER.

H. Res. 100: Mr. LAGOMARSINO and Mr. SANTORUM.