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PROCEEDINGS AND DEBATES OF THE 102^d CONGRESS, FIRST SESSION

SENATE—Friday, March 22, 1991

(Legislative day of Wednesday, February 6, 1991)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.—I Timothy 5:8.

Gracious God, our Father in Heaven, we thank Thee for our families, and we pray for them—for spouses and children who so often are hostages to relentless Senate schedules. Help all of us to keep our priorities in order and not to allow anything, however important, to alienate us from Thee or from our families. As this recess begins, help us to make time—take time—for our loved ones.

In His name who is incarnate love,

The Lord bless you, and keep you:

The Lord make His face to shine upon you, and be gracious unto you:

The Lord lift up His countenance upon you, and give you peace. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 22, 1991.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

THE JOURNAL

Mr. MITCHELL. Mr. President, it is my understanding that the Journal of the proceedings has been approved.

The ACTING PRESIDENT pro tempore. The leader is correct.

SCHEDULE

Mr. MITCHELL. Mr. President, today, following the time reserved for the two leaders, there will be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

It is my understanding that the conferees on the appropriations bills reached agreement and the House is now proceeding to take up the results of those agreements. I expect that both measures will be cleared by the House in the next few hours and be sent to the Senate for action here.

So I anticipate that the Senate will consider and I hope enact both of the supplemental appropriations bills today. It is my intention to seek consent of the Members of the Senate to proceed with respect to both measures by voice vote.

I believe that the first supplemental appropriations bill, that dealing with Operation Desert Storm, is non-controversial. The second measure, while including some measures on which there was some disagreement during Senate debate, has been satisfactorily resolved, at least as to most Senators, although I understand that some are disappointed with the results.

So I hope we can proceed to do this by voice vote. That will require the

consent of all Senators. Obviously, as Senators know, under our rules, if Senators seek a rollcall vote, they have a right, or if a Senator wishes to offer an amendment to an amendment in disagreement, that right exists as well.

So Senators should be aware that the two appropriations bills are now in the process of being acted upon in the House of Representatives. I expect they will be received here in the Senate early this afternoon. It is my hope to deal with them promptly by consent without the necessity for a rollcall vote. I will shortly be seeking the consent of all Senators to do so.

CAMPAIGN FINANCE REFORM

Mr. MITCHELL. Mr. President, and I say to my colleagues, earlier this week the Senate Rules Committee reported out campaign finance reform legislation. After several days of hearings on various proposals, the committee reported S.3, the Democratic bill, and S.6, the Republican bill.

The Rules Committee was set to report out S.3 alone when Senator DOLE inquired about the possibility of the committee reporting both the Democratic bill and the Republican bill to set the stage for a bipartisan compromise. In a spirit of comity, and out of a strong desire to reach an acceptable compromise on this issue, the chairman of the Rules Committee, Senator FORD, agreed to that approach, and it is one with which I agree.

The Rules Committee will formally file its report on S.3 over the recess and when we return to session after Easter, both bills will be on the Senate Calendar.

As I have stated publicly on many occasions on the Senate floor and in other public places, and as I have testified before the Rules Committee, I place a very high priority on passing campaign finance reform legislation this year. To do that, I intend to go the extra mile to reach a bipartisan agreement, if it is at all possible.

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

Over the last several days, members of my staff have been meeting with members of the Republican leader's staff to review the issues and to discuss the means by which we can bridge our differences. Later today, I will meet with Senator DOLE to discuss how we will proceed in our effort to put together a bipartisan agreement.

We made an effort toward that end last year. Senator DOLE and I appointed a task force of experts to recommend a compromise solution and then we named a bipartisan group of Senators to meet to discuss a compromise after the Rules Committee reported campaign finance reform legislation.

Our efforts failed, but we did narrow our differences and we did reach a better understanding of those differences which remain. I will renew that effort this year, and I hope that after discussing the matter with Senator DOLE, we can agree on the best way to proceed.

Of course, we all understand that these discussions cannot continue indefinitely. I hope that we can reach a bipartisan agreement, but if we cannot, I intend to move this legislation forward, in any event, building on the bipartisan support we had last year and advancing this legislation as far as we can.

The American people no longer have confidence in our election finance system. They demand change and there should be change.

I am determined to pass comprehensive campaign finance reform legislation in this Congress, and I look forward to working with the Republican leader and all Senators in this effort.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, in the event that no Senators wish to speak in morning business, and we will now make an effort to determine whether that is the case, then I want to advise Senators of my intention to place the Senate in recess subject to the call of the Chair pending action in the House on the appropriations bills, as I earlier described.

I will now put in a brief quorum call while we attempt to find out whether

any Senators are interested in addressing the Senate. If so, obviously, they will be free to do so for as long as they wish. If not, we will go into recess for a period of time awaiting House action.

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

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

The legislative clerk proceeded to call the roll.

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

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

NATIONAL GUARD COMBAT "ROUNDOUT" BRIGADES

Mr. FORD. Mr. President, I rise today to express my concern about what I consider to be misleading information being circulated about the National Guard combat "roundout" brigades which were called up for Operations Desert Shield and Desert Storm. As most of us know, three such brigades were federalized—the 256th from Louisiana, the 155th from Mississippi and the 48th from Georgia. These units are aligned with Active component divisions and, under current doctrine and mobilization plans, each is programmed to be the third brigade of its parent Active component division.

Over the past several months, we have heard much about the readiness of these roundout brigades. We have been told that they were not ready and could not perform their assigned missions. It is my firm belief that we do not have all the facts—that we have not been told the whole story, and that the unfavorable press these units are receiving is completely unwarranted.

To the 14,000-plus soldiers of these three brigades, we owe a great debt of gratitude. Those soldiers are committed service members who volunteered to serve their country, responded to its call, and went where they were told.

It is important at the outset to recognize, first, that the three brigades had met the Army's prescribed standards of readiness prior to Desert Shield and, second, that postmobilization training has always been an essential part of any mobilization and deployment process. I would further point out that, had the Army proceeded with its existing roundout brigade policy at the time of mobilization, the brigades could have been deployed to Saudi Arabia and trained along side of their Active peers.

However, upon mobilization the Army changed the plan, the rules and the process of postmobilization training. The Army threw out the brigades postmobilization training plans and substituted one of their own, despite the fact that the brigade plans were developed in conjunction with and ap-

proved by the respective active division commanders.

Minimum training readiness levels were increased from C-3 to C-1 for the Guard brigades; minimum readiness levels for Guard combat units were increased at mobilization from C-3 to C-1—even though the standards did not exist prior to that time. The Army changed the essential tasks the brigades were required to perform and increased MOS readiness requirements. Finally, the Army issued a new logistics automation program to the brigades and demanded competency prior to validation of readiness. Each of these constituted a new requirement which was nonexistent prior to Desert Shield and Desert Storm and which—let us be honest here—would take time for any unit to meet. The 48th Brigade has now been fully validated as combat ready at the highest levels. The other two brigades are in various stages of completing that training.

Clearly, and I believe National Guard leadership would agree, the Guard needed postmobilization training. Just how much is a direct function of what the difference was between pre-mobilization and postmobilization requirements, but the Guard has proven it can and will meet standards put before it.

I will address this subject in greater detail at a later time. The Guard has identified shortfalls in its training regimen and will move promptly to remedy them. I encourage each of my colleagues to keep an open mind on this issue, obtain all the facts and then let the facts speak for themselves.

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

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

The legislative clerk proceeded to call the roll.

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

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

SHAME ON YOU, SONY

Ms. MIKULSKI. Mr. President, I wanted to come to the Senate floor to tell you and my colleagues about a drama that has unfolded in Baltimore, come to a head in Baltimore, and it tells the story of how a big, foreign-owned corporation has set about wrecking the American dream of a small woman entrepreneur. The story is a simple one.

A woman comes to this country from the Philippines and her first name is Sony. Her last name is Florendo. She goes about working hard to save a few pennies to open a small downtown restaurant in Baltimore. Through her own great recipes and sweat equity, she

builds a business, and she calls it Sony's.

In comes Sony Electronics and tells her she cannot do business using their name. They then proceed to take her into court, threaten her with all kinds of lawsuits, and finally the other day they won. And Sony Florendo's restaurant is no longer in Baltimore now. It is S. Florendo.

Well, you know, I just do not think that is right. I do not think megacorporations with megabucks ought to crush a small entrepreneur who in no way jeopardizes their operation nor, by the very nature of the products they sell, poach on that reputation.

This woman's business sold delightful Asian food. It did not sell TV's; it did not sell radios. And it in no way was poaching on the reputation of Sony electronic products.

Well, Mrs. Florendo has no legal remedies anymore. The law just was not on her side. But I will tell you, this Senator is on her side. I have just written to Sony Corp., and I want to tell you what I said:

DEAR MR. MORITA: Shame on you, Sony. Shame on you for forcing Mrs. Resurrecion "Sony" Robles-Florendo to remove her name from her restaurants in my hometown of Baltimore, Maryland, I want you to voluntarily and immediately reconsider this decision.

Your company won't let Mrs. Sony Florendo use her own good name to sell her own good food in her own country that allows you to trade freely even as you treat her unfairly.

I've known Sony Florendo for years. I can't understand how this woman is a threat to Sony Corporation. She is a fine and decent woman who serves delicious food at a small downtown restaurant at Harborplace and at a suburban mall—I've been there and eaten there. She sells food, not electronics or anything that competes with your company.

Sony Corporation has billions of dollars. Why are you bullying her?

You brought a \$3 million trademark lawsuit against Mrs. Florendo in 1984. You knew she couldn't afford to take on your high priced lawyers. But she tried to work with you. She even changed her restaurants' name from "Sony's" to "Sony Florendo's." Even that wasn't good enough.

Do you think Phillips Petroleum should follow your lead and sue Phillip's Crab House? Does Scott Paper Company have to sue Scott's Hobby and Crafts Shop?

Sony Corporation may have the law on its side. But you do not have common sense or even common decency on your side. I can't believe that Sony can sign a \$1 billion contract with Michael Jackson and still feel your corporation is threatened by having a couple of "Sony Florendo's" restaurants in Baltimore.

You should voluntarily reconsider this harassing, humiliating and heavy handed decision. Let Sony Florendo use her good name. Then you might restore your own good name as well.

I look forward to your prompt response.

Mr. President, Sony Corp. won the legal battle with Mrs. Florendo, but guess what, her restaurants are open today. Her good spirit is there. She

loves this country. She loves this country, and she earns a living, and she puts people to work.

Though Sony Corp. might have won the lawsuit, Mrs. Florendo wins the battle. She is about hard work, sweat equity. She had to change the restaurant's name, but if you talk to her, she is ready to go; she is not going to be stopped.

I regretted that I had to do this, and most of all, I regretted that while this woman was trying to earn a living, establish her own reputation, and care for her family, she had to go through all of this for the past several years.

Mr. President, I hope that the high-priced lobbyists out there for Sony Corp. have heard my words, and I think I speak for all of Maryland and all of America.

Sony Florendo has BARBARA MIKULSKI, and I believe the U.S. Senate, on her side.

Mr. President, I ask unanimous consent that an article from the Baltimore Sun be printed in the RECORD at this point.

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

[From the Baltimore Sun, March 19, 1991]
ELECTRONICS GIANT FINALLY BEATS A WOMAN NAMED SONY

(By Cindy Harper-Evans)

It's been four years since "Big Sony vs. Little Sony" headlines appeared in local and international papers, highlighting the unseemly controversy between small Baltimore restaurateur Sony Florendo and giant Japanese electronics manufacturer Sony Corp.

But to Mrs. Florendo, owner of two Philippine-Asian restaurants and a catering operation bearing her name, the battle she fought in the U.S. District Court just a few blocks from her main office on Park Avenue is still very real.

Today, Mrs. Florendo must take the name "Sony" off the signs on her restaurants at Harborplace and Owings Mills, her banquet hall on Belair Road and her main office downtown. She says she is still struggling to decide the new name of the restaurant she has owned since 1982.

"Oh, I don't know. Maybe it will be S.R. Florendo or maybe just S. Florendo," she said yesterday, her voice choking at the thought of changing the restaurant's name from "something that has been mine since I was a child."

The name change is part of the deal Mrs. Florendo reached with Sony Corp. in 1987 to drop the \$2.9 million lawsuit it had filed against her for alleged trademark infringement, unfair competition and deliberate confusion of consumers.

Originally, Mrs. Florendo's restaurants were called "Sony's." In response to the court order, she initially changed the name to "Sony Florendo's." She had until today to get rid of the "Sony" nickname altogether from all of her signs and advertising.

Mrs. Florendo has not yet ordered new signs and a new letterhead for her restaurants or decided how they will be designed.

"She is trying to put off the inevitable—to think about other things," her husband, Gerardo Florendo, said.

Sony Corp.'s hard stance with a small entrepreneur is not unusual; the company makes a habit of defending its trademark aggressively. It has won infringement cases against businesses that sell everything from chocolate to bicycles.

But the Japanese manufacturer's actions have had a big effect on Mrs. Florendo, 54, who was born Juana Evelina Resurrecion Robles in Cabanatuan, the Philippines, a few years before World War II began.

The hardest times in her life "all have to do with the Japanese," Mrs. Florendo said, her head shaking in disbelief and her eyes welling with tears as she begins to tell a story she says she has never shared publicly.

When she was 4, Mrs. Florendo's father was taken prisoner by Japanese soldiers. He was picked up at a restaurant in Manila while he was having lunch, she said.

Her father was interrogated and tortured for 10 days, Mrs. Florendo said. She said he was about to be killed but was released after he was able to prove to his captors through a newspaper article that he was a judge.

"My grandfather had his spinal column smashed by Japanese and had to live as an invalid for the rest of his life. Cousins were slapped so hard on the side of their faces by the Japanese that they lost some of their hearing," Mrs. Florendo said.

At the age of 5, she had her "first negotiation with the Japanese," Mrs. Florendo recalled.

The Robles family owned one of the two pianos in their town. One day Japanese soldiers came and took the Robles' piano back to their barracks.

"I was able to convince a soldier to come and pick me up so I could still practice the piano," Mrs. Florendo recalled.

"That time I was able to negotiate, but with Sony Corp., there was no compromise because it had to do with money," Mrs. Florendo said.

Several years ago, Mrs. Florendo said, she wanted to deal with her hurt over the Sony Corp. experience by starting an organization to help small entrepreneurs engaged in expensive legal battles.

"It was not possible for me to fight Sony because each day my husband, my son and I spent away from my restaurant, it meant something was not getting done or we had to pay someone to take our places. That is very expensive," Mrs. Florendo said. In addition, she said, the legal fees were exorbitant.

But Mrs. Florendo said she gave her idea up.

"It was very painful for me to keep remembering my experience. It made me very angry, though I try not to be," she said.

"But one thing I've learned from all this is that when you are honest about what you do, you can survive even the biggest fall," she said.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. MIKULSKI. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 11:34 a.m., recessed subject to the call of the Chair; whereupon at 12:30 p.m., the Senate reassembled when called to order by the Presiding Officer [Mr. KERREY].

The PRESIDING OFFICER (Mr. KERREY). The Senator from Indiana is recognized.

DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. COATS. Mr. President, a couple days ago I offered an amendment on H.R. 1281, the dire emergency supplemental appropriations for the consequences of Operation Desert Shield/Desert Storm with some other related items. My amendment sought to strike section 203 of that legislation, and I was pleased that a majority of my colleagues supported it and by a 56-to-44 vote we did strike that section. As I indicated 2 days ago, the reason for offering that amendment was that I felt section 203 had no place in this particular legislation.

It directs the Department of Defense to spend money that it does not want to spend on a project that it does not feel is necessary, and spend it at a particular place, which it may or may not want, to conduct any of the proposed overhaul of the U.S.S. *Kennedy*.

We had a spirited debate with a number of my colleagues, particularly my colleagues from Pennsylvania. As I said, I was pleased that the Senate adopted my amendment to strike by a 56-to-44 vote.

Subsequent to that, because a similar attempt in the House had failed, the conference made a determination to reinstate section 203. So the conference report back now before us has reinstated that language.

I obviously am tempted to offer an amendment in disagreement, but I can see the handwriting on the wall. The House recently took up this matter again and by more than a 3-to-1 margin, defeated a motion to recommit the bill for the purpose of striking section 203.

So we are engaged in what will be a fruitless exercise here, even if the Senate were to go ahead and support my additional amendment to strike it again. It will simply bounce back to the House, and, as I said, when it is defeated over there by more than a 3-to-1 margin we can read the handwriting on the wall.

The reason I raise this amendment at this time is not because I am making a judgment as to whether the U.S.S. *Kennedy* should enter into a Service Life Extension Program at a cost of \$1 billion, or undergo an overhaul, as the Navy requests, at a cost of \$550 million. That ought to be reason enough—a \$500 million impact on the taxpayer.

But it was not my primary reason, nor was my primary reason to indicate that this work, if it takes place and when it takes place, should be done at the Philadelphia Naval Shipyard, or anywhere else. That may be a secondary reason which at some point the Navy has to consider, and maybe this

body must consider. But that also was not my primary reason.

My primary reason for offering the amendment to strike was simply to say this is not the procedure or the process that we ought to use to make these kinds of decisions. We have established in this body an authorizing process whereby we can call up the appropriate agencies—in this case, the Department of Defense and the Secretary of the Navy and others—to make a valid determination as to whether or not this work ought to be done and how it can be done most cost effectively and efficiently.

I also brought it up because, as I said on Wednesday, it was a very clever way of circumventing the base-closing process. By designating a specific amount of work to be done at a specific place, you are in effect removing a specific military location from the effect of the Base-Closing Procedure Commission's decision to close it.

I have no idea whether or not the second Base-Closing Commission would recommend the Philadelphia Naval Yard be closed. Apparently, the Senators from Pennsylvania thought it might. They came up with an ingenious way of circumventing that decision. I do not think that is proper procedure. I do not think that is the kind of thing we ought to tolerate. I do not think this is the way in which we ought to legislate.

I have led the effort, along with Senator MCCAIN, to give the President line-item veto authority. He needs the authority for the very reason that section 203 is in here, that Members of this body have traditionally and historically tried to circumvent the regular process of bringing an issue before the body for a determination as to whether it should go forward or not because they do not want it to stand the light of public debate, public scrutiny, and an up or down vote, fearing that they will not be successful in winning that vote.

So instead, it is attached to an appropriation which is a popular appropriation that they know the President is going to sign; he is not going to oppose the appropriation to pay for Desert Shield and Desert Storm. We all know this is legislation that the country needs, and that the President was going to eventually sign. This is the place where we can slip all our little goodies in that we do not want to bring before the body, because we are afraid they will not succeed.

It is this very practice which I think ought to cause us to forfeit the ability that we have to appropriate here on this kind of a basis in favor of a line-item veto authority for the executive branch, which I think would put an end to this kind of practice.

I am just getting sick and tired of picking up the paper every day after we pass an appropriations, and watching

this list of pork barrel special interest money spending projects be listed to the public. It is an embarrassment to go home and hear: "What are you people doing there"; to have to answer those kinds of questions. "When are you going to be honest and up front with the American people? When are you going to put your favors on the line, whether you are for something or against something, and stop this multibillion-dollar grab bag of slipping stuff in at the end that the public does not have any way of finding out about until the end?"

I am just putting my fellow Senators on notice that as the appropriations bills come through, I am not going to hesitate to come down here and point out pork barrel special interest projects that have not been authorized, that have no place on the appropriations, and that would never stand the scrutiny of the light of day of public debate, because this thing takes place over and over, and the toll mounts in terms of the impact on the budget. The country is about bankrupt. Everybody knows that. Yet we keep spending beyond what we even agreed to on the budget.

I heard all these great speeches about how this new budget we passed last year is going to finally impose the discipline. Already, here we are; it is March, 2½ months into the new Congress. Because these expenditures come under the definition of emergency, then, they do not have to conform to the requirements of the new budget process.

So what we find in here are things that are not emergencies at all. Some of this is valid and very appropriate. But a lot of things that have no business being labeled dire emergencies have found their way into this bill as a way of circumventing the process.

I think we ought to be embarrassed about what we do. The public is fed up with this process. It is all the more reason why we ought to enact a line-item veto authority to save us from ourselves. We ought to give that to the President. We need that check and balance, because it seems that we just cannot resist the temptation to take items which we know would not be passed if handled on an individual basis, slip them into these things, declare them an emergency, hope the press or the public does not find out about it until after it is passed, and then we go home to wink at our constituents and say, "I brought home a little more pork."

That is not the way to run this country. We are running this country into a massive deficit. I just again want to point out that if there is ever a justification for line-item veto, if we as a body have ever forfeited our right to claim that we are responsible in terms of how we handle the taxpayers' money, it is through things like this.

I will not offer this amendment. I can see the handwriting on the wall. It is not going to pass.

This legislation needs to pass, because it contains some important items. But I hope we can show a little more discipline around this place and not take advantage of this clever little procedure to slip something over on the public. Frankly, it is not getting by them anymore. They are disgusted and I am disgusted. We ought to be embarrassed.

I yield the floor.

Mr. SPECTER. Mr. President, I take strong exception to the remarks made by my colleague from Indiana. As was pointed out to him repeatedly during our debate on the Senate floor 2 days ago, section 203 is not designed to benefit the people of Pennsylvania at the expense of the rest of our taxpaying Americans. Section 203, which says that the Department of Defense may spend prior year funds only on the Service Life Extension Program [SLEP] on the U.S.S. *Kennedy* at the Philadelphia Naval Yard, will not cost the American taxpayer a dime. The money for SLEP of the U.S.S. *Kennedy* is money that has been appropriated and authorized in accordance with the Navy's fiscal year 1991 request—money that will, in fact, save the American taxpayer money.

If the Navy has changed its mind with respect to SLEP, this is a matter for the U.S. Congress to decide. Furthermore, as the Navy delays expenditure of funds provided for SLEP, the planned date for commencement of work on the U.S.S. *Kennedy* is further delayed beyond 1993 at additional cost both in defense capability and to the U.S. taxpayer.

The Senator from Indiana represents that it will cost \$1.2 billion to SLEP the U.S.S. *Kennedy*. This estimate is simply wrong, and inconsistent with the estimates the Navy itself has been using. The latest estimate we have received is \$870 million—a figure we believe to be accurate. The Senator has also chosen not to reveal the fact that the alternative to SLEP, a complex overhaul, will only cause the Navy to return to Congress 5 years from now and ask for another \$550 million to do another complex overhaul. Not only will this cost more than a SLEP of the U.S.S. *Kennedy*, but it will keep the ship out of service longer and will only extend the service life 10 years as opposed to 15 to 20 years with a single SLEP. According to Navy documents I included in the RECORD on Wednesday, March 20, 1991, during a SLEP an aircraft carrier receives structural repairs to the basic hull, power generation, main propulsion, and auxiliary systems, including cooling systems and electrical distribution. This same document says that "a study of the work package on SLEP has concluded that a series of shorter availabilities [COH] is

not a substitute in that the OPNAV objectives could not be met." I don't know why the Senator from Indiana and the Department of Defense have chosen to ignore these facts concerning the cost effectiveness of SLEP, but it is for this very reason that the Congress controls the purse strings of the American taxpayer, not the Department of Defense.

What the Senator from Indiana also fails to mention either because he is misinformed or has chosen to neglect the long-term consequences of his action, is that the Navy wants to cancel the Service Life Extension Program to create justification for closing the Philadelphia Naval Yard. The Navy is at a loss to provide data which shows that it will save the American taxpayer money if the Philadelphia Naval Yard is closed. In fact the estimates available to us in the Navy's environmental impact statement show that it will cost at least \$140 million to close the yard over and above the costs of hazardous waste cleanup which could exceed \$200 million. The only thing the Navy gains by discontinuing the SLEP Program and closing the Philadelphia Naval Yard is justification in the future to build new and more expensive nuclear carriers.

The Senator from Indiana has also failed to mention that it costs upwards of \$1.4 billion to SLEP a nuclear aircraft carrier, not to mention the costs associated with disposal of the spent nuclear fuel and the difficulties in identifying an acceptable disposal site. My colleagues may be interested to know that in the 2-year budget request for fiscal year 1992 and fiscal year 1993, the Navy has requested \$850 million in advanced procurement for CVN-76, the newest nuclear carrier. I am advised that when all costs are computed, it costs approximately \$4 billion to purchase a new nuclear carrier. These are all issues which will be reviewed as Congress considers the fiscal year 1992 funding request for the first installment on the Department of Defense's new force structure plan. The base closure process will also address many of these issues.

Mr. President I suggest to my colleague from Indiana that the Senate conferees acted correctly in retaining this important provision so that the SLEP Program can be preserved and congressional direction with respect to the expenditure of money on the U.S.S. *Kennedy* upheld.

THE SUPPLEMENTAL DAIRY AMENDMENT

Mr. KOHL. Mr. President, I come to the floor to express my disgust at the decision to drop from the supplemental dairy amendment which this Senate adopted on a 60-40 vote.

I wish my colleagues—and the administration—could meet the dairy farm-

ers of Wisconsin. These are decent people, hard-working people, people who love their land and their life style and want to preserve it. They are productive people, people who have made it possible for Americans to have milk and cheese at low prices, people who have fed our country and the world for generations. These people are the backbone of America.

Well last night we turned our back on them.

The prices that dairy farmers are getting have fallen by over 25 percent in the last few months. Twenty-five percent. One quarter of their income is gone. Not many people shed tears about that because there is still milk in the stores and cheese on the shelves. But consumers know that the prices they pay for dairy products have not gone down—in fact, in some cases they have gone up—despite this drop in milk prices.

Now Mr. President, some of us tried to do something about that. Working with Senator LEAHY, the chairman of the Agriculture Committee, we offered an amendment to provide a little more support for our farmers, \$1.20 per hundredweight of milk for most farmers. That is not a lot, Mr. President, but it would have helped our farmers—and it would not have hurt anyone else.

Our amendment was budget neutral. It would not cost the Treasury one red cent. Our amendment was crafted to protect consumers and to protect people who participate in the WIC program. No one would have been hurt by our amendment and some people would have been helped.

But the administration would not agree to it. They sent up a veto message because the amendment would make changes in Federal milk marketing orders, because it would disturb some economic theory, they have.

Well I have a theory too. My theory is that when you can help some people without hurting anyone else you ought to do it. And that is what our amendment did.

Now, the administration is willing to help Jordan—sell them arms, give them aid despite the fact that they hurt our effort in the Persian Gulf. The administration will bail out the S&L industry and ask taxpayers to save the banking industry—but it will not do anything for the people who earn the money that goes into those banks and S&L's.

Mr. President, that does not make sense. It cannot be explained to the dairy farmers in my State or my region.

In the 2 years I have been in the Senate, I have seen some amazing things, Mr. President, but this takes the cake. I gave some serious thought to asking the Senate to vote on this issue again. But I know how to count—and I know that we would not prevail. But this is one Senator who wants the record to

reflect that he would vote against this supplemental.

This is also one Senator who wants the administration to understand that they have broken faith with America's dairy farmers. They have also broken faith with those of us who are being asked to support an extension of fast track for GATT. In fact, I talked to Ambassador Hills about that issue this morning. While I would like to believe her promises that dairy farmers will be protected in the GATT negotiations, what I saw yesterday makes that a lot harder to do. And I told her that this morning.

So, Mr. President, let me conclude by making this point very clear: What was done last night was not only a defeat for dairy farmers, but a defeat for American values. It was a defeat for protecting an American way of life.

Mr. President, this issue will not go away. Unlike the administration, I am not prepared to leave our dairy farmers helpless—unable to make a living on today's milk prices. And I do not think that the 60 Members of this body who supported our efforts will be, either. I hope that somehow, some day, the administration will decide to recognize that dairy farmers deserve and demand their help.

I yield the floor.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. KOHL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:45 p.m., recessed subject to the call of the Chair; whereupon, the Senate reassembled at 11:46 a.m. when called to order by the Presiding Officer [Mr. KOHL].

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, I ask unanimous consent to speak as in morning business.

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

DEREGULATION AT THE FCC

Mr. KERREY. Mr. President, I ask unanimous consent that an article that was in Wednesday's New York Times be printed in the RECORD.

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

DEREGULATION AT THE FCC

(By Edmund L. Andrews)

WASHINGTON, March 18.—As an advocate of deregulation, Alfred C. Sikes, chairman of the Federal Communications Commission, has a sweeping agenda for relaxing many longstanding regulations throughout the communications industries and encouraging new technology.

But last week's impasse on rerun rights for television networks casts substantial doubt

on whether he can forge a majority from an increasingly fractious panel to accomplish his goals.

Mr. Sikes, a one-time Missouri television broadcaster, has been widely praised for his grasp of the issues, but his corporate style tends to grate on some of the other strong-willed, politically ambitious commissioners.

The machinations leading up to the last week's deadlock reflect a deep division among the five F.C.C. commissioners, in terms of both political philosophy and personal animosities. On one side are Mr. Sikes, 51 years old, and Commissioner James H. Quello, 76, a former radio executive in Detroit who also favors relaxing regulatory barriers. On the other are three commissioners—Sherrie P. Marshall, Ervin S. Duggan and Andrew C. Barrett—who may yet hand Mr. Sikes a humiliating defeat on the rerun issue.

The split is important because it could impede progress on other issues; a fragmented commission is far more likely to be paralyzed by intense, well-financed lobbying from competing interest groups. Yet, rapidly changing markets and technology have greatly increased the pressure on the F.C.C. to tackle a wide range of questions:

Whether to relax restrictions on long-distance pricing by the American Telephone and Telegraph Company.

Eliminating rules that limit the number of radio and television stations a single company may own.

Reallocating portions of the radio spectrum to new technologies, like interactive television.

Increasing the authority of local government to regulate prices charged by cable television operators.

Where some commissioners stand on these issues remains unclear. What is clear is that resentments are smoldering everywhere. "Collegiality at the F.C.C. is, in my judgment, a pale shadow of its former self," Mr. Duggan said in a recent speech. "I feel like a member of the Hungarian Parliament before reform: I am given one proposal and asked to vote only yes or no."

He added that he was not blaming Mr. Sikes personally, but he complained that the F.C.C. staff, which provides the crucial legwork in policymaking, acts at the behest of the chairman and not for the commissioners as a group.

Mr. Sikes, for his part, said he felt frustrated. "What I've seen develop over the last few months is the use of divide-and-conquer tactics, very-well placed leaks and people creating rumors and then spreading them around," he said in an interview Friday.

But he added that despite the wide split on the rerun issue, he is confident that "the fissures are not so deep as to preclude us from handling important matters."

PHILOSOPHICAL DIFFERENCES

It is too early to predict whether the three commissioners will continue to vote as a block, but all of them have fundamental philosophical differences with Mr. Sikes.

Mr. Duggan, who is 51, a former journalist who once worked in President Lyndon B. Johnson's White House, remains a devout Democrat on many issues and tilts toward traditional regulation in broadcast and telephone issues. He has become a persistent thorn in Mr. Sikes's side by repeatedly objecting to deregulation moves.

Mr. Sikes's fiercest opponent is Commissioner Marshall, 37, a former White House aide under President Ronald Reagan with strong contacts throughout the Bush Administration. A leading figure in the unsuccessful

effort to help persuade the Senate to approve John Tower as Secretary of Defense, she was Mr. Sikes's chief rival to become F.C.C. chairman in 1989; the two do not like each other.

Mr. Barrett, 49, is a Republican who served for 11 years as a commissioner on the Illinois Commerce Commission, which regulates utilities.

The immediate issue is whether to retain rules, imposed in 1970, which bar the television networks from obtaining rerun rights to the shows they broadcast. The rules were adopted in the wake of Government anti-trust concerns and are intended to prevent the networks from using their access to primetime viewers to bully producers and studios. The Hollywood studios have fiercely defended the rules, but the networks and the Bush Administration argue that they are outdated and should be repealed.

Ms. Marshall has long been the most persistent champion for Hollywood forces in the current debate even though her colleagues in the White House favor the networks' position. "I believe what's driving her is her hatred of Al Sikes," said one industry lobbyist, who insisted on anonymity.

"I don't hate Al and I don't even dislike him," Ms. Marshall said. "I will decide this issue on the merits and not on the basis of personalities."

CHRISTIAN EVANGELICAL INFLUENCE

Last week, both Mr. Duggan and Ms. Marshall teamed up to endorse a surprise proposal to continue restrictions on the networks. The proposal—circulated without advance notice to Mr. Sikes—came from Commissioner Barrett. Mr. Barrett's relations with Mr. Sikes are at best cool.

Mr. Sikes favors a three-year phase-out of the rules, which were imposed in 1970.

Mr. Duggan, who joined the commission last year, is best known for supporting measures to curb what the F.C.C. calls "indecent programming," meaning with strong sexual content. His nomination was fueled in large measure by support from Christian evangelical groups.

"SCHMOOZING" WON'T HELP

In the debate over syndication rights, Mr. Duggan has repeatedly said he wants to protect "less powerful" interests in the entertainment industry, like independent producers, writers and directors. But he has also expressed a broader sympathy for traditional regulation.

Supporters of Mr. Sikes praise him for his ability to cultivate good relations with Congress, but some also say he has run the F.C.C. like a chief executive, failing to cultivate his fellow commissioners.

In reply, Mr. Sikes said he was "absolutely certain that there are times when I've been less attentive than I should have been." But he added: "We've got some philosophical differences up here that can't be papered over. You can't just eliminate them by going down the hall and schmoozing."

Mr. KERREY. Mr. President, this article is written by Edmund Andrews, and it references a quandary, a conflict, that exists at the Federal Communications Commission. I must say that I am not only concerned by this conflict, and the inability of the FCC to make a decision about what, to me, is an issue of very important economic interests in the country. On the one hand, the networks want the right to be able to gain revenues from the syndication of television shows, and on the

other, the studios and independent producers do not want them to have that right. There is a big conflict going on now, and the administration is taking a position in support of the networks. This article merely describes an effort on the part of three people at the FCC to offer an amendment that would actually preserve the status quo, slightly modified.

I am not concerned myself about which side the FCC comes down on in this issue. It is not a matter that is going to make a great deal of difference in the lives of the people of Nebraska. Trying to decide who gets the revenue from reruns essentially is what the FCC is trying to decide. What concerns me is the nature of the decision-making process of the FCC. One of the Commissioners, Ms. Sherrie Marshall, is quoted in the article saying, "I do not hate the Chairman; I do not even dislike him."

Well, everyone that I have talked to who observes the FCC now disputes that. In fact, they are in a stalemate at the FCC because Miss Marshall does, in fact, hate the Chairman of this five-person Board. Mr. President, all of us who have worked in a democracy know that if you have a five-person board, and one person is angry and wants to get the Chairman, this little five-person board is going to have a difficult time functioning. Indeed, that is what has happened.

You say, what is the big deal, what is the consequence of that? Well, Mr. President, the Commerce Committee recently voted out of committee a piece of legislation that would allow the regional Bell operating companies to get in the business of manufacturing telecommunications equipment. It has been a very contentious issue for years.

I support that piece of legislation. I have taken the position, in fact as Governor of the State of Nebraska, when I was the lead Governor for telecommunications, that we should move to eliminate the restrictions that are imposed by a consent decree that was established at the time that AT&T was divested and broken up and felt that it would be far better for the FCC to make those regulatory decisions rather than having a Federal judge make those decisions.

I must tell you that having taken that position since 1985, and having been an advocate for it for the past 6 years, what is going on in the FCC shakes my confidence. In fact I am not so certain any longer that the FCC is the best place. Certainly they have a staff. Certainly they have the resources. Certainly it would make sense on paper for the FCC to be doing it, but if there is fracture and having difficulty making decisions, it may be that the Federal judge, Judge Greene, ought to be left with the power to make those decisions. I regret that. I believe it would be better under normal

circumstances, particularly when it relates to manufacture, that the FCC be making decisions.

Fundamental to our shifting this authority to the FCC is the belief they have the capacity to determine when a telephone company is cross subsidizing a manufacturing operation and thus competing in an unfair fashion with a small entrepreneur that is trying to deliver manufactured goods to Americans.

I am very troubled not just by this article but by getting it confirmed by other people. This is perhaps the most rapidly growing sector of our economy; this is the information industry. Not only is it important for us economically, but it is important for us socially as well.

Those of us who are parents are constantly troubled by what we see on commercial television and what we see in our movie houses. We very often find ourselves saying we do not want our children to be exposed to, in effect, the violence we have seen in the last 20 years. So, I believe in many ways the FCC may be the most important appointed body that we have in the entire Federal Government.

So, Mr. President, I simply call this to the attention of my colleagues as well as to the attention of the citizens of the State of Nebraska. This five-person body, it seems to me as a consequence of one individual and her personal animosity toward the chairman, is determined to make it awfully difficult for this Commission to make the kinds of judgments that we need so the economy can grow, so we get the kinds of applications that those of us who are parents trust are good applications.

I thank the chair.

JAPAN'S CONTRIBUTION TO DESERT STORM

Mr. DOLE. Mr. President, I am pleased that we appear to be moving to final action on both H.R. 1281 and H.R. 1282—the two supplemental appropriations bills—in a form that will be acceptable to the President.

One matter dealt with in these bills is the contribution of our Desert Storm coalition partners to the cost of the operations. We have been rightly concerned about the failure or tardiness of some of our partners in meeting their commitments.

Since we have criticized some of them—perhaps for good reason—we do have the obligation to take note of real progress in this area. So I am pleased to ask unanimous consent to include in the RECORD a letter I have just received from Japanese Ambassador Murata, informing me that Japan has made another major contribution of \$6 billion toward its overall pledge of \$13 billion—most of it coming directly to the United States that brings the

amount already delivered by Japan or in the pipeline to \$11 billion.

I congratulate the Japanese Government on this timely step, and look forward optimistically to receiving word of payment of the final \$2 billion of its pledge.

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

EMBASSY OF JAPAN,
Washington, DC, March 22, 1991.

Hon. ROBERT DOLE,
U.S. Senate, Washington, DC.

DEAR REPUBLICAN LEADER DOLE: I am pleased to announce that this week, Japan made another disbursement of ¥793.91 billion to the United States in fulfillment of its pledge of financial support to the multinational forces in the Gulf. This amount represents approximately \$6 billion (at \$1.00=¥130, the exchange rate used for the supplementary budget).

This transfer of funds constitutes the first installment on the pledge made by Japan in late January to add ¥1.170 billion (\$9 billion) to its earlier contribution of \$2 billion, for the multinational forces in the Gulf. A predominant portion of the additional contribution will be received by the U.S., as was the case for the first \$2 billion contribution. These contributions, together with the \$2 billion for economic assistance to the three front-line States, bring Japan's total financial contribution in the context of the Gulf crisis to approximately \$13 billion.

The Government of Japan has committed itself to the multinational coalition in recognition of its growing responsibility in the world community, and in light of the importance of the Japan-U.S. relationship. I look forward to working with you toward strengthening our relationship in the future.

Sincerely yours,

RYOHEI MURATA,
Ambassador of Japan.

THE RESTORATION OF LUBAVITCH

Mr. MOYNIHAN. Mr. President, the Members of the Senate are familiar with the remarkable scope of activities conducted by the International Lubavitcher Movement. This dynamic organization has grown into a major contemporary spiritual force from a tiny group of intrepid Chassidic Jews who gathered over two centuries ago in the White Russian village of Lubavitch.

Rabbi Noson Gurary, the director of Lubavitch activities in western New York State, has embarked on a remarkable project to restore the ancient shtetel—village—of Lubavitch as the centerpiece of a world convention center committed to "the promotion and maintenance of human rights, dignity, justice and spiritual freedom."

I have reviewed Rabbi Gurary's plans and thought my colleagues would be interested in knowing of this unique plan to establish a facility "recalling the architectural history of the region" which will include housing for visiting scholars among other facilities. This envisioned facility will include a multimedia museum and a wide range of educational and cultural pro-

grams. I rise to commend Rabbi Gurary's efforts and to wish him every success in this innovative undertaking.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,197th day that Terry Anderson has been held captive in Lebanon.

POSTWAR THOUGHTS

Mr. HARKIN. Mr. President, many articles have written suggesting that those of us who voted for continued use of economic sanctions against Saddam Hussein were wrong. We Americans like to treat activities as sporting events, with winners and losers. We won the war, so those who voted against the immediate use of force must be losers or so the thinking seems to go.

Two excellent editorials in the Des Moines Register eloquently and convincingly defused this winners and losers syndrome. We will never know if economic sanctions might have worked. We still do not know the full costs of the war, and cannot compare the likely results of waiting versus immediate military action. I ask that these two editorials be included at the conclusion of my remarks.

We have won the war. Now we must win the peace. We must address long-term issues such as democratization of Kuwait and hopefully Iraq, installation of peacekeeping forces under U.N. auspices, resolution of the Israeli-Arab dispute, and restricting an arms race in both conventional and weapons of mass destruction in the Middle East. Ambassador John McDonald of the Iowa Peace Institute wrote one prescription for ending the war and restoring peace just before the cease-fire was announced. Again, I commend his analysis to my colleagues.

Finally, John Isaacs, the president of Council for a Livable World, delivered a speech recently addressing the post-cold war and post-Persian Gulf challenges of the 1990's. The council has been one of the most effective organizations in Washington working to end the nuclear arms race. Mr. Isaacs raises a number of provocative ideas for the United States to consider as it reexamines its foreign policy agenda for the next decade.

I ask unanimous consent that all four of these items be included in the RECORD.

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

[From the Des Moines Register, Mar. 6, 1991]

AT WAR OVER THE GULF WAR

In the aftermath of the easy victory in the gulf, some Republicans gleefully are trying to use the war to discredit the opposition.

"Democrats who voted to give sanctions more time and voted against the defense buildup will have a lot to answer for," crowed Guy Vander Jagt of Michigan, head of the Republican Congressional Campaign Committee.

Wait a minute. Why should those who wanted to give sanctions more time have anything to answer for? Since when is seeking honorable alternatives to war anything to be ashamed of? In a sane world, it should be something to be proud of.

But we're not talking about a sane world. We're talking politics.

"They ought to have the courage to say, 'We blew it, we were wrong,'" taunted Republican Senator Phil Gramm of Texas. The political logic goes something like this: The war was a success; therefore, those who opposed resorting to war were wrong.

That logic is specious. Just because the war succeeded doesn't preclude the possibility that other means might have succeeded. Without taking anything away from the war-time performance of the president, his generals and the troops, it remains true that the war represents a lost opportunity.

Before the bombing began, a united world had Iraq in the grip of an embargo and blockade probably tighter than any applied to any aggressor in history. It was an opportunity to demonstrate that the community of nations could deal with an outlaw without using force. It was a rare chance to try moving the world beyond war.

The sanctions clearly hurt Iraq worse than Saddam Hussein let on. Note that when Saddam was desperately trying to negotiate a conditional withdrawal from Kuwait, the condition he wanted most was the lifting of sanctions.

Patience never has been an American virtue, and Congress voted in favor of war after sanctions had been given only five months. The war went miraculously well, and now those who voted for it are basking in the glory won by the troops. That's fair enough.

But proponents of the war should be cautious about hailing its success. It's too soon to know whether the war will be beneficial to U.S. interests in the long run.

While an impressive military accomplishment, the war took tens of thousands of lives, mostly Iraqis. It left Kuwait in ruins. Six million barrels of oil a day go up in smoke from the flaming wellheads that may burn for years to come. The ruling family that has returned to power in Kuwait has declared martial law and may suppress any move toward democracy.

In Iraq, the aggressor Saddam is still in power. He uses what's left of his armies to massacre rebels.

What was gained from the war? Perhaps a great deal if President Bush's far-reaching postwar initiative can overcome age-old grievances. Perhaps little or nothing if the war only breeds further conflict, as is usual with wars.

It may be years before the final result is known. It is simply too soon to exult over the gulf war as an unqualified triumph.

Was the war a success? Yes, in a military sense. In a larger sense, war is never a success. Each war is one of civilization's failures.

[From the Des Moines Register, Mar. 13, 1991]

FINGER POINTING IN THE GULF: SET THE RECORD STRAIGHT

In the exuberance of victory, some U.S. political leaders have made some silly statements that shouldn't pass uncorrected.

President Bush, for instance, described the troops in the gulf as "the finest fighting force this nation has ever known." Given the advanced weaponry at their disposal, the troops of the gulf war were the most lethal force the nation has ever assembled, but to call them the finest fighting force covers a lot of territory.

Were they finer than the forces at Anzio? At Omaha Beach? At Iwo Jima? At Pork Chop Hill? At Khe Sanh? At Argonne Forest? At Gettysburg? At Buena Vista? At Saratoga? Surely the gulf troops would not want it implied that they were better than those predecessors.

It should be enough to say that the gulf troops upheld the finest tradition of American fighting forces, which is honor aplenty.

Then there was the president's assertion in his victory speech that "We lifted the yoke of aggression and tyranny from a small country that many Americans had never even heard of, and we ask nothing in return."

Nothing? Nothing but a reliable supply of cheap oil.

True, some noble motives were involved in the fight against Iraqi aggression, but the fact that the Persian gulf has half the world's known oil reserves had a little bit to do with it. If the United States fought wars purely to reverse aggression, the 82nd Airborne would be dropping into the Himalayas to expel China from Tibet. The 1st Armored would be rolling into Lebanon to kick out Syria.

Great powers sometimes go to war to protect their vital interests. The United States need not apologize for that. Indeed, it has much to be proud of in its conduct of the gulf war. But it's not healthy for a nation to ascribe saintly motives to actions taken in its self-interest.

Finally, there are Republicans who assert that anyone who voted against authorizing the use of force in the gulf was "wrong." That's flawed logic. The war succeeded in driving Iraq from Kuwait, but it is possible that continued economic pressure might have succeeded also, if given more time.

Besides, as columnist Richard Cohen notes on this page, if fingers are to be pointed at who was right and who was wrong, there are more things to consider than just the war vote on Jan. 12. Who was wrong, for instance, in misjudging Saddam Hussein's intentions? Who was trying to block sanctions against Saddam, right up to the invasion of Kuwait, so Iraq could buy more U.S. grain?

Who was in charge of the diplomacy that apparently gave Saddam the impression the United States would not intervene if he invaded Kuwait? April Glaspie, the U.S. ambassador to Iraq during the critical months before the invasion, has been kept under wraps.

Did U.S. diplomatic bungling result in a war that need not have happened? Now that the war is over, it's appropriate to find out, beginning with an invitation for Glaspie to testify before Congress.

LET'S BEGIN TO PLAN FOR PEACE

(By John McDonald, President, Iowa Peace Institute)

Where are we in the peace process? Actually our government seems to have made little progress to date, having focused its energies almost entirely on fighting the war.

The State Department and President Bush have said repeatedly that our fundamental war aim, as set forth in UN Security Resolution 660, is to ensure that Iraq "immediately and unconditionally" withdraws from Ku-

wait. Resolution 661 then goes beyond that and calls for the restoration of the "sovereignty, independence and territorial integrity" of Kuwait. It has been clear, since January 16, however, that some, but not all, of the Coalition forces have other war aims, i.e. the destruction of Iraq's nuclear, gas, chemical weapons and missile capability, as well as its air force, navy and ground forces. In addition, as we have seen from official reports of the war, an enormous amount of infrastructure in Iraq, such as bridges, highways, power plants, water systems, etc., has been destroyed.

One could argue that this destruction is justified in order to carry out Security Council Resolutions 674 and 678, which call, respectively, for the restoration of "peace, security and stability in the region" and "to restore international peace and security in the region". It would certainly be difficult to restore "international" peace and security in the region, if Saddam Hussein remained in power after his armed forces withdrew from Kuwait.

However, such mass destruction, plus the mounting number of civilian casualties in Iraq, have changed the tenor of the war and caused ever increasing numbers of Muslims throughout the world to increase their anger towards, and criticism of, the United States.

Unfortunately, the U.S. Government allowed an opportunity to explore Saddam Hussein's credibility, to slip through its fingers and pass to the Soviet Union, when it refused to negotiate with Iraq, that country's heavily conditioned offer of February 15, to withdraw from Kuwait.

Yet it is critically important today that the world recognize that the United States' ultimate goal is peace in the Gulf and stability in the region. With these aims in view the United States should take the following actions:

1. Announce, for all Arabs to hear, that we have no plans to occupy Baghdad or to rule Iraq.

2. State that we have no intention of dismembering Iraq or allowing any other nation or collection of nations to violate its international borders and break up that country into smaller pieces.

3. Inform the Iraqi people that we want them to decide their own future, after the war is over. However, if they decide to move towards a democratic state, for example, along the lines proposed by the Joint Action Committee, (a coalition of 16 different exiled Iraqi political groups which is calling for a transitional government to be established after Saddam Hussein's death or ouster and free elections in a year) we, and others, will help, under United Nations auspices, to rebuild their war damaged country.

4. We should take the lead at the United Nations Security Council now, and propose the negotiation of the following four resolutions, which would go into effect at the time Iraq begins its unconditional withdrawal from Kuwait, recognizing the chaos that will exist in Iraq and Kuwait at the end of the conflict and the need to bring stability to the region:

- a. The Security Council should establish a U.N. Peacekeeping Force in Kuwait which would supervise Iraq's withdrawal and insure that the border between the two countries would remain a peaceful one. This military force should be made up primarily of military personnel from Arab League member states. The five permanent members of the Security Council (US, UK, USSR, France and China) would not be represented in this peacekeeping force.

- b. The Security Council should establish a temporary, nonmilitary, United Nations Advisory Group in Kuwait City, to assist the returning Kuwait government and help the returning refugees. This advisory group could also supervise a referendum in Kuwait, six months after the withdrawal, to determine the kind of government the citizens of Kuwait would like to establish.

- c. The Security Council should establish, as soon as possible, a major, non-military, United Nations Advisory Group in Baghdad, made up primarily of experts from the Specialized Agencies of the U.N., who would be responsible for providing emergency help to the civilian population, evaluating the damage to the civilian economy, coordinating foreign assistance from all sources and helping the transitional government rebuild the destroyed civilian infrastructure and the economy.

- d. The Security Council should schedule an International Peace Conference, three months after the Iraqi withdrawal is completed, to take place in Geneva, Switzerland. Countries invited to attend, as members, would be the 15 nations of the Security Council, Iraq and Kuwait and the countries on their borders, those member nations providing military or financial assistance to the Allied Coalition, Israel and the PLO. Other members of the United Nations would have Observer status. The Agenda should have the following substantive issues for discussion:

1. A review of the implementation of the Security Council Resolutions mentioned in paragraph 4.

2. The lifting of the UN embargo.
3. The exchange of prisoners of war.
4. Iraq's land and oil claims against Kuwait.
5. Kuwait's claims for war damage against Iraq.

6. Human rights violations against Iraq.

7. The future role of former "guest" workers in Kuwait, Iraq and Saudi Arabia.

8. Future security arrangements in the Gulf including the removal of all foreign troops from Saudi Arabia and the future role of the Gulf Cooperation Council.

9. Conventional arms control measures in the region and the need for a nuclear free zone.

10. The Israeli-Palestinian conflict, based on UN Security Council Resolution 242.

If we start today, taking the actions recommended here, we have a better chance of not only winning the war but also of winning the peace!

POST COLD-WAR, POST PERSIAN GULF WAR FLASHPOINTS: ASSESSING THE CHALLENGES OF THE 1990's

(John Isaacs, President, Council for a Livable World)

It is well that war is so terrible, or we should grow too fond of it.—GEN. ROBERT E. LEE.

BEWARE HUBRIS

The Persian Gulf war was a tremendous victory for the United States. Saddam Hussein has been decisively defeated. This country should move quickly to the next stage, analyzing the lessons of the Gulf war and planning for the future.

One lesson that is particularly critical: the United States, a clear victor in Iraq, the Middle East and internationally, had best beware excessive hubris. Military force worked splendidly against Iraq. However, this conflict's unique conditions are not likely to be repeated. There are grave risks for this country to think that projection of military force

will be the answer to a wide variety of future crises.

As we begin grappling with the lessons of this war, we also have to focus on where the United States and the world should be heading after the end of the Cold War and the decline of the Soviet military threat. Last year, this country began to move toward a foreign policy agenda for the 21st century. That process was interrupted by the country's—and the world's—single minded focus on Saddam Hussein's land grab in the Middle East.

A few stipulations: the United States was correct to oppose Saddam Hussein's aggression:

Let me first, as lawyers in a trial might do, stipulate certain facts that those on the left and right might agree on, adding a few interpretative comments along the way. Most importantly, we can all agree that Saddam Hussein is an evil man. Whether he goes down in history, as President Bush would like us to think, on par with the evil of Adolf Hitler or a less dangerous tyrant such as Benito Mussolini, is a topic best left to historians.

Saddam runs a very repressive dictatorship which relies on murder to keep opposition in line. He and his secret police have no compunction about resorting to torture of political opponents or Kuwaiti resisters. His August 2 invasion was not his first aggressive act against another state; In 1980, he launched what turned out to be an eight-year war against Iran merely to gain territory. During the Reagan years, the United States supported Saddam against an Iran run by the Ayatollah Khomeini. In 1990, the Bush Administration signaled that the Iraqi-Kuwaiti border dispute was not our concern.

Saddam Hussein also resorted, against all international norms, to lethal chemical weapons, first against undefended Iranian troops and then against his own Kurdish minority. Once again, the United States turned a blind eye toward his heinous actions. I might add that organizations such as Council for a Livable World long concerned about banning poison gas weapons from the face of the earth did not hold back our criticism. Lastly, in the recently concluded war, Saddam launched Scud missiles as a weapon of terror against Israeli civilians.

I run through these stipulations to emphasize our opposition both to Saddam Hussein and to his belligerence. I think the United States should continue to oppose aggression and repression in the future. We should not hesitate to work to obstruct Indonesian atrocities in East Timor or China's destruction of the "Democracy Movement" or Khadafi's aggression in Chad or Soviet repression in the Baltic states. We should make it clear that when a strong nation acts to gobble up a weaker neighbor—whether the Soviets in Afghanistan or India in Goa or China in Tibet—we stand against such aggression.

But we should be careful about the means we choose to make known our opposition. Sending in 530,000 soldiers generally will not be the best response.

The Persian Gulf war: George Bush turns Murphy's Law on its head:

Murphy's Law states that everything that can go wrong, will go wrong. With President Bush's decision from August 2, 1990, on the other hand, everything that could go right, did go right. Bush built an effective international coalition, worked through the United Nations to enhance that worldwide consensus, directed one of the most effective sanctions and embargo policies in history

and convinced Saudi Arabia to change its long-standing policy of avoiding a Western presence. In addition, the Soviet Union voted with the United States at every critical juncture, Israel refrained from entering the war despite maximum provocation, and every diplomatic and military decision worked.

One American maxim is that nothing succeeds like success. The American public, while skeptical at first, rallied around each of Bush's moves—and disagreed with policies espoused by groups such as Council for a Livable World that preferred to rely on a defensive military posture in Saudi Arabia and a sanctions policy to force Iraq out of Kuwait. Bush's 91 percent favorable rating in USA Today at the end of the war attests to the popularity of his policy.

What lessons should the United States draw from this war?

I feel that the United States will draw the wrong lessons from the Persian Gulf war. The United States may decide that military power worked against Iraq and will work in the next crisis. The prevailing wisdom at this point is that the success in the Middle East has wiped away the old Vietnam syndrome. One difficulty is that people have contrary views on what that "syndrome" really is.

To me, the essential lesson of Vietnam is that the United States should rarely intervene militarily around the world, particularly when the population which we purport to save is not sure that it wishes to be saved by this country. Moreover, we should have a clearly defined goal that is widely supported by the American people. In Iraq, these conditions prevailed, by and large.

However, it would be a serious mistake to try to translate that support for this situation to a future emergency. I would argue that circumstances in the just-concluded conflict were unique and not likely to be repeated in the future.

Iraq clearly embodied all that was evil: there was no Ho Chi Minh who could claim to be an authentic revolutionary hero;

Iraq was trying to dominate critical energy supplies on which the entire world depended;

Iraq had virtually no allies in the international community; the Soviet Union all but abandoned its ally except for a few flailing peace attempts;

As a result of its political isolation, no country was available to resupply Iraq or to provide a safe rear area the way that China and the Soviet Union did for North Vietnam;

The United States had four months in which to move troops and supplies to the region, unhindered by Iraqi forces;

The allied forces quickly achieved total air supremacy after January 17;

The desert environment turned out to be superbly suited for American military strength, leaving Iraqi targets open to our air power and the desert terrain allowing for speed of maneuver.

Future conflicts are not likely to be so clear cut, nor will so many advantages accrue to our side. For example:

- A civil war in Yugoslavia,
- A North Korean incursion into the South,
- A spreading rebellion in the Philippines,
- A Soviet military crackdown in Lithuania,
- A South African civil war,
- A seizure of power by Colombian drug lords.

All these conflict would be different, and less hospitable, to the intervention of 530,000 Americans. Nor are the on-going conflicts listed in Appendix I so easily resolvable by massive military force.

The United States and the world faces a unique opportunity:

For four-and-a-half decades, the United States and the Soviet Union competed for influence and power around the globe. Many local disputes became international because of clashing superpower interests.

The Soviet Union no longer remains a military threat to Europe. It has lost its strongest Eastern European ally, East Germany, to a reunited Germany under the NATO banner. Its forces are being ejected from Poland, Hungary and the rest of the Warsaw Pact nations. On February 25, 1991, the Warsaw Pact announced it was formally disbanding as a military alliance. The Soviet dominance in Eastern Europe is at an end.

The Soviet Union's status as an economic superpower is also kaput. Capitalism's triumph over the communist economic system is evident. Today, internal dissolution is the greatest Soviet threat.

These internal problems limit that ability of the Soviet Union to intervene in trouble spots around the world, either military or economically. As C.I.A. director William Webster testified a year ago to the House Armed Services:

The changes are probably already irreversible in several critical respects: Perhaps most importantly, there is little chance that Soviet hegemony could be restored in Eastern Europe . . . Even if a hardline regime were able to retain power in Moscow, it would have little incentive to engage in major confrontations with the United States. New leaders would be largely preoccupied with the country's urgent domestic problems, and would be unlikely to indulge in a major military buildup.

In the year since this statement, the Soviet economic situation has further deteriorated. While the Soviet leadership has adopted more repressive internal policies, and has provoked military clashes in the Baltic states, it still remains a less pressing threat—except that its nuclear arsenal can still devastate the world.

For decades, the treat of a nuclear holocaust growing out of a superpower confrontation was one of the primary concerns of mankind. In an adversarial bipolar relationship with the Soviet Union, in which a nuclear arms competition was a major part, it was critical to stop and reverse that arms race.

The situation has now changed in fundamental ways. Today a catastrophe seems much less likely to have its origins in superpower actions, and more likely to arise out of actions taken by third powers over which neither superpower may have much control. In such a conflict, the massive nuclear destructive capacities of the United States and the Soviet Union will be largely irrelevant.

In this new world order, the incentive for a Soviet-American arms race and for each side trying to achieve or maintain a favorable balance of forces vis-a-vis the other will be much reduced. Other factors, particularly economic difficulties in both countries as well as the internal political dynamic in the Soviet Union, will increasingly help to restrain that arms race.

A SEVEN-POINT PLAN FOR A FUTURE UNITED STATES FOREIGN POLICY

The United States should work to strengthen international institutions, particularly the United Nations:

The end of the Cold War provides new opportunities to breathe life into international institutions long hampered by the U.S.-Soviet rivalry. The United States, the Soviet Union and most of the rest of the world cooperated through the United Nations to op-

pose Iraqi aggression in the Middle East. This hopeful precedent, plus the key role the U.N. played in reducing the conflicts in Angola, Afghanistan and Southeast Asia, should provide a model on which to build in the future.

The United States should work to enhance the role of the United Nations. As a first step, the United States should pay its long-standing debt to the U.N. We should support a permanent peacekeeping force, complete with extensive logistical and transport arrangements so that such a force could be rapidly deployed to trouble spots. It would be particularly useful if a U.N.-sponsored force could take over the peacekeeping functions in the Middle East as rapidly as possible in order to lead to an early removal of the bulk of United States and allied forces from the region.

With the increasingly complex world order, the United States should increase its effort to effect international measures to prevent the proliferation of nuclear chemical and biological weapons, as well as ballistic missile technologies:

One of the greatest terrors to allied forces in the Persian Gulf was the threat by Saddam Hussein to use chemical weapons. Allied troops, Israel and the world were indeed fortunate to be spared the use of such heinous weapons.

Also alarming was the drive by tyrants such as Saddam and Kaddafi to develop a nuclear weapons capacity. While the Israelis took care of the Iraqi nuclear threat in the early 1980's and allied bombers took care of the latest threat, the bombers cannot return forever.

Some steps to consider include:

Tough international restrictions on equipment and materials used to construct weapons of mass destruction;

Effective sanctions legislation in this country to penalize countries and companies that aid third parties in building weapons of mass destruction and acquiring sophisticated conventional weapons;

An end to U.S. and Soviet nuclear testing as an inducement for other countries to sign on to the nuclear non-proliferation regime;

Work diplomatically to ease the conflicts among the most dangerous proliferators: North Korea, South Asia and the Middle East.

Expand the nuclear non-proliferation regime to include France and China.

Halt U.S. production of nuclear weapons material.

Bring to a rapid conclusion the international Chemical Weapons Convention under negotiation in Geneva; This can rid the world of all poison gas weapons.

A moratorium on the sale of conventional weapons:

The United States, in conjunction with other supplier countries, should impose an immediate moratorium on the sale or transfer of conventional weapons to the Middle East and other volatile regions. The allied forces should not have had to face weapons that they had helped to supply to Iraq.

There should be an early agreement by the United States, the Soviet Union, China, France, Great Britain and other countries to refrain from selling sophisticated conventional weapons in the broad region from Marrakeck to Bangladesh. This agreement should bar selling new weapons Syria and Pakistan, to Libya and India, but also to Saudi Arabia, Kuwait and Israel. If we arm Saudi Arabia, then Israel will want more. If Israel is provided additional weapons, the Syrians will look to their suppliers for arms in response.

An agreement must be reached quickly if we are to stop the replacement of weapons recently destroyed in the war or bolstering present arsenals. The Soviet Union's arms industry is lusting to replace Iraq's battlefield losses. Similarly, "merchants of death" in this country (to resurrect the old post-World War I term) are lining up to market their wares that proved so successful in the recent war. The Egyptians are interested in Hawk missiles and F-16 fighter jets. Israel wants F-15 fighter upgrades. Bahrain and Turkey are said to be interested in Patriot missiles. The United Arab Emirates likes the M-1 tank. Saudi Arabia may want all of the above. As the Wall Street Journal recently pointed out, if the region is allowed to rebuild its arsenals, "It [the war] could happen again." (March 4, 1991, p. 1).

The first signs from the Bush administration are not hopeful. While talking about the need to avoid a renewed regional arms race, the Administration is seeking congressional approval of a \$1.6 billion sale of F-16 aircraft to Egypt. The Washington Post of March 7, 1991 reports that the Administration is considering more than \$18 billion in new arms sales to five Desert Storm "winning" countries: Saudi Arabia, United Arab Emirates, Bahrain, Egypt and Turkey.

General Norman Schwarzkopf, in his post-ground combat press briefing of February 27, 1991, told reporters that Iraq no longer poses a military threat to the region, "unless," he ominously added, "someone chooses to rearm them in the future." (New York Times, February 28, 1991, p. A8).

The United States and the Soviet Union should deeply reduce nuclear weapons:

We should advocate reductions in numbers of Soviet nuclear weapons since there is likely to be greater danger in a disintegrating Soviet empire with 20,000 weapons on its soil—if not under its firm control—than in an empire with perhaps fewer than 1,000. The U.S. should reduce its nuclear weapons as well. Completion of the START I agreement is a good first step, followed by rapid negotiations for a START II and beyond. It is time to work towards an adequate deterrence level of as few as a thousand nuclear weapons. Building thousands of unneeded nuclear weapons beyond any prudent need should be a policy relegated to the past. If the negotiators of arms agreements persist in talking forever, the past practice of spending years laboriously negotiating a treaty and its verification components may become less relevant in a world where other political and economic forces may lead to faster and deeper reductions.

While we have succeeded in meeting the military challenge, we are failing the economic challenge:

While we have trumped Soviet power and demonstrated that German and Japanese economic strength have their limits, we continue to fall behind the economic superpowers. The United States has poured resources into military technology that played such an important role in the Persian Gulf. But the money spent developing the Patriot or the Tomahawk is money that has not been spent on high definition television or flat panel monitors for computers. The expanded military research of the past decade has siphoned off dollars and engineers that could have helped keep pace with the Japanese and Germans. According to a recent New York Times article, military research now takes up 70 percent of America's federal research spending, up from 50 percent a decade ago (March 4, 1991, p. D8).

Raytheon has produced a superb Patriot missile, but has struggled to produce com-

petitive Caloric stoves or Speed Queen washing machines and dryers. Grumman Corporation has produced wonderful aircraft but failed to produce busses for city traffic.

"Why can't we make a VCR when we can make a Patriot missile?," recently asked Clyd Prestowitz, president of Economic Strategy Institute. Because "we really care about making Patriot missiles." (New York Times, March 4, 1991). The chief executive of Sematech, a Texas technology consortium, added: "If the nation determined that economic security was as important as military security, we could catch up in the commercial arena as well." (New York Times, March 4, 1991).

Yale's Paul Kennedy in 1987 developed a thesis that imperial powers have accelerated their decline by diverting too much resources to military force rather than economically productive activities. The United States has been guilty of just such a diversion. Certainly, we were able to surmount the Soviets, who wasted an even greater proportion of their resources on the military than we did. Certainly we were able to smash the Iraqi military force. But we continue to fall farther and farther behind the economic race. Kennedy points out that throughout history, nations whose economic strength was ebbing have used military victories as "misguided signs that their power was intact." (New York Times, March 4, 1991). The Soviet's 1979 invasion of Afghanistan was only the most recent example.

It is good we were able to prompt other countries to pay for the bulk of the costs of our Persian Gulf war, that is, if one is comfortable with the risk that American forces will become the world's mercenaries, perhaps to be known as the Hessians of the 21st century.

We should redirect money and research to rebuilding the American infrastructure, enhancing economic competitiveness, improving our educational system, providing adequate health care to all Americans, cleaning up the environment and preparing for the economic challenges of the future.

The United States should continue moving toward a reduced, but highly mobile arms forces:

There is no reason for the military budget to be more than a fraction of today's \$300 billion spending level. The rapid victory over the Republican Guard shows how strong our forces are and how we have built in a considerable margin of safety. Beware the so-called experts in Congress who are trying to use our victory as an excuse to raise military spending.

While we sent a huge number of troops to the Middle East, it was actually less than 18 percent of our active and reserve troops. Only 10 to 13 of our air wings participated in the conflict, compared to the total 36 active and reserve wings we have now. We fired about 160 out of 5,765 Patriots in our inventory and only 290 Tomahawks out of 3,083 [see Appendix II]. If we can succeed over the fourth largest army with a small proportion of our military force, consider how we could do against the seventh or 12th largest.

The substantial portion of the military budget devoted to support NATO and to oppose the Soviet military threat can still be substantially reduced. The Pentagon estimated that up to 60 percent of its total budget—about \$170-\$180 billion—was oriented towards a European mission. While the Soviet Union has adopted more repressive internal policies, the Warsaw Pact has collapsed as military alliance and the two Germanies have united under the NATO banner. The

bulk of our 300,000 troops stationed in Europe, a significant chunk of which were redeployed to the Middle East, should be brought home and demobilized.

The segment of the budget spent on strategic nuclear programs—some 12 percent to 15 percent—can also be pared back. There is no reason to move to a new generation of land based strategic nuclear missiles. A B-2 stealth bomber at \$865 million a copy makes no sense for a conventional role in third world contingencies. The F-117 stealth fighter/bomber, on the other hand, is already performing well. Brilliant Pebbles and other strategic defense initiative technologies—totally separate from the largely successful Patriot system—are irrelevant to the Middle East. The Strategic Defense Initiative request should be pared way back.

The need to transport personnel and supplies quickly to the Middle East highlights the requirement to make policy choices within the military budget. It is evident that transport planes and fast-sealift ships have a critical role to play in third world conflicts. The Marine Corps pre-positioned ships have been a great success in the Middle East war. In general, though, the Pentagon has starved lift capacity in favor of more glamorous systems. Weapons choices should be redirected to systems easier to transport. The U.S. could build many ground support or fighter aircraft for the price of one super-sophisticated B-2 designed to evade Soviet air defenses (compared to 40 F-16 Falcons for the same price). Minesweepers have also been neglected.

The United States should devote more energy to diplomatic solutions and economic assistance and less to military solutions:

An immediate priority is to try to accomplish diplomatically what is not possible militarily. That is, if the United States can build on the success in the Persian Gulf by brokering an Israeli-Arab concordat and an Israeli-Palestinian solution, we may be able to avoid the expenditure of military treasure. President Bush's announcement March 6 that he would pursue such a diplomatic solution is a positive step. We should assist the fledgling democracies of central Europe to overcome 45 years of communist domination. One of many downsides of our central focus on Iraq since last August is that we have failed to help Eastern European countries strengthen their economies.

The United States has an opportunity unique since the onset of the Cold War. We can build toward a more secure, stable and peaceful world. My hope is that we remember our limitations, and not just our strengths in the years ahead. This year, we turned back one evil in the world; unfortunately, many other evils remain.

Woodrow Wilson entered World War I to win the battle for democracy. The U.S. entry into the war helped turn the tide for the allied cause. The dreams from this war to end all wars quickly turned into the nightmare of Adolf Hitler. Winston Churchill rallied a dispirited Great Britain to achieve a noble victory in World War II, only to follow that triumph with the dissolution of the British empire.

To repeat what I stated at the beginning: the success in Iraq was enhanced by a series of unique conditions that are not likely to be repeated. There are grave risks for this country to think that projection of military force will be the answer to future crises.

If we can avoid the "disease of victory" by working diplomatically and economically for a better world where military intervention is the very last resort, then we will have accomplished something truly long-lasting.

APPENDIX I—WARS ACROSS THE GLOBE THROUGH THE END OF 1990

Definition of War: any armed conflict involving at least one government and causing at least 1,000 deaths per year. The deaths may result from any one or combination of three causes: direct military casualties; famine, or disease. As with most war deaths, the totals are only estimates.

The wars are listed in the chronological order in which they began. For example, Guatemala's conflict is listed first because it is the oldest, beginning in 1966.

Location	Year war began	Number of deaths	Percentage of deaths that are civilians
1. Guatemala	1966	140,000	71
2. Ethiopia	1974	570,000	88
3. Angola	1975	314,000	94
4. El Salvador	1979	73,000	70
5. Mozambique	1981	1,050,000	95
6. Lebanon	1982	63,000	65
7. Peru	1983	20,000	50
8. South Africa	1983	10,000	100
9. India	1983	16,000	75
10. Sudan	1984	506,000	99
11. Sri Lanka	1984	30,000	60
12. Columbia	1986	22,000	64
13. Somalia	1988	55,000	91
14. Liberia	1990	10,000	90
15. Tibet	1990	2,000	100
16. Kuwait	1990	1,000	100
Total		2,909,000	91

Source: William Eckhardt, Research Director, Lentz Peace Research Laboratory, St. Louis, Missouri.

APPENDIX II—ON FUTURE DESERT STORMS

Some have suggested that the United States could not conduct Operation Desert Storm in 1995, after the force structure is cut according to current plans. By any measure, however, the war against the world's fourth largest army (after the Soviet Union and China) required only a small part of our military machine:

	Used in Desert Storm	1992 actual	1995 plan	Percent used
Troops	530,000	3,000,000	2.55	20
Army divisions	7 to 8	28(18)	18(12)	44
Air Force wings	10 to 13	36(24)	26(15)	50
Aircraft carriers	6	13	12	50

In other words, even with the 1995 cuts, we would need only 20 percent of our troops and up to 50 percent of our total forces to conduct another Desert Storm.

Furthermore, we should not have to provide such a large proportion of any future U.N. operations. The U.S. might once again have to provide the quick reaction capability to stop future aggressors initially, until coalition partners could join the battle. The fact remains that the large U.S. military force was built primarily to stop a Soviet surprise attack. We could clearly afford to reduce by 50 percent as proposed last year by the year 2000 and still ably protect the U.S.

As another indication of the limited effect of the Persian Gulf war, consider the missiles consumed versus the weapons authorized prior to the war:

	Total authorized	Expended in war (approx.)	Percent
ATACMS	536	87	16
Helifire missiles	44,938	1,063	2.4
TOW missiles	143,426	208	.15
HARM missiles	14,895	2,033	13.6
Tomahawk	3,083	290	9.4
Maverick	22,605	5,000	22
Patriot	5,765	158	2.7

While some of these missiles are older (many of the Patriots are only capable of downing airplanes, not missiles), this indicates that the relatively short Gulf war did not deplete much of our inventory. The

world's fourth largest army was defeated with less than 20 percent of our smart weapons inventory.

THE ALLIES AND THEIR PLEDGES

Mr. RIEGLE. Mr. President, we are all thankful that the United States was victorious in the war in the Persian Gulf. While there were, tragically, deaths of American service personnel, our casualties were low and the ground war ended after only 100 hours.

To win the battle so decisively, the United States sent more than half a million soldiers to the Persian Gulf region. Our forces comprised the vast majority of not only ground forces in the campaign, but represented the bulk of air and sea power as well. While some of our allies, including Great Britain, France, and Egypt, participated with a significant commitment of combat forces, many of America's friends, with vital interests in the region, were not active partners in the allied military effort.

For example, in 1989, only 10.8 percent of the oil consumed in the United States came from the Persian Gulf. On the other hand, the gulf region was the source of 29.4 percent of Western European supplies and a notable 58.9 percent of Japanese petroleum in that year. Ironically, while America consumed little gulf oil and carried the burden of protecting the free world's source of oil, many of our allies had arguably greater interests, but supplied no troops. Japan and Germany were constitutionally prevented from sending ground forces and most European nations simply chose not to do so.

To compensate the United States for carrying the lion's share of the fighting to liberate Kuwait, several nations pledged \$54.5 billion to the United States and international coalition. Our allies were eager to show their support for the U.S.-led effort by pledging large sums for America's sacrifice. Even though many of the nations which promised monetary assistance did not send combat forces, America is grateful for the pledges it received. Unfortunately, thus far, less than half of the pledges have actually been delivered. As of March 15, America had only collected \$19.6 billion of the more than \$50 billion pledged.

I am pleased that yesterday, Japanese Foreign Minister, Taro Nakayama, in a meeting with Secretary of State James Baker, announced that Japan, which has sent only \$1.3 billion of the total \$10.7 billion promised, will today deliver an installment of \$5.7 billion of the balance of its latest commitment of \$9 billion to the United States. This still leaves several billion dollars until the full amount is actually remitted. Furthermore, what was originally a \$9 billion pledge, may in fact be reduced by up to \$400 million do to a recalculation based

on the current exchange rate between yen and dollars.

The United States and Japan share many interests around the world and we must share the costs. But, at the same time the Japanese Government increased its commitment to the coalition by \$9 billion, it decreased its defense budget by almost three quarters of a billion dollars. Japan's contribution to the international coalition for Desert Storm is a welcome development, but it still must do more to carry its fair share of the continuing defense burden all over the world.

Germany promised the United States \$6.6 billion in support of Operation Desert Storm/Desert Shield—and we are grateful. But, once again, several weeks after the conflict ended, Germany has delivered only slightly more than two-thirds of its total pledge. This, sadly, represents the largest percentage of a pledge paid by any nation.

Of all the nations which committed themselves to assisting the coalition, Germany's contribution is indeed meaningful because Germany currently is also carrying the financial burden of the reunification of Germany. While all Americans support and sympathize with Germany as it strives to raise the living standards of its new citizens in the East, we must insist that Germany also carry its fair share of the allied defense effort.

That trend of unpaid pledges does not end with Germany and Japan. Kuwait and Saudi Arabia, the coalition members on whose behalf American soldiers fought and died, are each more than \$10 billion behind in their contributions. Although total Saudi in-kind contributions—gasoline, food—are still being collected and totaled and Kuwait faces an enormous national reconstruction effort, Americans sacrificed profoundly on their behalf and expect full remittance on what was pledged.

The Senate has not ignored the issue of the unmet pledges. Earlier this week, the Senate drew a clear line—the United States will not follow through with arms sales to the nations which have not fulfilled their commitments to the United States and its coalition partners.

Once again, Mr. President, I would like to thank our allies for participating in the international efforts to restore peace and stability to the gulf. But, at the same time, I want to reiterate that the burdens and costs of the war must be shared. And, thus, while many of our friends around the world have pledged a great deal to Operation Desert Shield/Desert Storm, their responsibility continues. America must insist upon full payment of all pledges.

MERCHANT MARINE AND THE PERSIAN GULF CONFLICT

Mr. RIEGLE. Mr. President, I rise today to pay tribute to some of the un-

sung heroes of our Armed Forces. The men and women of the merchant marine served selflessly in the Persian Gulf war alongside our courageous servicemen and women of the Army, Navy, Marines, Air Force, and Coast Guard.

The significant contribution of the merchant marine to our military efforts in the gulf is one which should be acknowledged. From the very beginning of the conflict, the merchant marine travelled over thousands of miles to transport necessary supplies to the Middle East.

Beginning on August 10, 1990—a little over a week after Iraq invaded Kuwait—the Maritime Administration [MARAD] begin activating ships to be sent to the region. During the critical days of Operation Desert Shield the Maritime Administration contributed one ship per day out of reserve or retired forces in order to respond to the urgency for the rapid deployment of supplies. The first merchant marine vessel to arrive in the Persian Gulf delivered 15,000 tons of cargo—a load that would take one C-5 transport plane over 220 trips.

By the end of the war, almost 80 of the 96 Ready Reserve Forces [RRF] had been activated carrying approximately 1.7 million tons of cargo. Today, it is estimated that over 75 percent of all military equipment and ordinance was delivered abroad merchant marine vessels.

Throughout the crisis, over 3,000 civilian mariner jobs were created by Operation Desert Shield and Operation Desert Storm. Our military efforts in the Persian Gulf represented one of the most immense sealift operations in history, and certainly the largest challenge to United States seapower and logistical capabilities since the Vietnam war.

A constituent of mine from Michigan who is in the merchant marine raised a concern about mail delivery to personnel on the ships. Early in the massive sealift effort, the Maritime Administration received several complaints about delays and lack of delivery of mail to merchant vessels. This is a very serious problem, because postal service is the one link these sailors have with their family and friends at home. The Navy and Maritime Administration acknowledged that there were some difficulties with mail delivery early in Operation Desert Shield. In January and February, thought, coordination between these departments improved and with this the mail service has improved. I would like to urge the Pentagon to pay particular attention to mail delivery during times of international conflict which is so important to the morale of Americans abroad.

We owe a debt of gratitude to the devoted men and women that make up our merchant marine for their service

to our country. They have confirmed by their performance in the Persian Gulf that reliable sealift capacity is indispensable to our national security.

The merchant marine, the unsung heroes of this conflict, deserve to go down in history with all members of our Armed Forces for their bravery and for the inestimable contribution they made to our victory in the Persian Gulf.

THE B-2 BOMBER SUCCESSFULLY PASSES BLOCK 2 FLIGHT TESTS

Mr. SEYMOUR. Mr. President, the Secretary of Defense recently certified to Congress that the B-2 advanced technology bomber passed a critical low-observable flight test.

The Secretary also wrote that during the early stages of block two testing, "flying quantities were satisfactory," and the Air Force detected no "significant technical or operational problems."

This achievement, Mr. President, simply represents the latest in a series of facts about the promise and the performance of the B-2 bomber that have consistently disproven the charges made by the congressional critics of this program.

First, the critics told us that this single bat-winged plane would not fly. But the B-2 bomber first took off for a smooth long flight in July 1989.

Second, the critics told us that no strategic bomber could fly undetected by increasingly sophisticated enemy radars. But dozens of Air Force simulation tests and our penetration of advanced Iraqi air defenses have demonstrated the feasibility of stealth aircraft in action.

Third, the critics told us that we could save the taxpayers billions of dollars by terminating B-2 bomber production. But then we found out that canceling the system could cost just as much as completing it.

Finally, the critics held the hope that the B-2 could never fly low, avoid mountainous terrain, and pinpoint its targets. But today, the Secretary of Defense told us that new testing validated the B-2 flying low, avoiding mountainous terrain, and pinpointing its targets.

Mr. President, the time has come for Congress to state that slogans and myths cannot substitute for sound public policy. In deciding whether to fully fund the B-2 bomber, will we defend false ideologies or will we defend our ability to address the new and distant threats to America's security? Just ask Saddam Hussein about the relationship between our success against the fourth largest army in the world and the deployment of stealth technology.

The tragedy of war diminishes only to the extent that we stand prepared to deter it, and our deterrent capability of the future will be largely invested in

the full-scale production of the B-2 bomber.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. KERREY. Mr. President, I now ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:53 p.m., recessed subject to the call of the Chair.

The Senate reassembled at 1:47 p.m., when called to order by the Presiding Officer [Mr. FORD].

The PRESIDING OFFICER. The senior Senator from West Virginia [Mr. BYRD] is recognized.

OPERATION DESERT SHIELD/ DESERT STORM SUPPLEMENTAL APPROPRIATIONS ACT, 1991—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on H.R. 1282 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1282) making supplemental appropriations and transfers for "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1991, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of today, March 22, 1991.)

Mr. BYRD. Mr. President, the conference agreement on H.R. 1282, the Desert Shield/Desert Storm supplemental for fiscal year 1991, largely reflects the Senate position. In total, the agreement provides appropriations amounting to \$42,625,822,000, the same amount as was provided in the Senate-passed bill.

The protections of the \$15 billion in U.S. funding that were provided in the Senate bill are still intact. There will be no commingling of the U.S. funds with the foreign contributions. The United States funds will be placed into the Persian Gulf regional defense fund and will only be drawn down if allied contributions fall short of meeting the funding needs provided in the bill to the Department of Defense.

We fully expect that allied contributions will be sufficient to meet all of the incremental costs of Desert Shield/Desert Storm and thereby prevent the need for any of the \$15 billion in U.S.

funds to be used. As of yesterday, allied contributions totaled \$26.8 billion, still slightly less than half of what has been promised.

I am pleased to announce to my colleagues that the House agreed to the provisions that were strongly supported on the Senate floor, which would reduce to a minimum the transfer of new arms to the region, the making of any American commitments for new permanent basing in the region, and withholding support for new arms sales to those nations that have not yet fulfilled their promised contributions to this victorious coalition.

Specifically, I would like to call my colleagues' attention to section 107, which is an attempt to gain some control over the continued proliferation of arms in the Middle East. This section requires the administration to seek the approval of the Congress if it wishes to sell, give, or otherwise transfer equipment, supplies, or material to any nation in the region. We have changed the approval mechanism to require formal notification to the appropriate committees of the intent to sell.

Section 108 calls on the President to submit a report to the Congress with a schedule for the withdrawal of troops from the theatre and details of the costs associated with that withdrawal. The required report will include a detailed discussion of any commitments, made or contemplated, to provide a continuing military presence in the region.

The administration objected to section 108(b)(4) as being an unacceptable intrusion into the President's foreign policymaking powers because we asked for a discussion of any "arrangement that is expected to result from negotiations between the United States and the government of such a country." We have eliminated that clause.

Section 109 prohibits the use of funds to provide sales, credits or guarantees for defense articles or services to any country that has not met its commitment to the United States. If a country has the money to purchase expensive new weapons systems, then it must have the money to fulfill its pledges to the United States. It simply does not make sense to allow nations, now that the war is over, to put America at the end of the line with every other priority ahead of the contribution they pledged to the United States.

It does not make sense to allow nations, now that the war is over, to put America at end of the line with every other priority ahead of the contribution that they pledged to the effort.

In order to give the administration more flexibility we have changed the phrase "has not made such contributions," to "has not fulfilled its commitment." But it means the same thing, Mr. President.

Mr. President, the Congress and the Appropriations Committee have acted

swiftly and very responsibly on this vital funding measure to support our Armed Forces and their gallant efforts in the Persian Gulf.

Mr. President, the Congress and the Appropriations Committee have acted swiftly and responsibly on this vital funding measure to support our armed forces and their gallant efforts in the Persian Gulf. I want to, first of all, commend Congressman JAMIE WHITTEN and the members of the House Appropriations Committee, on both sides, for the cooperation, courtesy, always, the dedication to which those Members and with which those Members applied themselves to acting on these bills. I compliment the House on keeping the bills relatively clean, as supplemental appropriation bills, and I think the House is entitled to great credit, particularly the Appropriations Committee in the House of Representatives.

I also commend the ranking member of the Appropriations Committee in the Senate, Mr. HATFIELD, for his fine cooperation and constructive efforts, advice, and wisdom on this measure. I wish to pay special thanks to the chairman and ranking member of the Defense Subcommittee, Mr. INOUE and Mr. STEVENS, for their superb efforts, and I also thank their staffs. I want to compliment every subcommittee chairman and every ranking member of every subcommittee on the Appropriations Committee for the dispatch, for the excellence of their work, for the promptitude of their attentions to these needs.

I have been in a good many conferences on appropriations through the years. I think this probably is the best conference that I have been a part of. I am talking about both appropriation bills. We only started on the conferences last evening a little after 5 o'clock. We took up first Desert Storm, and we worked on it about 45 minutes and then delegated the staffs in both Houses to work on the matters in dispute. Then we moved quickly to another location and took up the dire emergency supplemental. And we broke a couple of times, and we finished our work on both bills, I believe, before midnight.

It was my intention all along, and I insisted all along, that we would not do just one and leave the other bill go over 2 weeks until after the break. We had to do them both or none. And both committees in both Houses took hold of the plow and plowed ahead, and we accomplished that objective, as I say, in almost record time. There were some very spirited discussions. Not everyone got what he wanted, but that is what we do in these conferences. We have to give, take, and reach compromise. That is the art of the legislative process. I compliment both committees on a job well done. It has been a fine example of bipartisan action in the Nation's interest.

I should mention, in thanking the staffs, that the staffs worked throughout the night last night. I went to bed at 1:30 this morning, but at that time the staffs were still here working. I came in later in the morning, and I asked my staffs, "what time did you get home?" They said, "we have not been home," most of them.

So, it was excellent work on the part of the staffs on both sides of the aisle and both sides of the Capitol, and they are entitled to commendations. They worked hard to produce this conference report, and after I yield to Mr. HATFIELD, my friend on the other side of the aisle, we will join in urging the adoption of the conference report.

The PRESIDING OFFICER. Are there further statements?

Mr. HATFIELD addressed the Chair. The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, the Senate has before it for consideration the conference reports on H.R. 1281, the dire emergency fiscal year 1991 supplemental appropriations bill and H.R. 1282, Desert Storm supplemental appropriations bill.

As the chairman has indicated, both of these bills were conferred with the House yesterday afternoon and evening. I must say that at the beginning of those conferences, I was not optimistic that both would be concluded successfully in such relatively short order.

I commend our chairman, Senator BYRD, and other colleagues on the conference, and the House chairman, Mr. WHITTEN, his ranking member, Mr. MCDADE, and their colleagues on the House side, for working so diligently and expeditiously to reach agreement on a number of difficult and contentious issues.

I believe Senator COCHRAN is to be especially congratulated for his work on the export enhancement issue. Mr. President, I sometimes feel that those who are not on the Appropriations Committee, perhaps, do not have a full realization of the structure of our committee and the uniqueness of our committee. As Chairman BYRD knows, we have, of course, the largest committee of any standing committee of the Senate, with 29 members. For a quorum in our committee, we have to get a number larger than some other committees. And, therefore, it is, first of all, in size and scope, a very, very unique committee. It is also the committee that has to produce a piece of legislation, the only legislation that really is mandated to pass the Senate at any time, in any session. You have to pass an appropriation bill to keep the Government flowing and functioning.

Mr. President, there is another unique character to our committee. In a sense our committee is a confederation. Chairman BYRD is the chairman of the full committee, but there

are 12 subcommittees, each with a chairman, and they have the right to be addressed as Mr. Chairman or Madam Chairman.

Unlike the Confederacy in the War Between the States, this one really functions, and functions efficiently. I sometimes wonder if Jefferson Davis had had the Appropriations Committee kind of structure during that particular war, it might have turned out differently. It is a fact that we are 13 committees functioning as one committee. There are 13 chairmen, 13 ranking minority members, each with their expertise, and each with his or her particular assignment of committee stature and committee leadership. And in all of this kind of structural complexity, Chairman BYRD orchestrated this fantastic and unbelievable and expeditious handling of two very, very important, and also very difficult, pieces of legislation.

So I just wanted to make that commentary about the uniqueness of this committee. I think one other thing that makes it unique is that, not all committees, but certainly I have known committees that drew a very sharp distinction between majority and minority staff. I can honestly say there is not a person who is a staff member of our committee that I do not feel at total freedom to go to and ask for information or assistance or help.

Very frankly, I say to Chairman BYRD, there are times when I would have to stop and say to myself, now is that minority or is that majority, because so many of our people on this committee as far as staff is concerned started with the majority in the 1970's and as the Republicans became the majority party in the 1981 session, we continued all of those members of the staff that had been hired by the previous majority party, certainly not for any great virtue or credit to our side but because we desperately needed their expertise, the continuity that Democratic-hired staff had, especially when we as Republicans had not had the leadership role for so long and there were five of our Members, as I recall, who were freshmen Members of this committee for the first time in their lives and three of them became chairmen without a day of previous service in the Senate.

So it was mutually convenient but nevertheless it was that kind of action. Then later when we lost the Senate, with hopes of regaining it someday, and Senator Stennis became the new chairman, the Democrats then became the majority party, he too continued the staff that had been in place, some of it going back to the former Democratic majority days and some of it hired by the interim Republican majority staff days, and so forth.

But anyway, our committee staff, I think, is very unique in that we do function as a total committee with

that staff serving all the members of the committee and not just members on the one side of the committee.

Both of these bills passed the House by wide margins earlier today. We are informed that the administration has no objection to H.R. 1281, the dire supplemental, as of this moment. I might also report that I have had conversation with Mr. Darman during the noon-time and he expressed satisfaction with the product that had been worked out through the House.

H.R. 1281 provides supplemental funding for numerous emergency activities identified by the President as related to Operation Desert Storm, as well as additional funding for veterans medical care, compensation, and pensions; \$150,000,000 additional funding for the State share of administrative expenses related to unemployment compensation; a \$100,000,000 Federal payment to the District of Columbia; up to \$1,500,000,000 for food stamps; funding for the personnel benefits package authorized in legislation passed yesterday; \$232,000,000 for the supplemental security income program; \$623,000,000 for atomic energy defense activities of the Department of Energy, including funds for cleanup operations at the Rocky Flats facility; \$20,000,000 for the Ready Reserve Fleet of the Maritime Administration; and other items.

H.R. 1282 provides up to \$42,625,822,000, the amount recommended by the Senate for the costs of Operation Desert Shield/Desert Storm. The differences between the House and Senate on the funding issues in this bill were rather narrow, and the conferees reached agreement in short order. The conference agreement also includes provisions similar to sections 105, 106, and 107 of the Senate bill. The administration raised several concerns about these provisions, and I believe, as I say, they have been resolved satisfactorily.

Mr. President, I really did not expect to be here this afternoon discussing the successful conclusions of conference on these two measures. Yesterday afternoon I did not think it would be possible to meet our goal of clearing both of these measures for the White House prior to our Easter recess for signature. I am proud that we have been able to do so.

Again, I congratulate the leadership of both Houses, of the committee, and particularly Chairman BYRD because there were times in that conference when our spirits began to lag and Chairman BYRD said, onward, forward; we are going to accomplish the goal. Again it demonstrates the leadership this Senator has provided the Senate from many and different offices and under many and different conditions.

I think our fellow conferees obviously as good supporters of our leadership deserve a great deal of credit on both sides and in both Houses.

Mr. BYRD. Mr. President, the distinguished Senator from Oregon has made reference to the Confederate States of America and Jefferson Davis. He also made a reference to the staff of the Appropriations Committee being very nonpartisan. As to the staff of the committee, I am very proud to say that this committee which has jurisdiction over appropriations bills, 13 of them, plus supplemental appropriations bills, which cover costs of this great Government, has only 80 staff members and 29 members, as Mr. Hatfield has said.

Yet there are several other committees in this Senate with much fewer members with much larger staffs, as the distinguished Senator, who today presides over the Senate with a degree of dignity and skill and aplomb that is so rare as a day in June, will quickly testify he has to deal in the Rules Committee as chairman. The Rules Committee has to deal with all these appropriation budgets.

So I am sure he would be one among many who would say that this committee does a good job holding down the costs and certainly as compared to what those costs might be and are in some committees.

As to Jefferson Davis, the Confederate, I will tell you he started out with an extremely serious flaw in his Constitution. He could not possibly win with a line-item veto in that Confederate Constitution. That was one thing that was against him. I will have to say this, however, it was never used. So I just leave that as a little postscript.

Mr. President, I ask unanimous consent it be in order to consider en bloc the amendments in disagreement.

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

Mr. SIMPSON. Mr. President, I do admire Senator BYRD's work. I have a Member on this side of the aisle who had asked for a rollcall vote. I do not believe that will take place. I certainly hope it will not take place. I do not think there will be sufficient seconds if it does take place.

Will the Senator allow me an additional 2 or 3 minutes so I might get that? I have been advised by staff under my duties as the assistant leader I must respectfully request that I shall not object. Perhaps someone else will rise to speak for a moment. He is to contact me momentarily.

Mr. BYRD. Very well, if no one else seeks recognition.

The PRESIDING OFFICER. The Chair understands that there has been no vote now on the conference report. That will be withheld until somewhat later.

Mr. COCHRAN. Mr. President, if the distinguished chairman of the committee has yielded the floor, I seek recognition.

The PRESIDING OFFICER. Does the distinguished Senator from West Virginia yield the floor?

Mr. BYRD. Mr. President, I do yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, let me just take advantage of this opportunity to express my appreciation to the distinguished Senator from Oregon for his kind words about this Senator's contribution to the work of the conference last night and with specific reference to the export enhancement program.

I might say that there were a number of members of the conference actively involved in trying to help shape the final product as it relates to that provision of the bill. I am just delighted that we were successful in working out an agreement with the conferees so that we do have a provision in the conference report that lifts the cap on the availability of funds for that important export program. It is going to provide important benefits to American agriculture and enhance our trade prospects in the international marketplace.

Let me also express my firm conviction that the successful completion of this conference was due mainly to the expert leadership and guidance of the distinguished Senators from West Virginia and Oregon. I was there most all of the time during which the legislation was discussed and differences of opinion expressed, and the way in which they went about leading the Senate conferees to make sure that our interests as an institution were protected, the legislation that had been passed by this body was taken into careful account and studied by the House conferees, is certainly worthy of strong praise and respect. I want to express that.

When we bring a conference report back to the Senate, many Members just realize that the work has been completed, and it is not an occasion for much speechmaking. And so they usually do not get the praise that they deserve.

They have talked about the work that other people did and staff and all the other members. But they deserve the credit for bringing this work product back so that the administration can sign the bill and we can carry forward with the funding of these programs. They did a masterful piece of work.

May I say, too, just in response to the observation about the former distinguished Senator from the State of Mississippi, Jefferson Davis, that if he had had the resources to work with when he was in his position as President of the Confederacy that the Senate has at this time, maybe he would have had better luck in trying to be the leader of that struggling Confederacy.

Let me just say as a matter of personal pride, it is the honor of this Senator to be able to sit at the desk that was used by Jefferson Davis when he

was a Member of this great body. This is the desk that Jefferson Davis used when he was in the Senate. As Senators know, by custom in the Senate, the senior Senator from the State of Mississippi sits at this desk.

One little interesting piece of trivia about the desk is that here on the side, if you look carefully, you can see where over 100 years ago, or about that time, they had to replace a piece of wood in the side here.

The reason for that was that, as Union soldiers were in the Capitol using this facility—this Chamber, of course, was not here then, but in the Old Senate Chamber this desk was located there—one of the Union soldiers happened to notice by looking at the brass plate on the top of the desk, "Davis."

And he said, "That is Jefferson Davis' desk." He had his rifle with the bayonet attached and he gouged it with the point of the bayonet. One of the Senate employees rushed up and said, "What are you doing?" He said, "That is Davis' desk, the President of the Confederacy." He said, "Wait a minute. That is not his desk; that is the desk of the United States Senate. That is Federal Government property and you are here to protect it."

And so, after being remonstrated, the soldier withdrew. But, nonetheless, he had damaged the desk, and it is repaired with an inlay of wood here in the side now.

But it is a great honor to sit here and be a part of this institution and to participate in the work of the Senate. I also note that it was the distinguished Senator from Oregon who introduced the legislation a few years ago to restore the citizenship, the U.S. citizenship, of Jefferson Davis. We remember that.

Mr. BYRD. Will the Senator yield?

Mr. COCHRAN. I am happy to yield.

Mr. BYRD. I call attention to the fact that it was the Senator from Mississippi who was so gentle and yet so effective in helping to bring the sides together last night in connection with the Export Enhancement Program and the dairy amendment which were very thorny issues, and I want to thank him.

Mr. COCHRAN. I thank the distinguished Senator.

Mr. BYRD. Mr. President, I urge the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BYRD. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table.

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

Unanimous consent has been granted to consider the amendments in disagreement en bloc.

Mr. BYRD. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 17, 18, 19, 20, 21, 24, 32, 33, and 34.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The amendments in disagreement agreed to en bloc are as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment, insert "\$509,600,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 18 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment, insert "\$62,300,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 19 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment, insert "\$815,600,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment, insert "\$217,450,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 21 to the aforesaid bill, and concur therein with amendments as follows: Restore the matter stricken by said amendment, amended to read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(TRANSFER OF FUNDS)

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$30,100,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$39,000,000.

On line 17, page 4 of the House of Representatives engrossed bill, H.R. 1282, delete "\$311,900,000" and insert "\$563,500,000".

On line 6, page 5 of the House of Representatives engrossed bill, H.R. 1282, delete "\$16,000,000" and insert "\$25,200,000".

On line 12, page 5 of the House of Representatives engrossed bill, H.R. 1282, delete "\$34,600,000" and insert "\$34,800,000".

On line 18, page 5 of the House of Representatives engrossed bill, H.R. 1282, delete "\$101,200,000" and insert "\$59,600,000".

On line 21, page 5 of the House of Representatives engrossed bill, H.R. 1282, delete "\$400,000,000" and insert "\$645,500,000".

On line 24, page 5 of the House of Representatives engrossed bill, H.R. 1282, delete "\$419,100,000" and insert "\$422,800,000".

On line 3, page 6 of the House of Representatives engrossed bill, H.R. 1282, delete "\$2,700,000" and insert "\$15,400,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert "for oper-

ation and maintenance, \$6,000,000,000; for Procurement, \$1,872,700,000, to remain available for obligation until September 30, 1993: *Provided*, That the Secretary of Defense shall not make any transfer from the Persian Gulf Regional Defense Fund or from the Defense Cooperation Account for combat costs until the seventh day after notifying the Committees on Appropriations and Armed Services of the Senate and House of Representatives of any such transfer".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 32 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 107. (a) All equipment, supplies, and other materials (including construction equipment and construction materials described in subsection (b)) of the United States that, after August 1, 1990, were transported to or procured by the United States in the Middle East for the use of the Armed Forces of the United States or the use of the armed forces of any other member country of the multinational coalition participating in Operation Desert Storm shall, to the maximum extent practicable, be removed from the Middle East to the United States or to any United States military installation outside the United States and the Middle East as soon as practicable in conjunction with the removal of such forces of the Armed Forces of the United States from the Middle East.

(b) The construction equipment and construction materials referred to in subsection (a) are construction equipment and construction materials used in the construction of military facilities for the Armed Forces of the United States in the Middle East in connection with Operation Desert Storm.

(c) Subsection (a) does not apply to any equipment, supply, or material that—

(1) is to be transferred to a foreign government under the provisions of subsection (e); or

(2) has negligible value; or

(3) is to remain under the control of United States forces in the region; or

(4) is to be stored in the Middle East as prepositioned equipment and material for the use of the Armed Forces of the United States; or

(5) has been expended, depleted, or rendered unusable; or

(6) has been formally notified to Congress prior to March 20, 1991, under the Arms Export Control Act.

(d) The President should attempt to obtain reimbursement from the government of each country in the Middle East for the cost to the United States of materials referred to in subsection (a) that are not removed from that country because of impracticality.

(e) Except as deemed essential by the Commander-in-Chief of the United States Central Command for the conduct of the war in the Persian Gulf prior to a permanent cease-fire, no equipment, supply, or material referred to in subsection (a) or which was captured from Iraq by United States forces in the context of Operation Desert Storm may be transferred to the government or any entity of any foreign country in the Middle East except as provided through the regular notification procedures of the Committees on Appropriations, the Committees on Armed Services, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate.

(f) The President shall notify Congress of the proposed storage of any equipment, sup-

ply, or material referred to in subsection (a) in a prepositioned status referred to in subsection (c)(4).

(g) The President shall report to the Committees on Appropriations and Armed Services of the House of Representatives and Senate sixty days after the enactment of this Act, on the quantity, condition, value, disposition, and manner of seizure of all enemy equipment falling under the control or the possession of the United States, as well as all enemy equipment falling under the control of allied forces, within the Desert Storm Theater of operations.

(h) For the purposes of this provision, the term "material" shall include all lethal and non-lethal instruments of war and their supporting elements, components and subcomponents.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 33 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 108. (a) Not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a report, in both classified and unclassified forms, on the redeployment of the forces of the Armed Forces of the United States that were deployed in the Persian Gulf area in connection with Operation Desert Storm.

(b) The report shall contain the following information:

(1) A detailed specification of the costs of the reduction in such forces.

(2) The schedule for returning such forces to the United States or other locations from which the forces were deployed to the Persian Gulf area in connection with Operation Desert Storm.

(3) The size and composition of any element of the Armed Forces of the United States that will remain in the Persian Gulf area after fiscal year 1991.

(4) A detailed discussion of any arrangement for a United States military presence that has been made or is expected to be made to the Government of any country in the Middle East.

(c) In this section, the term "Operation Desert Storm" means Operation Desert Shield, Operation Desert Storm, and any related successive operations of the Armed Forces of the United States.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34 of the aforesaid bill, and concur therein with amendments as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 109. None of the funds appropriated or otherwise made available by this Act or any other provision of law shall be available for sales, credits, or guarantees for defense articles or defense services under the Arms Export Control Act to any country that has made a commitment to contribute resources to defray any of the costs of Operation Desert Storm and that has not fulfilled its commitment.

SEC. 110. The establishment of the Persian Gulf Regional Defense Fund by this Act and the establishment of a working capital account pursuant to title I of the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 shall be treated for all purposes as establishment of the same account in the Treasury.

On page 10, delete lines 1, 2, 3, and 4 of the House of Representatives engrossed bill, H.R. 1282, and insert:

SEC. 104. None of the funds appropriated to the Persian Gulf Regional Defense Fund shall be used for fuel price increases.

DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1991—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on H.R. 1281 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1281) making due emergency supplemental appropriations for the consequences of Operation Desert Shield/Desert Storm, food stamps, unemployment compensation administration, veterans compensation and pensions, and other urgent needs for the fiscal year ending September 30, 1991, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of today, March 22, 1991.)

Mr. BYRD. Mr. President, the conference agreement on H.R. 1281, the fiscal year 1991 dire emergency supplemental appropriation bill, contains appropriations totaling \$4.8 billion in budget authority and \$2.6 billion in budget outlays. The amounts are within the committee's allocation for fiscal year 1991, under either CBO or OMB scoring, and therefore will not generate a sequester.

Among the major programs in the bill are mandatory appropriations for:

Food Stamps, \$1.5 billion;

Coast Guard retired pay, \$14.5 million;

VA compensation and pensions, \$712.6 million;

VA readjustment benefits, \$250 million; and

Vaccine injury compensation, \$17 million.

Title I of the bill contains appropriations which have been designated as emergencies by the President and are so designated in the conference agreement. A number of these emergency appropriations are to reimburse non-DOD agencies for their incremental Desert Shield costs. Also included are appropriations of \$650 million in aid to Israel and \$200 million in aid to Turkey; as well as an appropriation of \$150 million for unemployment compensation administrative expenses, and the removal of the cap on the Export Enhancement Program.

Title II of the conference agreement contains funding for urgent items that

are funded within our discretionary caps. Among these items are:

- Social Security administrative costs, \$232 million;
- Judiciary salaries, \$79.1 million;
- Payment to the District of Columbia, \$100 million;
- Infant mortality initiative, \$25 million;
- VA medical care, \$25 million;
- Agriculture Stabilization and Conservation Service, \$46.9 million;
- Bureau of Reclamation, \$25 million;
- Atomic Energy defense activities, \$623 million; and
- Operations for low-income housing, \$75 million.

Title V of the bill provides funding totaling \$655 million from the defense cooperation account to cover the costs of new benefits for our military personnel and veterans. This amount is \$155 million above the Senate-passed bill and includes several new provisions agreed to by the administration and for which authorizations have been passed.

Mr. President, as is always the case, there was give and take in the conference. The Senate position did not prevail on every amendment, but I believe that the conferees did the best we could and reached acceptable compromises on our differences with the House.

The conference thoroughly debated the dairy amendment. Senator LEAHY very ably explained his amendment to the House conferees, and after a thorough airing of views on this amendment, it became apparent that the House conferees were not prepared to accept the amendment. Mr. WHITTEN pointed out that the amendment was legislative in nature and, therefore, should be taken up in an authorization bill rather than as an amendment to an appropriation bill. Apparently several authorizing committees—Government Operations, Energy and Commerce, and Agriculture—in the House has advised Mr. WHITTEN of their objections to the Senate dairy amendment.

Senator LEAHY, who chairs the Agriculture Committee, expressed his intention to mark up a dairy support bill immediately after the Senate returns on April 8.

Also of concern to me was the possibility that the costs of the Senate dairy amendment could be charged against the Appropriations Committee if the amendment was enacted in an appropriation bill.

As is often the case, there was a substantial difference between OMB and CBO scoring of the dairy amendment. The Director of OMB sent a letter to me, dated March 21, 1991, in which he addresses, among other matters, the dairy amendment. In relevant part, the Director's letter states:

The higher milk prices would reduce the purchasing power of food stamps in FY 1991 and increase outlays in FY 1992 for food stamps and other mandatory nutrition pro-

grams by \$300 million. (These costs are significant, will increase the deficit, and could create Budget Enforcement Act complications.)

Again, I wish to express my appreciation for the efforts of the distinguished ranking member of the committee, my good friend from Oregon, Senator HATFIELD, for his able assistance and support in presenting the Senate position on the Senate amendments to our House counterparts. I also thank all of the subcommittee chairmen and ranking members who very ably negotiated agreements with the House in their areas of subcommittee jurisdiction.

Again, I want to thank Mr. WHITTEN, the distinguished chairman of the House Appropriations Committee, and Mr. MCDADE, the ranking member, as well as Mr. MURTHA and all of the House conferees for their participation in the conference. These gentlemen are very knowledgeable in all matters that came before the conference and were most helpful in assuring that the conference agreement could be reached in such a short time.

I also want to thank Mr. Darman for his cooperation and helpfulness throughout.

Let me close by saying that I am pleased with the conference agreement. In large part, sustains the Senate's position; it is within the committee's allocation; and it will be signed by the President, as Mr. HATFIELD has indicated. I urge all Senators to support this conference agreement.

URANIUM MILL TAILINGS REMEDIAL ACTION PROGRAM

Mr. DOMENICI. Mr. President, the conference committee on the supplemental before us agreed to accept Senate language on the Uranium Mill Tailings Remedial Action Program. It has come to my attention that we may have created something of a problem and I wanted to clarify a point or two with the ranking member of the Energy and Water Appropriation Subcommittee.

Mr. HATFIELD. Mr. President, I would be happy to clarify the language for the Senator from New Mexico.

Mr. DOMENICI. It is my understanding that the DOE will redirect funds from other mill tailings activities. In this case, the Grand Junction project. Is that correct?

Mr. HATFIELD. It is.

Mr. DOMENICI. It is also my understanding that Gunnison and Rifle sites may not be ready to use this money. They do not have preconstruction regulatory approvals. Specifically, the Nuclear Regulatory Commission concurrence on remedial action plans will come no earlier than July for Rifle and September for Gunnison. In addition, the NEPA process will not be complete for Gunnison until October. My question is, did the committee intend the DOE to move forward in the absence of these steps?

Mr. HATFIELD. We certainly do not. We do hope the DOE and the NRC will move as quickly as they can, however.

Mr. DOMENICI. I also want to clarify that we do not intend to affect the work which is already going on at these sites which is aimed at addressing the immediate health and safety concerns at both sites.

Mr. HATFIELD. That is certainly correct. We expect that work to go forward as it has already been planned.

Mr. DOMENICI. I thank the Senator.

DISTRICT OF COLUMBIA CHAPTER

• Mr. BOND. Mr. President, I rise to comment on the conference report's language on the \$100 million supplemental for the District of Columbia.

While I support the additional funds because I believe Mayor Dixon has made the tough choices and is willing to take the heat, I have continually stated that I want to see specific action before releasing the funds. That is why I was strongly supportive of the language we put into the Senate bill which held up the funds until the Mayor certified that her cuts—or at least cuts equal to her's—were enacted.

Unfortunately, the conference report does not retain this protection. Instead, it requires that the funds be released by May 1—regardless of whether the Mayor has certified the cuts have been made.

Mr. President, I am not worried that Mayor Dixon will not do her part. But I am concerned that this sends the wrong signal to those who would oppose her. Thus I want to put on notice those who would hope that further budget cuts can be avoided—or that cuts can be reinstated—that this Senator will not stand idly by and allow that to happen.

Mr. President, I fully support the efforts of Mayor Dixon. She has inherited an extraordinarily difficult situation, and as a former Governor who inherited a similar nearly \$300 million deficit when I took office in 1981, I am very sympathetic to her plight. She will need a firm hand and a stiff spine to make it through these first 12 months. Unfortunately, I do not believe the signals sent by the language in this report help her.♦

Mr. BURDICK. Mr. President, when H.R. 1281 was passed by the Senate earlier this week, I discussed several important agricultural provisions. At this time, I address the provision in the bill stating that certain funds may not be used for the restoration of the birthplace of Lawrence Welk. None of the funds made available in the 1991 Agricultural Appropriations Act will be used for restoration of the birthplace. Restoration has been accomplished using private resources. Rather the funds provided are for additional rural development work connected with the project including the construction and furnishing of a German-Russian interpretive center, tourism planning and

promotion, and the creation and expansion of tourism related businesses.

This funding was made available through an authorized program which has been operating for years. The program provides grants to facilitate the development of business and industry in rural areas. The applicant must apply for the funds through the Department of Agriculture's Farmers Home Administration under the rules and regulations set out for the program. And only if it meets eligibility criteria will the application be funded.

The funding was initiated in the Senate subcommittee responsible for rural development spending. It was approved by the subcommittee, approved by the full Committee on Appropriations in the Senate, approved by the full Senate, approved by the conference committee, and finally signed by the President. It was handled no differently than numerous other provisions of the agricultural and other appropriations bills. The entire process from subcommittee action to approval of the law was almost 2 months in duration.

In summary, the area around Lawrence Welk's birthplace is by and large a farming area. It has been plagued by drought for several years. The people are attempting to pick themselves up by their bootstraps to get a new business going—tourism. And it is a promising business. The site has had visitors from all over the United States and several foreign countries. But without additional assistance to accommodate the visitors, increase the draw, and promote the tourism industry, the effort could fail. As a result, the rural population would continue to dwindle and the rural development opportunity will be lost. I believe this project is precisely what the National Commission on Agricultural and Rural Development Policy had in mind when it recommended just 3 months ago, that the Federal Government should promote innovation and experimentation in rural development methods and strategies.

DAIRY RELIEF

Mr. DASCHLE. Mr. President, I rise today to express my profound disappointment with the outcome of yesterday's conference on the 1991 dire emergency supplemental appropriations bill.

The emergency supplemental contained a budget-neutral provision designed to address the crisis facing the Nation's dairy farmers. However, during last night's negotiations, the administration threatened to veto the bill unless that modest provision was deleted. During the same negotiations, the administration insisted that the bill reverse the Senate language banning aid to Jordan.

The ultimate irony—the ultimate insult—is that we would reward the Jordanian Government for its irresponsible behavior during the Persian Gulf

war. That we would reward the Jordanian Government for going to such great lengths to undercut United States policy. All this at the same moment we are turning our backs on American dairy farmers.

The Senate dairy provision, which I coauthored with the chairman of the Agriculture Committee and other distinguished colleagues, was approved in the Senate by a vote of 60 to 40. The Congressional Budget Office confirmed that the provision was budget-neutral. There would have been no cost to the Government or the taxpayer. Yet, killing this amendment and clearing the way for \$57 million in aid to Jordan was of the highest priority to the administration.

The farmers of this Nation have to be very discouraged at the message the administration has sent. They have been told that they do not merit Government attention, even when it does not cost the Government a dime. Yet the Jordanian Government, whose leader violated the international embargo against Iraq and said American troops waged a "savagely and large-scale war" against "brotherly Iraq," deserves 57 million of our taxpayers' dollars.

American family farmers are struggling to maintain their way of life—a life that has fed this country and much of the world for centuries. Meanwhile, the White House has just told everyone in America that the future of Jordan is more important than the future of the family farm.

Jordan threw out insult after insult, road block after road block, and the White House considers them to be a better friend than the family farmer. Is this going to be the new world order? Will we give aid to countries whose leaders knife us, and turn our back on our own people?

Analyzing the events of last night, it appears the White House's answer is "yes," and I suggest the President and his staff take a long, hard look at their priorities. But my answer is no, and I and my colleagues will be back to fight on another day to ensure that this country lives up to its commitment to family farmers.

GENERAL SERVICES ADMINISTRATION

Mr. METZENBAUM. Mr. President, I rise to inquire about a provision contained in the dire supplemental conference report which restricts the General Services Administration's use of funds to purchase land and build a new Naval Systems Commands headquarters in northern Virginia.

I have been following this project very closely. I would appreciate a clarification as to the intent of the conference report language. I want to make certain that it is not a backdoor way to raise the price tag for this project.

Frankly, I am concerned because cost estimates for this project have a way of

zooming around like a roller coaster. Initially, GSA priced the project at \$821 million for 3 million square feet of office space and land. Then there was a figure of \$679.6 million for the same amount of office space without the land. Next, the project was scaled back to \$300 million for 1 million square feet of occupiable office space, including land.

Mr. President, \$300 per square foot was and is an outrageously high figure for any project. After all, this is not the Taj Mahal.

R.S. Means, an expert in construction pricing in the Nation, puts the average cost to build office space in the Washington, DC, area at between \$64 and \$84 per square foot. Even though these figures reflect gross square footage costs and do not include land prices, you can still see that there is a significant price difference between the Navy project and the costs of building private office space.

Mr. President, the costs of land acreage for this project were also outrageously high. GSA estimates for a square foot of land were \$78. That may be appropriate for downtown DC, but it is beyond my comprehension that you could be buying land in northern Virginia at such costs.

I know of land in a close-in suburb of Cleveland that was just purchased for \$70,000 an acre. There are 43,560 square feet in an acre. That translates to less than \$2 a square foot. While Cleveland area land costs are different than those in the Washington metropolitan area, one can easily see that a \$78 per square foot price tag for land is very high indeed.

I have undertaken on my own to explore land costs in northern Virginia. I still don't have those figures as yet. But I am working on it.

Mr. President, I objected to the \$300 million price tag when the prospectus for the project came up for approval in the Senate Environment and Public Works Committee. Senators MOYNIHAN and WARNER worked out a compromise with me to cap the project at \$240 million for 1 million square feet of occupiable office space.

As you know, the fiscal year 1991 Treasury appropriations bill which the House and Senate agreed to last year included the \$240 million figure with an added proviso permitting GSA to come back to the authorizing and appropriating committees for an additional \$10 million, if that proved necessary. Due to an enrolling error, this language never appeared in the final law but it is corrected in the legislation which is currently before us.

Just recently, the General Accounting Office released a report on the Navy project which said that GSA's figures for the project were high. One of the points GAO made in its report was that GSA could save money if it first acquired the land and then solic-

ited bids for design and construction instead of buying the whole package from a single developer.

The Administrator of GSA, Mr. Richard Austin, wrote me this week saying that GSA would, in fact, withdraw its current solicitation for offers. GSA will now buy land that the Navy believes is the most appropriate site and will then solicit bids on design and construction.

This all sounds very prudent to me. Mr. Austin believes this new course of action is in the best interest of the Government. I agree with him and believe that in the end the Government will save money.

Mr. President, I am not concerned about the technical corrections language contained in this conference report. It only restores into law what the Senate and House agreed to spend on the Navy project last year. However, I would appreciate hearing from the distinguished chairman of the Subcommittee on Treasury, Postal Service and General Government as to the purpose of including another provision which bars the GSA from awarding a final contract for site acquisition or construction until the authorizing and appropriations committees give approval in writing and GAO submits a report to Congress that the new solicitation for offers is in the best interests of the Government.

My only interest in all of this is to help save the Government some money. That is why I sincerely hope that this language in the conference report will not delay the project nor result in additional money being appropriated for it. I am hopeful that the project can actually be completed for even less than the \$240 million level to which we have agreed.

Mr. DECONCINI. I appreciate my friend and colleague from Ohio's efforts to get this Navy project completed in the most cost-effective manner possible. I am sympathetic to the concerns he has raised. It is certainly not the intent of the chairman of the Subcommittee on Treasury Appropriations, with jurisdiction over GSA, to raise the cost of the naval project with this new provision above the \$240 million that has been appropriated. Like the Senator from Ohio, I hope the actual costs wind up lower.

The intent behind the language is simple. We have a \$240 million appropriation included in the conference report for a 1-million square foot naval headquarters project. This funding level was based on a project whereby GSA would, through open competition, select an appropriate developer who could provide the land, design and construction as a single package. As you know, GSA announced earlier this week that it would cancel its current solicitation for offers and proceed with the project in a different manner.

I just want to be sure that the Appropriations Committee has all the facts

as to what ultimate action GSA will now take on this project before we permit it to obligate any of the funds we have appropriated. I do not want to delay the project nor make the project more expensive. As a matter of fact, in consultation with the distinguished Senator from Ohio, the conferees have included language in the statement of managers to clarify that it is not the intent to increase appropriations for this project with this new provision.

Mr. METZENBAUM. I appreciate my friend's remarks and with his assurances, I have no objections to this provision. Indeed, I look forward to working with him to make certain that the Navy project is pursued and completed in the most cost-effective way possible.

EASTERN MEDITERRANEAN AID

Mr. DECONCINI. Mr. President, I would like to comment briefly on the bill now before us, H.R. 1281.

Iraq's invasion and occupation of Kuwait is a shocking example of what can happen when a military imbalance exists between neighboring countries. Though H.R. 1281 contains additional aid to Turkey, it is not our intention of creating another such imbalance in the Eastern Mediterranean.

Our support for the 10 to 7 ratio of aid to Turkey and Greece remains steadfast.

Mr. SIMPSON. Mr. President, I rise briefly today to express my sincere appreciation to the distinguished chairman of the Appropriations Committee for his leadership in including in the Senate version of this bill the direction to spend previously appropriated funds to finally complete construction of the Buffalo Bill Reservoir near my hometown of Cody, WY. In the last Congress, I sponsored this legislation and it is particularly gratifying to see it come to fruition.

I also express my deep appreciation for the work of my senior colleague, Senator MALCOLM WALLOP. He has been ever diligent and persuasive through his work as ranking member of the authorizing committee, in shepherding the placement of this language in the Senate version of the bill. When this bill went to conference, it had the strong bipartisan support of the Senate conferees. I specifically want to mention the great assistance that we received from the ranking member of the Appropriations Committee, my friend, Senator MARK HATFIELD. It also had the bipartisan support of many members of the House leadership and House Appropriations conferees. I particularly want to thank my colleague, CRAIG THOMAS. He sponsored this free standing bill in this Congress, and did superb work in the House to gain its passage. It is personally gratifying to have received such broad cooperation from both Houses of Congress and from both parties on this worthy project which means so much to the people of

my State, and the members of our delegation.

As my colleagues know, this project has been on a 50-50 cost share with the State of Wyoming, and Wyoming has ponied up its share long ago. It is now 90 percent complete. While we have been waiting for the Congress to act on this, people around the area have been suffering a number of construction-related problems. One of the most troubling is the massive increase in the dust levels resulting from the draw down of the reservoir in anticipation of the final construction phase. That can now begin and those good people will finally get some relief.

I am also pleased that \$25 million was appropriated in this legislation to fund drought relief to the Western States. These funds will go a long way in helping the Western States deal with the water emergency which, if it worsens, could lead to dire consequences for the entire Nation.

I thank the Chair.

The PRESIDING OFFICER. Is there further debate? The question now is on agreeing to the conference report.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. I yield the floor. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. WARNER. Will the Chair kindly advise the Senator from Virginia the parliamentary situation in the Senate at this time?

The PRESIDING OFFICER. The conference report on H.R. 1281 is the pending business.

Mr. WARNER. Mr. President, will there be time for any Senators to debate this conference report, to ask questions?

The PRESIDING OFFICER. There is no time limitation as it relates to the present legislation.

Mr. WARNER. I thank the Chair. I wonder if I might address to the distinguished managers a question or two? We have had this conference report but a very short period. The Senator from Virginia has just been given a copy. I just would like to make one or two observations.

I refer to what appears to be page 44, the top of the page, amendment No. 52, which states, "Restore House language which calls for a service life extension program for the U.S.S. *Kennedy* at Philadelphia Naval Shipyard."

Given the rather decisive vote by the Senate yesterday, would the managers kindly tell me what was the evolution by which this now reappears in this conference report?

I direct my question to either manager.

Mr. BYRD. Mr. President, that was negotiated by Senator STEVENS and Senator INOUE in their positions of chairman and ranking member of the Appropriations Subcommittee on Defense.

Mr. WARNER. I respect the distinguished chairman's view that that was negotiated. Again, to what extent was the vote of the Senate taken into consideration, and the debate which directed the Senate's attention to the fact this action in many respects circumvents what we anticipate will soon be a base closure package?

Mr. BYRD. Mr. President, the leader and the managers were in that meeting when we initially met for the consideration of the Desert Storm supplemental. I chaired that conference. And we, after 45 minutes, broke up and proceeded as we did in the second conference with the various subcommittee chairmen working with their counterparts on the House and Senate side, with their respective staffs, to resolve the differences between the two Houses in their respective jurisdictional areas.

What was said during the discussions on this particular item in the area which was under the jurisdiction of the Defense Appropriations Subcommittee and therefore under the chairmanship and ranking membership of Senators INOUE and STEVENS, I am not privy to. I can only say they reached agreement with the House conferees and brought their recommendations back to the full conference later and it was agreed to.

Mr. WARNER. Mr. President, I fully recognize the distinguished chairman and distinguished ranking member have widespread responsibility and indeed have to delegate much of the detail work to the respective chairmen and ranking members of the subcommittees. In no way do I wish by this colloquy to inflict any embarrassment whatsoever on my two good friends, but I must say I felt yesterday the debate in the U.S. Senate on this very precise issue was quite clear.

I hesitate to speak to it in the sense that, hidden down in here, my State could well be the beneficiary, had this not been put in here. But my major concern is, as the Senate eventually considers a base closure package, this will be a precedent. This will be a precedent and other Senators will be asked, why did you not take a similar stance with respect to a military installation in your State? Had you taken such forceful action as did the delegations from the State of Pennsylvania, you might well have avoided the facility in your State being included on that base closure package.

I am not suggesting Philadelphia would have been on it, but it definitely in my judgment sets a most dangerous precedent as we try a most difficult task of bringing about a shrinking of our overall defense infrastructure in the United States, a shrinking that is

dictated largely by budgetary constraints and not by the threat or the need for armed forces. Again, it is dictated by the budgetary constraints.

I view this action as one that could well be undercutting the eventual effort as we try to bring the defense budget into line with the guidance given by the President and the final guidance determined by the Congress relative to that portion of our Nation's budget that is devoted to defense.

I then pass on, Mr. President, and direct my question to, again, page 44, section 204, which I will read.

Section 204:

Of the funds appropriated in the Department of Defense Appropriations Act (Public Law 100-463) for fiscal year 1989, \$200 million shall be made available to the Department of the Navy and shall be obligated not later than 60 days from the enactment of this act for the V-22 Osprey tilt rotor aircraft program: *Provided*, That notwithstanding any other provision of law, these funds shall remain available until such time as they are expended for the V-22 Osprey tilt rotor aircraft program.

That is a program that has had a very controversial existence here in the Congress of the United States. I personally think our country should look favorably toward going ahead with that program, but my personal view is but one thought in this body of 100.

What concerns me here is the action. As I understand this amendment, the action directed by the Congress is in direct conflict to the pending advice, request, if I may say, directed by that individual principally charged with the configuration of our defense program, namely the Secretary of Defense. He has pending before the Congress certain actions and this paragraph completely decides the issue without the benefit of the Armed Services Committee of this body and its counterpart in the House reviewing the Secretary of Defense's opinion with respect to this program, and taking into consideration the views of all Senators and all Members of the House of Representatives.

That gravely concerns me, Mr. President, because I recognize the hour, the day, the time, the likelihood of the attendance, and what I am certain is going to transpire here momentarily. But I certainly want to indicate that with a major program like this one, which is the subject of intense interest, both pro and con, which goes to the very heart of the ability of the President and the Secretary of Defense to configure our military forces today and for the future, which goes to the very heart of the ability of the President and the Secretary of Defense to make that configuration within the budget constraints, this makes a decision in direct conflict with what I understand to be the present intention of the Secretary of Defense, which intention has been made known to the Congress in certain pending requests.

Mr. President, there are other provisions in this conference report which, likewise, make decisions which I feel should be deferred until such time as the collective judgment of the Armed Services Committee, working with the Senate as a whole, is exercised. That is a decision process I think should be followed on some of the major decisions which are made in this conference report.

I just wished to be recognized and I have been given the opportunity to state my deep concern.

I feel the present leadership of the Appropriations Committee, the distinguished Senator from West Virginia and the distinguished Senator from Oregon [Mr. HATFIELD] worked very closely with Senator NUNN and myself and the respective chairmen of the Defense Subcommittee.

But there just comes a time when this Senator becomes gravely concerned about certain actions as taken by the Appropriations Committee, which actions, in my judgment, circumvent to an extent, and to an important extent, the process of authorization and subsequent action by the Appropriations Committee.

But I recognize the urgency of this bill, and commend the distinguished chairman and ranking member for a lot of hard work. Nothing is perfect in the legislative process, but I did not want to let this matter go unnoted.

I thank the Chair. I thank the Members for their indulgence of the Senator from Virginia.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I ask unanimous consent that it be in order to consider en bloc all amendments.

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

CONSIDERATION OF AMENDMENTS IN DISAGREEMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 2, 31, 33, 34, 36, 38, 40, 43, 45, 46, 47, 49, 51, 53, 55, 56, 58, 60, 66, 69, 70, 71, 74, 81, 82, 86, 90, 96, 97, 100, 102, 104, 105, 107, and 108.

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

The amendments in disagreement, agreed to en bloc, are as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2 to the aforesaid bill, and concur therein with an amendment as follows: Strike all on line 8, page 2 of the House engrossed bill, and all that follows through line 20, page 2.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 31 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

CHAPTER VIII

DEPARTMENT OF AGRICULTURE COMMODITY CREDIT CORPORATION

Section 634 of the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1991, Public Law 101-506, is hereby repealed.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 33 to the aforesaid bill, and concur therein with an amendment as follows: Restore the matter stricken by said amendment, amended to read as follows:

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,000,000, to remain available until expended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum stricken and inserted by said amendment, insert "\$24,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 36 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For an additional amount for "Operations and administration", \$1,400,000, to remain available until expended.

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,100,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, research, and facilities", \$3,000,000, to remain available until expended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 38 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum stricken and inserted by said amendment, insert "\$5,180,000, of which \$2,000,000 shall remain available until expended and of which \$3,180,000 is".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment as follows: Restore the matter stricken by said amendment, amended to read as follows:

Section 524(c)(9) of title 28, United States Code, is amended by adding the following new subsection:

"(E) Subject to the notification procedures contained in section 606 of Public Law 101-515, and after reserving the amounts authorized in subparagraph (D) above, an unobligated balance remaining in the Fund on September 30, 1991, and on September 30, 1992, shall be available to the Attorney General, without fiscal year limitation, to procure vehicles, equipment, and other capital investment items for the law enforcement, pros-

ecution, and correctional activities of the Department of Justice."

SEC. 102.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 43 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert: "\$68,730,000, of which \$750,000, to remain available until September 30, 1992, shall be transferred to the National Commission on Judicial Discipline and Removal, and".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 45 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert "\$3,630,000 to remain available until expended".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 46 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "\$2,000,000 to remain available until expended".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 47 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert "\$1,600,000 to remain available until expended".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 49 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SMALL BUSINESS ADMINISTRATION—GENERAL PROVISION

Notwithstanding any other provision of law, the Administrator of the Small Business Administration shall not withhold disaster assistance under section 7 of the Small Business Act to nurseries or greenhouses which suffered damage as a result of disasters (as defined in the Small Business Act) that occurred between October 1, 1990 and March 1, 1991.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 51 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert:

SEC. 201. Restrictions provided under subsection (b)(2) of section 301d of title 37, United States Code, as authorized by the National Defense Authorization Act for 1991 shall not apply in the case of flag or general officers serving as practicing physicians.

SEC. 201A. Of the funds made available to the Department of Defense for Chemical Agents and Munitions Destruction, Defense, an amount not to exceed \$2,000,000 shall be available only for an off-island leave program: *Provided*, That notwithstanding any other provision of law, the Secretaries concerned may, pursuant to uniform regulations, prescribe travel and transportation allowances for travel performed by participants in the off-island leave program: *Provided further*, That funds appropriated for the off-island leave program shall remain available until expended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 53 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert:

SEC. 204. Of the funds appropriated in the Department of Defense Appropriations Act (Public Law 100-463) for fiscal year 1989, \$200,000,000 shall be made available to the Department of the Navy and shall be obligated not later than sixty days from the enactment of this Act for the V-22 Osprey tilt rotor aircraft program: *Provided*, That notwithstanding any other provision of law, these funds shall remain available until such time as they are expended for the V-22 Osprey tilt rotor program.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 55 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 206. Section 8126 of the Department of Defense Appropriations Act, 1991 (Public Law 101-511; 104 Stat. 1907), is amended by inserting after "September 30, 1990", the following: "unless the Secretary of Defense submits a report by May 31, 1991 to the Committees on Appropriations of the House and Senate indicating what additional positions he intends to fill above those positions assigned to the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict as of September 30, 1990".

SEC. 207. Of the amount appropriated in title II of Public Law 101-165 (103 Stat. 1118) to the Department of Defense for the provision of logistical support and personnel services for the 1990 Goodwill Games, the amount of \$500,000 shall be used to provide such services for the 1991 Special Olympics to be held in the State of Minnesota in July, 1991, and shall remain available for obligation for such purposes until September 30, 1991.

SEC. 208. The Secretary of Defense shall transfer \$8,000,000 from the appropriation "Research, Development, Test and Evaluation, Defense Agencies" appropriated in title IV of the Department of Defense Appropriations Act, 1990 (P.L. 101-165) for the Center for Commerce and Industrial Expansion to appropriations available to the Department of Education which shall be obligated by that Department as a grant for the Center for Commerce and Industrial Expansion as authorized in section 4 of Public Law 101-600: *Provided*, That such funds shall remain available until expended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 56 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert: "*Provided*, That these funds shall remain in the United States Treasury and shall be transferred to the District of Columbia government immediately upon certification by the Mayor of the District of Columbia to the Committees on Appropriations of the Senate and House of Representatives that spending reductions and revenue enhancements in amounts not less than \$216,000,000 in the aggregate are being implemented and all approvals by the Council of the District of Columbia, as required by law, have been secured: *Provided further*, That these funds shall be transferred to the District of Columbia government no later than May 1, 1991".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 58 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

CONSTRUCTION, GENERAL

Using funds appropriated for "Construction, general" in the Energy and Water De-

velopment Appropriations Act, 1991, Public Law 101-514, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work during fiscal year 1991 which would be terminated solely for policy reasons as a result of the proposed phaseout of the sections 103, 107, 111, and 208 Continuing Authorities Programs: *Provided*, That, from within funds appropriated to "General investigations" by the Energy and Water Development Appropriations Act, 1991, Public Law 101-514, the Secretary shall make \$300,000 available to implement the provisions of the "Coastal Wetlands Planning, Protection and Restoration Act" (Public Law 101-646).

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 60 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

Of the amount appropriated under this heading in the Energy and Water Development Appropriations Act, 1991 (Public Law 101-514), up to \$11,930,000 shall be available for Buffalo Bill Dam Modification, Wyoming, as proposed in the United States Department of the Interior Budget Justifications, fiscal year 1991, for the Bureau of Reclamation.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 66 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert: "*Provided*, That funds appropriated by the Department of Health and Human Services Appropriations Act, 1991, for rural health outreach grants, may not be used to provide forward or multiyear funding: *Provided further*, That none of the funds available for ongoing activities within community health centers or maternal and child health block grant programs under Public Law 101-517 shall be reprogrammed, redirected or reallocated for any other purposes".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 69 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

FAMILY SUPPORT ADMINISTRATION

REFUGEE AND ENTRANT ASSISTANCE

Amounts provided under this heading in the Department of Health and Human Services Appropriations Act, 1991, for cash and medical assistance may be used to provide grants to private nonprofit agencies, for private sector resettlement activities, as authorized by law.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 70 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert "*and such funds shall be awarded no later than June 1, 1991: Provided*, That the requirements of the Paperwork Reduction Act of 1980 and section 431 of the General Education Provisions Act are waived with regard to grants made with fiscal year 1991 appropriated funds under title III, part H of the Carl D. Perkins Vocational and Applied Technology Act".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 71 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

In the appropriations language under this heading in the Department of Education Appropriations Act, 1991, delete the words "if authorized," and the words "if such a grant is specifically authorized in law" and insert after "Standards" the following: "*Provided*, That funding for the National Board for Professional Teaching Standards shall be expended under the terms, conditions, and limitations provided for in part G of title IV of H.R. 5932 as passed the House of Representatives on October 26, 1990".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 74 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

ARCHITECT OF THE CAPITOL

**ADMINISTRATIVE PROVISION
(TRANSFER OF FUNDS)**

Notwithstanding any other provision of law, and subject to approval by the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, and subject to enactment of authorizing legislation, amounts may be transferred from the appropriation "Library of Congress, Salaries and expenses" to the appropriation "Architect of the Capitol, Library buildings and grounds, Structural and mechanical care" for the purpose of rental, lease, or other agreement, of temporary storage and warehouse space for use by the Library of Congress during fiscal year 1991, and to incur incidental expenses in connection with such use.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 81 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND

Of the loan funds previously made available under title V of the Housing Act of 1949, up to \$35,000,000 shall be made available for section 502(g), Deferred Mortgage Demonstration.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 82 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

PUBLIC LAW 480

Title I of the Public Law 480 program allowed for the repayment of loans for the sale of agricultural commodities in foreign or local currencies until December 31, 1971. Since that time, until the law was changed in the 1985 farm bill, all sales have been on dollar credit terms. In view of the present financial situation, it is impossible for many countries to repay their loan in dollars. Therefore, the President may use the authority in section 411 and section 604 of the Agricultural Trade Development and Assistance Act of 1954 to renegotiate the payment on Public Law 480 debt in eligible countries in Latin America, the Caribbean and sub-Saharan Africa.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 86 to the aforesaid bill, and concur therein with an amendment as follows: Restore the matter stricken by said amendment, amended to read as follows:

GENERAL SERVICES ADMINISTRATION

Notwithstanding any other provision of this or any other Act, none of the funds made available to the General Services Administration may be obligated or expended for the award of a final contract for site acquisition or construction of the Naval System Commands headquarters project without (1) a written report that the new Solicitation for Offers for the project is in the best interests of the United States, and (2) advance approval in writing of the House Committee on Public Works and Transportation, the Senate Committee on Environment and Public Works, and the House and Senate Committees on Appropriations.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 90 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment, insert:

CONGREGATE SERVICES

Funds appropriated under this head in Public Law 101-507 (104 Stat. 1362) and all unobligated balances of prior year appropriations under such head, shall be made available for the revised Congregate Housing Services program under section 802 of the Cranston-Gonzalez National Affordable Housing Act and shall remain available until expended: *Provided*, That any entity that receives assistance under a contract under the Congregate Housing Services Act of 1978 that expires in fiscal year 1991, and is otherwise eligible for assistance under such section 802, shall continue to receive assistance under such section 802: *Provided further*, That each such entity shall be provided such assistance for a 1-year term notwithstanding section 802(b)(2), and the dollar amount of such assistance to such entity shall not be less than the dollar amount of assistance that would be indicated by the rate at which such assistance was made available to such entity in the contract that expires in fiscal year 1991: *Provided further*, That notwithstanding the last sentence of section 802(g), the Secretary of Housing and Urban Development shall expedite the processing of such entity's application for continued assistance so that funding of the entity will continue without hiatus.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 96 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

Section 837(c) of the Cranston-Gonzalez National Affordable Housing Act is amended by adding at the end thereof the following:

"Any such amounts that shall not have been obligated by March 20, 1991, shall be made available in accordance with the terms of the appropriation under the head 'Supplemental Assistance for Facilities to Assist the Homeless' in Public Law 101-507 (104 Stat. 1351, 1364)."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 97 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter stricken and inserted by said amendment, insert:

All previously obligated funds appropriated to the Department of Housing and Urban Development under the respective heads "Community development grants" and "Urban development action grants" for prior fiscal years shall be exempt, effective as of March 5, 1991, from the application of the provisions of sections 1405 (b)(4) and (b)(6) of Public Law 101-510 (104 Stat. 1679) and sec-

tion 1552 of title 31, United States Code, and shall remain available until expended for the purposes for which originally obligated.

In addition to any other rescission provided for in this Act, of the funds made available under the head "Annual contributions for assisted housing" in the Department of Housing and Urban Development in prior years, an additional \$23,000,000 are rescinded: *Provided*, That \$20,000,000 of such amount shall be from amounts for projects to be developed for the elderly and handicapped under section 202 of the United States Housing Act of 1959, as amended, and \$3,000,000 of such amount shall be from amounts for section 8 voucher assistance for tenants affected by public housing relocation activities.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 100 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 307. Notwithstanding any other provision of law, no funds shall be expended by the Administrator of the Environmental Protection Agency to enforce the March 18, 1991, deadline contained in the regulations published in the Federal Register on November 16, 1990, (40 CFR, parts 122, 123, 124), pertaining to group applications for stormwater discharges, until such deadline is extended to September 30, 1991.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 102 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 309. PERSIAN GULF ENVIRONMENTAL TECHNICAL ASSISTANCE.

(a) INTERNATIONAL FRAMEWORK.—Congress strongly encourages the President to seek the establishment of an international framework agreement to—

(1) provide for environmental monitoring, assessment, remediation and restoration in the Persian Gulf region of effects of the recent war; and

(2) provide for the payment, by the host country, of appropriate Federal agencies utilized to establish or implement this agreement.

(b) REPORTS.—

(1) Within 60 days of enactment of this Act, the President shall submit to the Committees on Appropriations of the Senate and House of Representatives an unclassified report identifying the actions taken to implement these provisions and any costs and payments, and

(2) by March 1, 1992, and subject to the receipt of payment by the Environmental Protection Agency under subsection (a)(2), the Administrator of the Environmental Protection Agency, in consultation with appropriate agencies, shall submit to Congress an unclassified report providing a comprehensive evaluation of environmental effects of the Persian Gulf conflict identified pursuant to this provision.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 104 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 311. SYRIA.

(a) It is the sense of the Congress that—

(1) The successful conclusion of the war in the Persian Gulf provides an opportunity to begin building a lasting peace in the Middle East;

(2) A crucial element of peace in this unstable region is the willingness of Arab states to negotiate with Israel, recognizing her right to live in peace;

(3) The United States should continue to urge Arab states to negotiate peace with the State of Israel;

(4) One of those Arab states, Syria, continues to undermine goodwill and peace in the region by depriving the 4,000 Jews living in Syria of the right to emigrate;

(5) Syrian Jews continue to live in a climate of fear and insecurity, still denied fundamental civil and human rights;

(6) A Jew living in Syria, in order to travel, must leave a large sum of money and members of his immediate family as insurance for his return;

(7) Jews suspected of having traveled "illegally" or even of planning to do so have been arrested, interrogated, and subjected to lengthy imprisonment;

(8) Syrian President Hafez Assad continues to deny the basic right of free emigration, a violation of the Universal Declaration of Human Rights, to which Syria is a signatory.

(b) The Congress—

(1) condemns the Government of Syria for continuing to deny the basic human right of free emigration;

(2) calls upon the Government of Syria—

(A) to allow all Syrian Jews to emigrate freely,

(B) to release from prison Jews suspected of having travelled "illegally" or of planning to do so;

(3) urges the Administration to continue to make known to Syrian authorities the importance of respecting the human rights of the Jewish community, especially the right to emigrate, in determining future policy toward Syria.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 105 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 312. REAL ESTATE SETTLEMENT PROCEDURES.

(a) Section 6 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605) is amended by adding at the end the following new subsection:

"(j) TRANSITION.—

"(1) ORIGINATOR LIABILITY.—A person who makes a federally related mortgage loan shall not be liable to a borrower because of a failure of such person to comply with subsection (a) with respect to an application for a loan made by the borrower before the regulations referred to in paragraph (3) take effect.

"(2) SERVICER LIABILITY.—A servicer of a federally related mortgage loan shall not be liable to a borrower because of a failure of the servicer to perform any duty under subsection (b), (c), (d), or (e) that arises before the regulations referred to in paragraph (3) take effect.

"(3) REGULATIONS AND EFFECTIVE DATE.—The Secretary shall, by regulations that shall take effect not later than April 20, 1991, establish any requirements necessary to carry out this section. Such regulations shall include the model disclosure statement required under subsection (a)(2)."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 107 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

TITLE V—CERTAIN MILITARY PERSONNEL AND VETERANS BENEFITS (INCLUDING TRANSFER OF FUNDS)

For emergency expenses necessary for the benefits provided in the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991, for fiscal year 1991 through fiscal year 1995, not to exceed \$655,000,000 appropriated, to be derived by transfer only by the Secretary of Defense, with the approval of the Director of the Office of Management and Budget, from current and future balances in the Defense Cooperation Account to the following accounts in chapters I and II of this title in not to exceed the following amounts:

CHAPTER I

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

(TRANSFER OF FUNDS)

For an additional amount for the payment of special death gratuities for service members participating in the Servicemen's Group Life Insurance program, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$15,000,000;
Military personnel, Navy, \$4,000,000;
Military personnel, Marine Corps, \$4,000,000;
Military personnel, Air Force, \$2,000,000.

For an additional amount for the payment of death gratuities, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$2,000,000;
Military personnel, Navy, \$1,360,000;
Military personnel, Marine Corps, \$570,000;
Military personnel, Air Force, \$1,070,000.

For an additional amount for the payment of a temporary increase in the rate of special pay for duty subject to hostile fire or imminent danger, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$101,000,000;
Military personnel, Navy, \$24,000,000;
Military personnel, Marine Corps, \$29,000,000;

Military personnel, Air Force, \$19,000,000.

For an additional amount for the payment of special pay for health professionals recalled to active duty or involuntarily retained on active duty, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$7,900,000;
Military personnel, Navy, \$400,000;
Military personnel, Air Force, \$1,700,000.

For an additional amount for the payment of increased amounts attributable to the removal of the 60-day limitation on the amount of leave that may be paid to survivors of military members who die on active duty, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$580,000;
Military personnel, Navy, \$140,000;
Military personnel, Marine Corps, \$160,000;
Military personnel, Air Force, \$100,000.

For an additional amount for the payment to retired members of the Armed Forces recalled to active duty during a war or national emergency at the highest grade previously held and to allow these members to retire in the highest grade held, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$50,000;

Military personnel, Navy, \$14,000;
 Military personnel, Marine Corps, \$17,000;
 Military personnel, Air Force, \$10,000.

For an additional amount for the payment of the basic allowance for quarters to military reservists without dependents, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$22,100,000;
 Military personnel, Navy, \$3,200,000;
 Military personnel, Marine Corps, \$5,500,000;
 Military personnel, Air Force, \$5,200,000.

For an additional amount for the payment of family separation allowances, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Military personnel, Army, \$20,000,000;
 Military personnel, Navy, \$16,900,000;
 Military personnel, Marine Corps, \$5,900,000;
 Military personnel, Air Force, \$8,200,000.

OPERATION AND MAINTENANCE

(TRANSFER OF FUNDS)

For an additional amount for the payment of increased costs of the Civilian Health and Medical Program of the Uniformed Services, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Operation and maintenance, Army, \$15,400,000;
 Operation and maintenance, Navy, \$17,700,000;
 Operation and maintenance, Air Force, \$14,900,000;

For an additional amount to provide transitional health care coverage upon deactivation for reservists on active duty during the Persian Gulf Conflict, for the following accounts in the amounts specified:

FISCAL YEAR 1991

Operation and maintenance, Army, \$15,900,000;
 Operation and maintenance, Navy, \$6,370,000;
 Operation and maintenance, Air Force, \$2,730,000;

DEPARTMENT OF EDUCATION

GUARANTEED STUDENT LOANS

(TRANSFER OF FUNDS)

For an additional amount for "Guaranteed student loans", for fiscal year 1991, \$3,106,000; for fiscal year 1992, \$5,932,562; for fiscal year 1993, \$2,262,250; for fiscal year 1994, \$506,250; for fiscal year 1995, \$506,250 as authorized in section 372, provided that if these amounts in any fiscal year are not sufficient to provide for the benefits authorized, any additional amounts necessary shall be available from otherwise appropriated funds from this account.

STUDENT FINANCIAL ASSISTANCE

(TRANSFER OF FUNDS)

For an additional amount for "Student financial assistance", for fiscal year 1991, \$1,290,000; for fiscal year 1992, \$3,165,000; for fiscal year 1993, \$3,165,000; for fiscal year 1994, \$3,165,000; for fiscal year 1995, \$3,165,000 as authorized in section 372, provided that if these amounts in any fiscal year are not sufficient to provide for the benefits authorized, any additional amounts necessary shall be available from otherwise appropriated funds from this account.

CHAPTER II

DEPARTMENT OF VETERANS AFFAIRS

(TRANSFER OF FUNDS)

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", for the following amounts and fiscal years specified: fiscal year 1991, \$200,000; fiscal year 1992, \$600,000; fiscal year 1993, \$700,000; fiscal year 1994, \$700,000; fiscal year 1995, \$700,000, to remain available until expended.

VETERANS EDUCATION BENEFITS

For an additional amount for purposes of funding chapter 30 of title 38, United States Code, and chapter 106 of title 10, United States Code, for fiscal years 1991 through 1995, \$655,000,000, less the total of the amounts appropriated for fiscal years 1991 through 1995 in the preceding paragraphs of this title.

CHAPTER III

For an additional amount for emergency expenses not otherwise provided for in this Act, \$50,000,000 of which \$30,000,000 may be available for Family Education and Support Services as authorized in the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 and of which \$20,000,000 may be available for Child Care Assistance as authorized in the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991: *Provided*, That the Secretary of Defense may transfer these sums as necessary to the appropriate operation and maintenance appropriations to be merged with and made available for the same purposes and the same time period as the appropriations to which transferred: *Provided further*, That this transfer authority shall be in addition to any other transfer authority contained in this Act.

GENERAL PROVISION

SEC. 501. (a) The authority provided in this title to transfer funds from the Defense Cooperation Account is in addition to any other transfer authority contained in this or any other Act making appropriations for fiscal year 1991 through fiscal year 1995.

(b) Amounts transferred from the Defense Cooperation Account shall be merged with and be available for the same purposes as the appropriations to which transferred.

(c) The Secretary of Defense shall notify the Committees on Appropriations and Armed Services of the Senate and House of Representatives before making any transfer from the Defense Cooperation Account. No transfer may be made until the seventh day after such committees receive the notification required by this subsection to be submitted for such transfer.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 108 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

SEC. 502. PROHIBITION ON CERTAIN ASSISTANCE FOR JORDAN.

(a) PROHIBITION.—Except as otherwise provided in this section, none of the funds appropriated or otherwise made available by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991, may be obligated or expended for assistance for Jordan.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

- (1) assistance for refugees; or
- (2) assistance to finance the training or studies outside Jordan of students whose

course of study or training program began before the date of enactment of this Act.

(c) WAIVER.—The prohibition contained in subsection (a) shall not apply if the President determines and certifies to the appropriate congressional committees that the Government of Jordan has taken steps to advance the peace process in the Middle East, or that furnishing assistance to Jordan would be beneficial to the peace process in the Middle East.

(d) DEFINITIONS.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(e) REPEALS.—(1) The ninth proviso under the heading "Economic Support Fund" of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991, is hereby repealed.

(2) The tenth proviso under the heading "Economic Support Fund" of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, is hereby repealed.

(3) Any provision of law not repealed by this subsection that earmarks economic or military assistance for Jordan shall have no force or effect upon the date of enactment of this Act.

Mr. BYRD. Mr. President, I ask unanimous consent that all action in relation to both of these supplementals be reconsidered, en bloc, and laid on the table, en bloc.

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

Mr. BYRD. Mr. President, I thank the Chair, and I thank all Senators.

Mr. CHAFEE. Mr. President, I would like to make a few comments, if I might.

The PRESIDING OFFICER. Does the Senator from West Virginia yield the floor?

Mr. BYRD. Yes.

Mr. CHAFEE. Mr. President, I am very glad that the dairy provisions were removed from the bill that went over to conference with the House. Those provisions, in my judgment, would have greatly increased the cost for the WIC Program and, as a result, there would have been fewer women and children able to be served under the WIC Program.

I commend those managers of the bill for concurring in the view that those provisions were not in the best interests of those underprivileged in our society who would have been injured by the dairy provisions that were approved here in the Senate.

Mr. President, if we have completed the appropriations measures, I ask unanimous consent that I might proceed for 10 minutes as in morning business.

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

The Senator from Rhode Island is recognized.

Mr. CHAFEE. I thank the Chair.

(The remarks of Mr. CHAFEE pertaining to the introduction of S. 773 are lo-

cated in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MORNING BUSINESS

Mr. FORD. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTION SIGNED

At 11:08 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 59. Joint resolution designating March 25, 1991, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

The enrolled joint resolution was subsequently signed by the Acting President pro tempore [Mr. BINGAMAN].

At 1:35 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes on the amendments of the Senate to the bill (H.R. 1281) making dire emergency supplemental appropriations for the consequences of Operation Desert Shield/Desert Storm, food stamps, unemployment compensation administration, veterans' compensation and pensions, and other urgent needs for the fiscal year ending September 30, 1991, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 12, 13, 18, 28, 37, 44, 62, 64, 65, 72, 73, 77, 78, 79, 80, 83, 84, 85, 87, 95, 99, 101, 103, and 106 to the bill, and agrees thereto; and that it recedes from its disagreement to the amendments of the Senate numbered 2, 31, 33, 34, 36, 38, 40, 43, 45, 46, 47, 49, 51, 53, 55, 56, 58, 60, 66, 69, 70, 71, 74, 81, 82, 86, 90, 96, 97, 100, 102, 104, 105, 107, and 108 to

the bill, and agrees thereto, each with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1281) making supplemental appropriations and transfers for "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1991, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 26 and 27, and agrees thereto; and that it recedes from its disagreement to the amendments of the Senate numbered 17, 18, 19, 20, 21, 24, 32, 33, and 34 to the bill, and agrees thereto, each with amendment, in which it requests the concurrence of the Senate.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 106. A concurrent resolution providing for an adjournment of the two Houses from March 22 until April 9, 1991.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 22, 1991, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 59. Joint resolution designating March 25, 1991, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

REPORT OF COMMITTEES

The following reports of committees were submitted:

By Mr. SARBANES, from the Joint Economic Committee:

Special Report of the Joint Economic Committee on the 1991 Economic Report of the President (Rept. No. 102-27).

By Mr. PRYOR, from the Special Committee on Aging:

Special Report entitled "Developments in Aging, Volumes I and II (Rept. No. 102-28).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BUMPERS, from the Committee on Small Business:

James F. Hoobler, of New York, to be Inspector General, Small Business Administration.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

(Pursuant to a previous order of the Senate, the above Inspector General nomination was further referred to the

Committee on Governmental Affairs for not to exceed 20 days.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SANFORD:

S. 767. A bill to designate certain lands in the State of North Carolina as wilderness, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself, Mr. BRYAN, Mr. GORTON, Mr. GORE, Mr. BAUCUS, Mr. INOUE, Mr. LEVIN, Mr. BURNS, Mr. AKAKA, Mr. CRANSTON, Mr. SEYMOUR, Mr. BINGAMAN, and Mr. CONRAD):

S. 768. A bill to amend the Motor Vehicle Information and Cost Savings Act to provide for the establishment of a national electric vehicle program for the United States and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MOYNIHAN:

S. 769. A bill to establish the National Infrastructure Corporation and the National Infrastructure Advisory Council to provide financing for public works improvements, and for other purposes; to the Committee on Environment and Public Works.

By Mr. D'AMATO:

S. 770. A bill to require the Federal Deposit Insurance Corporation to treat certain deposits of the Freedom National Bank of New York as insured deposits; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KOHL:

S. 771. A bill to amend the Carl D. Perkins Vocational and Applied Technology Education Act to permit the Secretary of Education to waive certain requirements with respect to the distribution of funds to secondary school programs to permit certain postsecondary institutions to receive such funds, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. BRADLEY, and Mr. COCHRAN):

S. 772. A bill to amend title V of Public Law 96-550, designating the Chaco Culture Archaeological Protection Sites, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE (for himself, Mr. MCCAIN, Mr. BOND, and Mr. DANFORTH):

S. 773. A bill to amend title XIX of the Social Security Act to create a new part under such title to provide access to services for medically underserved populations not currently served by federally qualified health centers, by providing funds for a new program to allow federally qualified health centers and other qualifying entities to expand such centers' and entities' capacity and to develop additional centers; to the Committee on Finance.

By Mr. BREAU (for himself and Mr. JOHNSTON):

S. 774. A bill to amend the Solid Waste Disposal Act to provide for State management of solid waste; to reduce and regulate the interstate transportation of solid wastes; and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRANSTON (for himself, Mr. DECONCINI, Mr. ROCKEFELLER, Mr.

GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. THURMOND, and Mr. JEFFORDS):

S. 775. A bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans Affairs.

By Mr. KENNEDY:

S. 776. A bill to require that humanitarian assistance to Cambodia be provided through international organizations and private and voluntary organizations and to prohibit assistance to combat forces seeking to overthrow the Government of Cambodia; to the Committee on Foreign Relations.

By Mr. KOHL:

S. 777. A bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage revenue bond financing; to the Committee on Finance.

By Mr. GORE (for himself and Mr. HOLLINGS) (by request):

S. 778. 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 Commerce, Science, and Transportation.

By Mr. MOYNIHAN (for himself, Mr. PACKWOOD, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. KOHL, Mr. DURENBERGER, Mr. MACK, Mr. KERRY, Mr. AKAKA, Mr. ADAMS, Mr. REID, Mr. WELLSTONE, Mr. LIEBERMAN, Mr. GRAHAM, Mr. CRANSTON, Mr. GORE, Mr. GLENN, Mr. INOUE, Mr. SEYMOUR, Mr. BRADLEY, Mr. D'AMATO, Mr. SPECTER, Mr. GRASSLEY, Mr. LEVIN, Mr. KENNEDY, Mr. SIMON, Mr. KASTEN, and Mr. STEVENS):

S.J. Res. 110. A joint resolution expressing the sense of the Congress that the United States and the Soviet Union should lead an effort to promptly repeal United Nations General Assembly Resolution 3379(XXX); to the Committee on Foreign Relations.

By Mr. BRADLEY (for himself and Mr. HATCH):

S.J. Res. 111. A joint resolution marking the seventy-fifth anniversary of chartering by Act of Congress of the Boy Scouts of America; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANFORD:

S. 767. A bill to designate certain lands in the State of North Carolina as wilderness; to the Committee on Agriculture, Nutrition, and Forestry.

WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT

Mr. SANFORD. Mr. President, I rise to introduce the Western North Carolina Wilderness Protection Act. It has been a long time since the people of my State and their elected Representatives here in Washington have come together so clearly on the issue of wilderness designation.

Last year, the Agriculture, Nutrition, and Forestry Committee's Conservation and Forestry Subcommittee, chaired by my able colleague Mr. FOWLER, completed hearings on this bill. Unfortunately, in the waning

hours of the 101st Congress, this legislation unexpectedly failed to come before the Senate for a vote.

I must note the hard work of Congressman CASS BALLENGER who has introduced this legislation, H.R. 35 in the House. Representative BALLENGER, who ushered this bill through the House last year, showed great foresight and initiative in developing this legislation.

The areas of my State to be protected by this bill are of great importance to my constituents and the many thousands of visitors that enjoy the wonderful mountains of North Carolina each year. Roughly 24 million people live within a 250-mile radius of the areas in question, which include a 7,140 acre tract known as the Harper Creek area, and the 5,710 acres of Lost Cove. I strongly support the designation of these tracts as part of the wilderness system. They lie within North Carolina's 10th Congressional District, represented by Congressman BALLENGER.

Both of the areas mentioned in this legislation are accessible from the Blue Ridge Parkway and would provide the public with much needed wilderness recreation benefits as this region becomes more popular. Trails through the forests make these treasures even more accessible.

Mr. President, this is no new issue. The 1984 North Carolina Wilderness Act designated several properties as wilderness study areas. Then, in 1987, after a thorough multiyear analysis by the Service under their forest planning process, Lost Cove and Harper Creek were recommended for inclusion as wilderness.

Lost Cove is a clearly defined basin surrounded by ridges, which is an uncommon combination in our State. A mostly steep and rugged tract with excellent scenic qualities, it includes the thousand-foot Big Lost Cove Cliffs that can be clearly seen from the parkway. The 80-foot falls of Lost Cove Creek, and Hunt Fish Falls are among the great waterfalls located here. The area is also a black bear sanctuary and provides high-quality habitat for both trophy status and native trout.

Lost Cove was logged around the turn of the century but has not been logged since that time, except for 75 acres around 1970. The area does contain a single low-standard road capable of access by four-wheel drive vehicle. And, the cove also contains pockets of virgin forest, and comprises part of the Grandfather Mountain Window. The elevation varies from 1,700 to 3,900 feet.

Separated from Lost Cove only by a dirt road, the Harper Creek acreage also affords beautiful views of Grandfather Mountain and the surrounding mountains. More high falls and imposing rock formations characterize this area; Harper Falls, North and South Harper Falls, and the Little Lost Cove Cliffs all add to this place of natural

wonders. The exposed rocks are among the oldest in the Appalachian Mountains—over 1 billion years old. Like Lost Cove, this tract is a black bear sanctuary and contains excellent trout water.

Much of the Harper Creek area was also logged in the early 1900's and no subsequent logging has occurred, with the exception of about 488 acres in 1970. Pockets of old growth forest remain on the steepest ground. The area contains no roads, and covers about half of the Harper Creek watershed. Elevations here vary from 1,600 to 3,400 feet at Little Lost Cove Cliffs.

According to the Forest Service, both Lost Cove, and Harper Creek "provide a high sense of remoteness" and will help meet the demand for additional wilderness recreation area. In addition to supporting several high-quality trout streams, the area is popular for various types of hunting and fishing; these uses would certainly continue upon wilderness designation.

Mr. President, as I noted in the beginning of my remarks, strong local support exists in North Carolina for the designation of these two areas as wilderness. My congressional colleagues and I have received hundreds of letters in support of this move, and only a few in opposition. Such local agreement about wilderness values is rare and should send a clear message to the Senate about the merits of this bill.

Again, I wish to commend Congressman BALLENGER for his efforts on behalf of the Western North Carolina Wilderness Protection Act. I urge my Senate colleagues to support this worthy, bipartisan effort.

By Mr. ROCKEFELLER (for himself, Mr. BRYAN, Mr. GORTON, Mr. GORE, Mr. BAUCUS, Mr. INOUE, Mr. LEVIN, Mr. BURNS, Mr. AKAKA, Mr. CRANSTON, Mr. SEYMOUR, Mr. BINGAMAN, and Mr. CONRAD):

S. 768. A bill to amend the Motor Vehicle Information and Cost Savings Act to provide for the establishment of a national electric vehicle programs for the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL ELECTRIC VEHICLE ACT

● Mr. ROCKEFELLER. Mr. President, today I am introducing omnibus electric vehicle legislation. The bill responds to the challenges we face to reduce this Nation's dependence on imported oil and to reduce the transportation sector's negative impact on air quality.

Federal policies that promote alternative fuel vehicles can help our country achieve our environmental and energy security goals. In 1988, 65 of our colleagues joined me in cosponsoring the Alternative Motor Fuels Act, Public Law 100-494, which covered alcohol

and natural gas vehicles. Now, electric vehicle technology can also play a key role in national policy.

Electric vehicles could be one of the single most effective means of improving air quality. There are no tailpipe emissions from the vehicles during operation. In addition, the power for electric vehicles comes from abundant electricity produced domestically from a broad mix of fuels.

Electric vehicle technology has reached the point at which our efforts can make a real difference. By removing remaining barriers to commercialization, we can assist market forces. We can bring about much earlier and more widespread use of electric vehicles. And we can help ensure that America reaps the very substantial energy security and environmental benefits of electric vehicles.

What we are aiming at is no less than an automobile revolution. To achieve that revolution, the bill covers every step from laboratory research on batteries, to the equipping of service stations to service electric vehicles, to cost-shared, on-the-road demonstrations.

The proposed legislation creates cost-sharing partnerships among the Federal Government, industry, and State and local governments to cooperatively address all aspects of electric vehicle development: research and development needs, including advanced batteries; infrastructure requirements to ensure that services and systems will be available to support electric vehicles; and the reduction of market barriers by providing financial assistance for the initial purchase of electric vehicles.

Mr. President, the courageous troops of Desert Storm have done their job. Now it is time for Congress and the President to do their job.

The decade of energy policy neglect must end. Of course the conflict in the gulf was over more than oil. But no one has suggested that Saddam Hussein invaded Kuwait to increase his supply of sand.

Many of us have fought for years for energy independence, but in the last decade, other voices have prevailed.

The magnificent performance of the troops of Desert Storm has given us a breathing space in which to change America's course on energy policy. If we want truly to keep the faith with our troops, we must remove forever the threat of energy and economic blackmail.

All of us know that our enormous dependence on imported oil can be traced to the automobile. With the bill I am introducing, we take a major step on the road back to energy security. I urge my colleagues to join me in co-sponsoring this legislation, and I look forward to its speedy enactment. ●

By Mr. MOYNIHAN:

S. 769. A bill to establish the National Infrastructure Corporation and the National Infrastructure Advisory Council to provide financing for public works improvements, and for other purposes; to the Committee on Environment and Public Works.

NATIONAL INFRASTRUCTURE CORPORATION AND ADVISORY COUNCIL

● Mr. MOYNIHAN. Mr. President, today I am introducing legislation that represents an idea whose time has come. This is another attempt to respond to the recommendations of the National Council on Public Works Improvement. The Council's work was well received, but there has been little interest in legislation to address the problems raised in the Council's February 1988 report "Fragile Foundations." I will repeat for my colleagues the nine specific recommendations put forth in this report. They were:

A national commitment, shared by all levels of government and the private sector, to increase capital spending by as much as 100 percent above the current levels.

Clarification of the respective roles of State, local, and Federal governments in the construction and management of infrastructure in order to focus responsibility and increase accountability.

More flexible administration of Federal and State mandates to allow cost-effective methods of compliance.

Quicker spending of the Federal highway, transit, airport, and waterways trust funds to achieve their intended statutory purposes.

Financing a larger share of the cost of public works through user fees.

Removal of unwarranted limits on the availability of tax-exempt financing for State and local self-help efforts.

Strong incentives for maintenance of capital assets and the use of low-capital techniques such as demand management, coordinated land-use planning, and waste reduction and recycling.

More support for research and development to accelerate technological innovation and for training of public works professionals.

A rational capital budgeting process at all levels of government.

In the last two Congresses, Mr. President, I introduced legislation dealing with the concept of a National Infrastructure Corporation. What I had in mind at the time was not an entity to rival existing programs, but rather something to supplement them.

Here's how it would work. The key focus would be to assist State revolving funds who qualify under criteria established by Congress. State and local officials would identify infrastructure projects within their States. They would then contact their regional National Infrastructure Corporation officials to arrange for financing 50 percent of the project's cost. Projects

would be funded for the planning and construction phases, until such time as the consumer enjoys the service and pays the required user fee. The Corps of Engineers would play its traditional role of monitoring the projects construction on behalf of the Corporation.

Clearly we have done very little in the area of user fee technology, and it is time to do just that. Once the project is up and running with the selected user fee, the interim financing provided by the State revolving fund and the Corporation then returns to their respective agencies; and they resume the quest for new projects meeting the criteria.

This legislation will create new jobs in a cost-effective manner based on consumer acceptance of the projects and the benefits they will provide. It has been shown over and over again, State-by-State, that a key obstacle has been the interim financing for a number of projects that have consumer acceptance as I've said, and even perhaps with a user fee already designed.

Mr. President, we have seen in many States the creation of State revolving funds. This was commented on in our subcommittees hearings as well. This trend should be encouraged, the Federal Government's role should be to supplement this development and to provide matching funds as is the case here for these interim loan financing for innovative infrastructure concepts.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point, and that it be appropriately referred.

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

S. 769

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 Infrastructure Corporation and Advisory Council Act of 1991".

SEC. 2. FINDINGS.

Congress finds that—

(1) capital investment represented in our Nation's roads, bridges, mass transportation, airports, ports, waterways, water supply, wastewater treatment, and solid waste disposal facilities is estimated to be about \$1.4 trillion, slightly over 20 percent of the country's total public and private capital infrastructure;

(2) most of this basic infrastructure has been in place for at least 20 years, if not a century, and needs either major rehabilitation or replacement;

(3) shifts in population and transportation patterns have overburdened infrastructure in the major urban centers and left small, rural areas and States struggling to provide adequate services from shrinking economic resources;

(4) Federal, State, and local governments face major budgetary challenges;

(5) delays due to highway congestion in major urban regions already impact our economy at a cost estimated to be \$30 billion annually, almost one-half of the roughly \$65

billion total spent by Federal, State, and local governments for highways in 1987;

(6) reversing the downward trend in infrastructure outlays will not be easy, and that will require innovative shifts in governmental policies and spending priorities;

(7) policymakers at all levels of governments must have, as a real option, user fees to support development goals;

(8) many communities that must make major investments in public works are exploring user fees as one way of attracting investment capital; and

(9) a program to provide transitional funding for innovative infrastructure projects must be established to ensure that the planning, design, and construction of such projects can progress to the state of permanent financing underwritten by publicly supported user fees.

SEC. 3. PURPOSES.

The purposes of this Act are to establish the National Infrastructure Corporation—

(1) to provide, in equal partnership with each State having an eligible State infrastructure revolving fund established pursuant to the requirements of this Act loans to such State for the purpose of making interim financing available to it for the planning, designing, and construction of State nominated infrastructure projects, such loans to be made through a national revolving loan fund established by this Act;

(2) to make such interim financing available particularly in those cases where the long-term financing of such projects by the State will be through the use of user fees imposed by such State, and where significant public benefit will accrue due to the innovative character of a State project nominated for assistance under this Act;

(3) to develop and coordinate Federal infrastructure policy, evaluate roles for public/private entities in implementing this policy, and propose actions necessary to carry out the policy;

(4) to establish the National Infrastructure Institute and other infrastructure education programs which promote the study of infrastructure matters; and

(5) to establish the National Infrastructure Advisory Council to provide views of the private sector and non-Federal public entities.

SEC. 4. DEFINITIONS.

As used in this Act, the term—

(1) "infrastructure" means any physical service by the public or private sector that supports the various functions of society;

(2) "interim funding" means financial assistance provided to fund the initial phase of an infrastructure project, including planning, designing, and constructing, and which is provided on a loan basis, at the market rate existing at the time of the loan, and subject to repayment in accordance with a time schedule;

(3) "user fee" means a charge imposed in connection with the use of an infrastructure service, including a toll charge and a developer fee;

(4) "innovative character" means, with respect to an infrastructure project, a project which serves as an example for cost-effective benefits, new technology, high utilization, and user friendly adaptability; and

(5) "national priority list" means the list established pursuant to section 12(i) designating infrastructure projects and the priority for financing to be accorded such project.

SEC. 5. NATIONAL INFRASTRUCTURE CORPORATION.

(a) ESTABLISHMENT.—There is established the National Infrastructure Corporation

(hereinafter referred to as the "Corporation").

(b) COMPOSITION.—The Corporation shall comprise the following components—

- (1) a Board of Directors;
- (2) the National Infrastructure Advisory Council established by this Act;
- (3) the National Infrastructure Institute established by this Act; and
- (4) such other offices, divisions, or departments determined by the Board of Directors as necessary to carry out the purposes of this Act.

SEC. 6. POWERS OF CORPORATION.

(a) FUNCTIONS, POWERS, AND DUTIES VESTED IN BOARD.—Except as otherwise provided by this Act, the functions, powers, and duties of the Corporation are vested in the Board of Directors (hereinafter referred to as the "Board").

(b) MEMBERSHIP OF BOARD.—The Board is composed of the following members, or their designated representatives:

- (1) Secretary of the Army;
- (2) Secretary of the Interior;
- (3) Secretary of Transportation;
- (4) Secretary of Commerce; and
- (5) Administrator of the Environmental Protection Agency.

(c) CHAIR, PRESIDENT.—The Chair of the Board shall be designated by the President of the United States on an annual basis. In addition, the President of the United States shall appoint a President of the Corporation, with the advice and consent of the Senate. The President of the Corporation shall serve for a term of 4 years, and shall serve as chief executive officer of the Corporation on a full-time basis. Any individual appointed as President of the Corporation shall be experienced in construction lending.

(d) HEADS OF AGENCIES.—The Chair of the Board shall request the heads of Federal departments and agencies to participate with the Board when matters affecting the responsibilities of such departments and agencies are considered by the Board.

SEC. 7. ADVISORY COUNCIL.

(a) THE NATIONAL INFRASTRUCTURE ADVISORY COUNCIL.—For the purpose of providing the Board with the views of the private sector and non-Federal public entities concerning matters within the purview of this Act, there is established the National Infrastructure Advisory Council (hereinafter referred to as the "Council").

(b) MEMBERSHIP.—The Council shall be composed of such individuals as are designated by the following entities, one by each such entity:

- (1) National Governors' Association;
- (2) National Conference of Mayors;
- (3) National League of Cities;
- (4) National Association of Counties;
- (5) National Conference of State Legislatures; and
- (6) National Association of Regional Councils.

(c) PRIVATE SECTOR.—(1) The Council shall also include five representatives of the private sector to be selected as follows—

- (A) two individuals selected by the Senate Committee on Environment and Public Works;
- (B) two individuals selected by the House of Representatives Committee on Public Works; and
- (C) one individual selected by the President of the United States.

(2) No individual shall be selected to serve on the Council unless such individual has been active in infrastructure related disciplines.

(d) MEETINGS.—The Council shall meet and report to the Board on infrastructure matters at least twice annually.

(e) CHAIR.—The Council shall elect a Chair from among its members.

SEC. 8. COORDINATION.

(a) ADMINISTRATIVE PROVISIONS.—For the purpose of coordinating Federal infrastructure policy, preparing needs assessments, developing guidelines and procedures, and executing the responsibilities vested in it by this Act, the Board, at the direction of the President of the Corporation, shall—

(1) hold such hearings, sit and act at such times and in such places, take such testimony, receive such evidence, and publish or otherwise distribute so much of its proceedings and reports as it may deem advisable;

(2) acquire, furnish, and equip such office space as is determined necessary;

(3) be authorized to use the United States mails in the same manner and upon the same conditions as other Federal departments and agencies;

(4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and chapter 51 and subchapter III of chapter 53 of title 5 of the United States Code;

(5) employ an Executive Director responsible for the administration and management of the Council; and

(6) incur such necessary expenses and exercise such other powers and duties as are consistent and reasonably required to perform its functions.

(b) RECORDS.—To the extent permitted by law, all appropriate records and papers of the Board may be made available for public inspection.

(c) INFORMATION.—Upon the request of the Board, the head of any Federal department or agency is authorized—

(1) to furnish the Board such information as may be necessary for carrying out its functions and as may be available to or procurable by such agency, and

(2) to detail to temporary duty with such Board on a reimbursable basis such personnel within its administrative jurisdiction as the Board determines necessary for carrying out its functions, each such detail to be without loss of seniority, pay or other employee status.

(d) RESPONSIBILITIES OF PRESIDENT OF CORPORATION.—The President of the Corporation, acting under the supervision of the Board, shall be responsible for the—

- (1) appointment and supervision of personnel;
- (2) assignment of duties and responsibilities among such personnel; and
- (3) use and expenditures of funds.

(e) LIMITATION ON STAFF.—The President of the Corporation shall limit the full-time staff of the Board to 50 full-time employees. The President of the Corporation is authorized to establish regional offices to coordinate with States and appropriate State infrastructure revolving funds.

(f) MEETINGS.—At the direction of the President of the Corporation, the Board shall meet at the call of the Chair, and at such other time or times as may be provided by the bylaws of the Corporation, but not less than quarterly. A majority of the Board shall constitute a quorum, and any substantive action by the Board shall require a majority vote of all its members. The Board shall adopt, and may from time to time amend, such bylaws as it determines are necessary for the proper management and functioning of the Corporation. Each member of

the Board shall receive a monthly report from the President of the Corporation.

(g) MEETINGS OPEN TO PUBLIC.—(1) All meetings of the Board held to conduct official business of the Corporation shall be open to the public, and shall be preceded by reasonable public notice. Pursuant to such by-laws as it may establish, the Board may close a meeting if the meeting is likely to disclose—

(A) information which is likely to adversely affect financial or securities markets or institutions; and

(B) information, the premature disclosure of which, would be likely to—

(i) lead to speculation in securities, commodities, utilities, or land; or

(ii) impede—

(I) the ability of the Corporation to establish infrastructure project selection criteria; or

(II) its ability to negotiate a contract for financial assistance.

(2) The determination to close any meeting of the Board shall be made in a meeting of the Board, open to the public, and preceded by reasonable notice. The Board shall prepare minutes of any meeting which is closed to the public and such minutes shall be made promptly available to the public, except for those portions thereof which, in the judgment of the Board, may be withheld in accordance with paragraph (1).

SEC. 9. POWERS OF CORPORATION.

In carrying out the provisions of this Act, the Corporation shall have the power, consistent with the provisions of this Act—

(1) make loans in accordance with this Act;

(2) to adopt and alter a corporate seal, which shall be judicially noticed;

(3) to make agreements and contracts with persons and private or governmental entities, except that the Corporation shall not provide any financial assistance except as otherwise specifically authorized by this Act;

(4) to make provision for and designate such committees, and the functions thereof, as the Board may determine necessary or desirable;

(5) to make use of services, facilities, and property of any Federal agency or instrumentality, with its approval and on a reimbursable basis, in carrying out the provision of this Act;

(6) to create, organize, and manage divisions and departments within the Corporation;

(7) to perform or authorize studies, prepare or cause the preparation of reports, and convene meetings and conferences, and defray the costs and expenses thereof; and

(8) to exercise all other lawful powers necessarily or reasonably related to the Corporation.

SEC. 10. AUDIT.

(a) GENERAL ACCOUNTING OFFICE.—The financial transactions of the Corporation shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit, and shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. A report on each such audit shall

be made by the Comptroller General to Congress. The Corporation shall reimburse the General Accounting Office for the full cost of any such audit as billed therefor by the Comptroller General.

(b) BOOKS AND RECORDS.—The Corporation shall maintain adequate books and records to support its financial transactions. Such books and records shall be maintained in accordance with recommended accounting practices.

SEC. 11. REPORTS.

The Corporation shall submit to the President and the Congress, within 60 days after the end of each fiscal year, a complete and detailed report with respect to the preceding fiscal year, setting forth—

(1) a summary of the Corporation's operations, including loans made, for such preceding fiscal year;

(2) the Corporation's revenues and expenditures for such fiscal year and the Corporation's balance sheet as of the end of such fiscal year, each in accordance with the categories and classifications established by the Corporation;

(3) a schedule of the Corporation's obligations and capital securities outstanding at the end of such fiscal year, with a statement of the amounts issued and redeemed or paid during such fiscal year;

(4) the status of projects receiving funding; and

(5) an updated national priority list established pursuant to section 12(1).

SEC. 12. NATIONAL INFRASTRUCTURE REVOLVING FUND.

(a) ESTABLISHMENT.—There is established a National Infrastructure Revolving Fund (hereafter in this Act referred to as the "Fund") within the Treasury of the United States for the purpose of providing interim financing in accordance with subsection (b).

(b) AVAILABILITY OF FUND.—Moneys in the Fund shall be available for use by the Corporation in carrying out the provisions of this Act, and, subject to the provisions of section 13, in providing interim financing for certain State nominated major infrastructure projects with an innovative character during their planning, designing, and construction phases. Moneys made available as loans to any State under this Act shall be used by such State for the purpose of enabling such State to plan, design and construct major infrastructure projects. Such moneys shall be available from the Fund without fiscal year limitation. Payments from the Fund directed by the Corporation are hereby appropriated.

(c) INTEREST ON FUND.—Interest received on moneys in the Fund, together with interest and payments on loans from the Fund, shall be deposited in, or credited to, the Fund and shall be available for use in the same manner, to the same extent, and for the same purposes as are moneys appropriated to the Fund by this section.

(d) OFF-BUDGET.—The receipts and disbursements of the Fund shall not be included in the totals of the budget of the United States as submitted by the President or of the congressional budget and shall be exempt from any general budget limitation imposed by law on expenditures and net lending (budget outlays) of the United States Government.

(e) EXPENDITURES AUTHORIZED.—The Corporation is authorized—

(1) subject to the provisions of section 13, to make interim loans from the Fund to the appropriate State infrastructure revolving fund established pursuant to section 13 on the condition that—

(A) annual principal and interest payments on such loan for a project will commence as directed by the Secretary, but in no event later than 12 months after completion of the project.

(B) the State receiving such financial assistance demonstrates to the Corporation that the State has access to sufficient continuing financial resources to allow for timely repayment of all such loans and interest, and to allow for proper short- and long-term maintenance of the facilities to be constructed, including financial resources through dedicated revenues and user fees, and

(C) all such loans to a State shall be credited to the State infrastructure fund; and

(2) to expend from the Fund such amounts as may be necessary to carry out the provisions of this Act.

(f) LIMITATION.—Financial assistance provided under this Act to any innovative infrastructure project nominated for construction by a State having an infrastructure revolving fund established pursuant to section 13 shall not exceed 50 percent of the total project costs necessary to carry out the planning, designing, and construction of such project.

(g) REQUIREMENTS.—No financial assistance shall be available under this Act for any project unless such project is to receive financial assistance from a State infrastructure revolving fund established pursuant to section 13, and the applicant for such assistance has demonstrated to the Board that such project meets the requirements of this Act and the criteria of the Board.

(h) CRITERIA.—The Board shall establish—

(1) criteria for determining those projects which shall be eligible to receive interim financing pursuant to this Act;

(2) criteria for determining what interim planning, designing, and construction costs for infrastructure projects shall be eligible for consideration in calculating the total cost of a project for the purposes of this Act;

(3) criteria, including innovation and overall public benefit, for determining compliance with the definition of infrastructure contained in this Act;

(4) criteria for providing financing for projects made up of noncontiguous elements, such as regional innovative waste treatment and transportation plans, where the different elements of such project are well coordinated with one another and are directed toward a common goal;

(5) criteria for establishing and financing a State infrastructure revolving fund and for enabling such fund to determine who shall be eligible for financial assistance thereunder;

(6) criteria for ranking all approved projects on the national priority list established pursuant to subsection (i);

(7) criteria for project selection, which criteria shall be established after consideration of all applicable environmental laws, and labor laws relating to employee compensation, benefits and rights; and

(8) such other criteria as the Board deems to be appropriate for purposes of carrying out this Act.

(i) PROJECT PROPOSALS.—The Board shall accept project proposals only from a State having an infrastructure revolving fund established pursuant to section 13. The Board shall place infrastructure projects, nominated by the States and approved by the Board, on a national priority list for financing under this Act, and may provide interim planning, designing, and construction financing to projects on such list. In determining the relative priority of a project, the Board

shall take into account whether the project is eligible for funding from other sources and the likelihood that it will receive such other funding in an amount sufficient to allow the project to proceed and to be completed.

SEC. 13. LOAN AGREEMENTS.

(a) **GENERAL RULE.**—To receive a loan from the Fund under this Act, a State shall enter into an agreement with the Corporation which shall include but not be limited to the specifications set forth in subsection (b) of this section.

(b) **SPECIFIC REQUIREMENTS.**—The Corporation shall enter into an agreement under this section with a State only after the State has established to the satisfaction of the Corporation that—

(1) the State will make loan and interest payments in accordance with a payment schedule established jointly by the Corporation and such State, and will deposit the proceeds of all loans received pursuant to this Act in the infrastructure revolving fund established by such State in accordance with this Act;

(2) the State will deposit in its revolving fund, from State moneys, an amount equal to 50 percent of the total amount of all loans received by such State pursuant to this Act;

(3) the State will enter into binding commitments to provide financial assistance in accordance with the requirements of this Act for the planning, designing and construction of a State major infrastructure with an innovative character for which a loan is received from the Corporation pursuant to this Act in an amount equal to 100 percent of the amount of each such loan within 1 year after the receipt of such loan; and

(4) the State will make annual reports to the Corporation on the actual use of moneys in such State infrastructure revolving fund.

(c) **REQUIREMENTS FOR OBLIGATION OF LOAN FUNDS.**—Before a State may receive a loan pursuant to this Act, such State shall first establish an infrastructure revolving fund which complies with the requirements of this Act.

(d) **ADMINISTRATION.**—Each State infrastructure revolving fund shall be administered by an instrumentality of the State with such powers and limitations as may be required to operate such fund in accordance with the requirements and objectives of this Act.

(e) **PROJECTS ELIGIBLE FOR ASSISTANCE.**—The proceeds of each State revolving fund shall be used only for providing financial assistance for planning, designing or constructing major infrastructures with an innovative character designated by such State. The fund shall be established, maintained, and credited with repayments, and the fund balance shall be available in perpetuity for providing such financial assistance.

SEC. 14. PROGRAM.

(a) **BOARD TO IMPLEMENT.**—The Board shall design and implement a program to provide technical, legal, and financial consulting services to infrastructure project providers requesting such services. This program shall include widespread publicity of the services the Corporation can provide.

(b) **SERVICES AND ASSISTANCE.**—The Board is authorized to provide such services and assistance to any—

(1) State or agency designated by the State;

(2) political subdivision or governmental entity thereof, including any municipality of any State;

(3) multistate entity that possesses legal powers necessary to carry out activities under this Act;

(4) Indian tribe or Indian tribal organization; and

(5) person, if such services relate directly to the planning and implementation of projects to provide public works infrastructure facilities or services for the general public on a not-for-profit basis.

(c) **TYPES OF SERVICE.**—Such services and assistance shall take the form of—

(1) assistance in obtaining construction financing for infrastructure projects, either from the Corporation or from other sources;

(2) education and training programs for infrastructure project managers;

(3) long-range planning and needs assessments for infrastructure project systems;

(4) technical consulting and decision support services to assist infrastructure project providers in designing and infrastructure construction and maintenance programs; and

(5) designing, in consultation with States and appropriate agencies thereof, user fee programs which would be undertaken with community acceptance based on public benefits flowing from such projects.

(d) **ASSISTANCE.**—The Board is authorized to solicit requests for assistance from individuals and organizations described in subsection (b) through an outreach program.

SEC. 15. COMPLIANCE WITH FEDERAL REQUIREMENTS.

No financial assistance shall be made available to any State pursuant to this Act for any project unless such State has first entered into an agreement with the Board pursuant to which such State agreed to abide by all applicable Federal environmental laws, labor standards, civil rights laws, and other requirements designated by the Board and generally applicable to federally financed and assisted construction projects, including section 1 of the Act of March 3, 1931 (40 U.S.C. 276a), in connection with work on such project.

SEC. 16. PROGRAM FOR RESEARCH.

(a) **IMPLEMENTATION.**—The Corporation is authorized to design and implement a comprehensive program for research and development and technology transfer in connection with matters involving public works infrastructure.

(b) **ADVISORY COMMITTEE.**—The Corporation is authorized to convene a Research and Development Advisory Committee (hereinafter referred to as the "Committee") to make recommendations to the Board and the Council regarding the scope, content, design, and funding of such program. The Committee shall be made up of representatives of—

(1) the National Academy of Engineering;

(2) existing university research programs active in public works infrastructure;

(3) private institutions with active public works infrastructure research and development programs;

(4) major public works providers that would be the potential users of new technologies produced by a research and development program; and

(5) other individuals that the Board deems to be appropriate.

SEC. 17. FURNISHING ASSISTANCE.

(a) **INFRASTRUCTURE TECHNOLOGY TRANSFER AND INFORMATION ASSISTANCE PROGRAM.**—For the purposes of furnishing assistance to State and local governments, the Board shall establish and implement an infrastructure technology transfer and information assistance program.

(b) **PROCEDURES.**—The Board shall establish procedures to coordinate, receive, and channel requests for assistance and information on infrastructure and infrastructure technology.

(c) **CONSULTATION.**—The Board shall consult with the National Research Council, the National Technical Information Service, appropriate Federal agencies, non-Federal and other private entities in developing and implementing such program.

(d) **CLEARINGHOUSE.**—The Board is authorized, in consultation with the National Technical Information Service, to provide a clearinghouse to meet requests from States and local governments, industrial organizations, public and private foundations, nonprofit organizations, or other persons, for information and other data on technology programs and research and development programs relating to infrastructure, including the referral of such requests and inquiries directly to the appropriate Federal agency for response.

(e) **ANNUAL REPORT.**—The Board shall prepare and submit an annual report to the Congress on the effectiveness of the programs under this Act.

SEC. 18. FIVE-YEAR PROGRAM.

(a) **INFRASTRUCTURE RESEARCH AND DEVELOPMENT PROGRAM.**—The Board is authorized to carry out a 5-year program to promote the use of innovative technology in the design, construction, improvement, rehabilitation, use, operation, and management of infrastructure. In carrying out the program, the Board is authorized to determine appropriate projects to undertake, and to encourage Federal agencies to carry out such projects under the program.

(b) **FEDERAL EXPENSE.**—Projects constructed pursuant to the program established pursuant to subsection (a) shall be at the expense of the United States Government.

SEC. 19. INSTITUTE.

(a) **NATIONAL INFRASTRUCTURE INSTITUTE.**—The Board is authorized to establish a National Infrastructure Institute to support, through the establishment of regional centers, infrastructure innovation programs in institutions of higher education.

(b) **REGIONAL CENTERS.**—The Board is authorized to establish four regional centers to assist in carrying out subsection (a). Such centers shall be entitled to equal funding by the Corporation.

SEC. 20. EDUCATION PROGRAM.

(a) **DEVELOPMENT OF PROGRAM.**—The Board is authorized to develop and implement a national infrastructure education program.

(b) **PARTS OF PROGRAM.**—Any program established pursuant to subsection (a) shall consist of—

(1) a program focused on improving the awareness of the importance of infrastructure in the Nation's primary and secondary schools, and

(2) a program focused on the advancement of environmental and civil engineering in the Nation's institutions of higher education.

SEC. 21. INFRASTRUCTURE VALUE AND WORTH STUDY.

(a) **VALUE AND WORTH OF INFRASTRUCTURE.**—The Board shall commission a study to determine the value and worth of infrastructure, and to develop and recommend alternative economic processes to determine the feasibility and viability of Federal infrastructure projects. In preparing such study, the Board shall consider alternatives to traditional cost-benefit analyses.

(b) **REPORT.**—The Board shall report to the Congress on the results of its findings based on each such study within 6 months after the date of enactment of this Act.

SEC. 22. INVESTMENTS IN INFRASTRUCTURE.

(a) **ESTABLISHMENT OF COMMISSION.**—There is established the Commission to Promote

Investment in America's Infrastructure (hereafter referred to as the "Commission").

(b) COMPOSITION.—(1) The Commission shall be composed of 7 members appointed as follows:

(A) 3 members appointed by the Majority Leader of the Senate;

(B) 3 members appointed by the Speaker of the House of Representatives; and

(C) 1 member appointed by the President of the United States.

(2) Individuals appointed to the Commission shall have appropriate backgrounds in finance, construction lending, actuarial disciplines, pensions, and infrastructure policy disciplines.

(c) FUNCTION OF COMMISSION.—It shall be the function of the Commission to conduct a study for the purpose of determining the feasibility and desirability of creating a type of infrastructure security which would permit the investment of pension funds in funds utilized to design, plan, and construct infrastructures in the United States. The Commission can include recommendations as to private sector as well as recommendations for innovative public policy alternatives to assist infrastructure investment at all levels of government.

(d) REPORT.—Within 180 days following the date of the enactment of this Act, the Commission shall report its findings and recommendations to the Congress and to the President of the United States.

(e) EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in the Government service are allowed under section 5703 of title 5, United States Code.

(f) COMMISSION STAFF.—Subject to such rules and regulations as may be adopted by the Commission, the Chairman may—

(1) appoint and fix compensation of an executive director, a general counsel, and such additional staff as is deemed necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent for the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 23. AUTHORIZATIONS.

(a) AUTHORIZED AMOUNTS.—There is authorized to be appropriated to the Fund for the purposes of carrying out this Act \$750,000,000 for each of the fiscal years 1992, 1993, 1994, 1995, and 1996.●

By Mr. D'AMATO:

S. 770. A bill to require the Federal Deposit Insurance Corporation to treat certain deposits of the Freedom National Bank of New York as insured deposits; to the Committee on Banking, Housing, and Urban Affairs.

FREEDOM NATIONAL BANK NOT-FOR-PROFIT CORPORATION DEPOSITORS PROTECTION ACT

● Mr. D'AMATO. Mr. President, today I would like to offer this small piece of legislation that will rectify a large injustice created by the Federal Deposit Insurance Corporation when it refused to reimburse in full certain not-for-profit corporations' accounts located at Freedom National Bank. My legislation, the Freedom National Bank Not-for-Profit Corporation Depositors' Protection Act of 1991, seeks to protect the intended beneficiaries of the charitable not-for-profit organizations who believed they had fully insured and fully protected accounts at Freedom National Bank.

Freedom National was one of the Nation's largest minority-owned banks with deposits of approximately \$90.8 million and branches in the Harlem and Bedford Stuyvesant communities of New York City. Freedom National was founded in 1964 by Brooklyn Dodger Jackie Robinson after other banks refused to lend him money. Freedom National, located in a poor black community, had become a symbol of hope to the people of the community.

In an effort to support economic independence in the black community, many local charitable groups had maintained their operating accounts at Freedom National. I have been informed that at least nine charitable groups had multiple accounts, exceeding \$100,000 in the aggregate.

On November 9, 1990, the Office of the Comptroller of the Currency declared Freedom National Bank insolvent and appointed the FDIC as its receiver. In the process of liquidating the bank, the FDIC determined that the multiple accounts belonged to a single depositor—the charitable organization behind the accounts. As a result, the FDIC only paid each not-for-profit organization a total of \$100,000, notwithstanding the fact that the organization may have had multiple accounts, each designated for a separate purpose, and each with a balance under \$100,000.

These charitable organizations were attempting to demonstrate their support of Freedom National Bank by putting their money in that institution. By putting less than \$100,000 in each of the accounts, the charitable organizations believed that the funds in the accounts were federally insured and protected in full. It was not the intention of the charitable organizations to jeopardize these account funds. Unbeknownst to the charitable groups, however, in the process of paying out the insured depositors, the FDIC would not consider that there were many intended beneficiaries of the charitable accounts.

On November 29, 1990, I wrote to Bill Seidman, Chairman of the FDIC, to urge the FDIC to look behind the charitable organization to see the intended beneficiaries of the separately des-

ignated accounts. As I stated in the letter, it had been represented to me that the intent behind the charities was to allocate the funds in each account for a different charitable purpose. I would like to include a copy of this letter in the RECORD.

On November 30, 1990, the FDIC board agreed to an advance payment of 50 percent of the proven claims of uninsured depositors and other creditors of the bank, allegedly as an attempt to minimize the effects of the bank's closing on the community. As far as the balance of the uninsured deposits, the FDIC concluded that Freedom National did not meet either of the two conditions that would have permitted the FDIC to provide financial assistance to the insolvent bank. One condition is that the assistance transaction is less costly than a liquidation and the other is that the failed institution is deemed essential to its community.

On January 15, 1991, the FDIC announced that it "lacked the authority and the flexibility under existing law to fully reimburse all depositors at Freedom National."

Mr. President, my legislation carves out the not-for-profit organizations as an exception to the FDIC's policy not to fully reimburse all of the depositors at Freedom National Bank. Depriving these not-for-profit organizations full reimbursement is effectively denying many of my constituents valuable and important community services that the account funds were earmarked for.

I have here a list of these accounts that were sent to me by the Fort Greene Senior Citizens Council of Brooklyn, NY. I would also like to make a copy of this list part of the RECORD. Among the accounts listed are day care facilities for more than 200 children from low-income families, and services providing for serving daily meals to over 8,000 elderly people. The United Negro College Fund also had set up separate accounts for 50 different colleges which the FDIC treated as a single account. In a fashion that made Scrooge look like a Girl Scout, the FDIC's failure to pay out the full amount in these accounts occurred 2 weeks before Thanksgiving.

As a senior member of the Banking Committee, I am particularly sensitive to the inequity that resulted from the FDIC's decision not to fully reimburse the charitable organizations with accounts at Freedom National. The Banking Committee has been holding numerous hearings concerning deposit insurance reform and financial restructuring. Many of the committee's discussions revisit the FDIC's policy of paying out uninsured depositors when failure to do so would cause systemic risk to the banking system. This policy is commonly known as too big to fail.

In these discussions at the Banking Committee hearings, the example of the FDIC's failure to pay out all of the

Freedom National depositors has frequently been juxtaposed with the FDIC's payout to the uninsured depositors of the Bank of New England. The FDIC's inequitable treatment of these two institutions is startling.

In a Banking Committee hearing about the failure of the Bank of New England, Bill Seidman told the committee that the FDIC had decided to protect approximately \$2 billion in uninsured deposits at a cost of between \$200 to \$300 million. The majority of the uninsured accounts at the Bank of New England were accounts of other large banks. Seidman went on to say that it would have cost the FDIC between \$8 to \$10 million to cover all of the uninsured deposits at Freedom National. Many of the uninsured accounts at Freedom National Bank were charitable organizations who thought they had structured the accounts so that they would be fully insured.

The treatment of the Bank of New England uninsured depositors and the Freedom National depositors is clearly disparate and clearly inequitable. Whether the inequity is due to the FDIC's applying the "too big to fail policy" in the case of the Bank of New England and not in the case of Freedom National Bank is no solace to the intended beneficiaries of the charitable organizations' accounts.

It is widely believed that banking reform is required to avoid this type of inequitable treatment. With my legislation, I would like to take an interim step and protect the people who had entrusted the funds of charitable, not-for-profit organizations at a small community bank that was not too big to fail.

Mr. President, I ask for unanimous consent that, at the conclusion of my remarks that the text of my bill and the two letters I reference be printed in their entirety.

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

S. 770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIAL INSURED DEPOSITS.

For purposes of the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq), the deposits of the Freedom National Bank of New York that—

(1) were deposited by a charitable organization, as such term is defined by New York State law; and

(2) were deposits of such bank on the date of its closure by the Office of the Comptroller of the Currency,

shall be considered to have been insured deposits, as such term is defined in section 3 of the Federal Deposit Insurance Act.

U.S. SENATE,

Washington, DC, November 29, 1990.

L. WILLIAM SEIDMAN,

Chairman, Federal Deposit Insurance Corporation, Washington, DC.

DEAR BILL: I understand that the Federal Deposit Insurance Corporation ("FDIC") is presently considering the claims of various

charitable organizations which had aggregate deposits exceeding \$100,000 in various accounts at Freedom National Bank. These claims arose as a result of the Office of the Comptroller of the Currency closing Freedom National Bank on November 9, 1990 and appointing the FDIC as receiver of the bank.

At least nine New York charities, including the United Negro College Fund, are faced with the predicament of trying to collect funds deposited in Freedom National Bank on behalf of various charities. I have been personally contacted by the individuals at Fort Greene Senior Citizens Council. Fort Greene Senior Citizens Council is trying to collect the remaining \$216,512 that was deposited among the 24 accounts it maintained at Freedom National Bank on behalf of various charities.

My banking counsel informs me that the rules for federal deposit insurance coverage provide that associations created for charitable purposes shall be insured separately from the accounts of the persons or entities comprising the association (12 CFR 330.9(c)). I urge you to examine closely your authority and exercise whatever discretion you have to protect these charities.

Fort Greene Senior Citizens Council has represented to me that they set up each of the 24 checking accounts at Freedom National Bank for a separate charitable service. The individuals from Fort Greene Senior Citizens Council who set up these 24 accounts intended each account to be a separate account for a specific charitable service and designated separate subtitles for each of these accounts. These individuals also believed that they were setting up the accounts properly and that each account would be guaranteed up to the \$100,000 FDIC limit.

Perhaps if the individuals at Fort Green Senior Citizens Council had consulted legal counsel prior to setting up the accounts, they would have structured the accounts differently. Obviously it is too late for these considerations, however. At this point, it is important to look through the names on the charitable accounts and determine whether the intent behind them is to allocate the funds in each account for a different charitable purpose. If the FDIC does not pay out on the charitable accounts, many will suffer as the result of a legal technicality. Among those who will suffer from FDIC's failure to pay out on the full balance of each of the accounts rather than aggregating them will be the intended recipients of the charitable funds and the New York taxpayers.

It would be ironic for the FDIC to now deny claims of a few million dollars in funds to support elderly, educational and child care services after having made whole depositors who had accounts totalling \$37 million at the Bahamian branch of National Bank of Washington just three and a half months earlier.

I am available to discuss this situation with you further. I only hope that it is as obvious to you as it is to me that the claims of these charities should be carefully and fully considered. Thank you for your attention.

Sincerely,

ALFONSE M. D'AMATO,
U.S. Senator.

Account name	Account No.	Funding source	Held by FDIC
Fort Greene Senior Citizens Council, D/B/A Bedford Avenue Day Care, 40 Brevoort Place, Brooklyn, NY.	0203-8714	HRA/ACD	\$61,956.35

Account name	Account No.	Funding source	Held by FDIC
Fort Greene Senior Citizens Council, Inc., Young Minds, 972 Fulton Street, Brooklyn.	0203-8293	HRA/ACD	115,808.46
Fort Greene Senior Cit. Council, Title XI 1990-91, 966 Fulton Street, Brooklyn.	0203-8838	HRA/OSS	
Fort Greene Senior Citizens, Bedford D.C.C. Family Day Care, 40 Brevoort Place, Brooklyn.	0203-4816	USDA	275.23
Fort Greene Senior Citizens Council, Bedford Day Care Center, 40 Brevoort Place, Brooklyn, NY.	0203-1302	USDA	3,576.69
Fort Greene Senior Citizens Council, Young Minds Day Care, 966 Fulton Street, Brooklyn.	0202-7232	USDA	5,909.05
Fort Greene Senior Citizens Council, DFA Transportation & Nutrition, 966 Fulton Street, Brooklyn, NY.	0203-8846	DFA	
Fort Greene Senior Citizens Council, DFA Trans & Nutrition Serv. 1988, 966 Fulton Street, Brooklyn.	0203-4883	DFA	271.33
Fort Greene Senior Citizens Council, DFA Transportation, 966 Fulton Street, Brooklyn, NY.	0203-3615	DFA	1,311.08
Fort Greene Senior Citizens Council, DFA Transportation & Nutrition, 966 Fulton Street, Brooklyn, NY.	0203-7548	DFA	98.21
Fort Greene Senior Citizens Council, DFA Trans. Nutrition Service 1989, 966 Fulton Street, Brooklyn, NY.	0203-6053	DFA	46.38
Fort Greene Senior Citizens Council, DFA Transportation and Nutrition, 966 Fulton Street, Brooklyn, NY.	0203-2252	DFA	129.66
Fort Greene Senior Citizens Council, Weekend Meas, 966 Fulton Street, Brooklyn, NY.	0202-9170	DFA Citimeals	2,996.54
Fort Greene Senior Citizens Council, DFY 1989, 966 Fulton Street, Brooklyn.	0203-6428	NYS Division for Youth	8,930.33
Fort Greene Senior Citizens Council, D.F.A 1988, 966 Fulton Street, Brooklyn, NY.	0203-5057do	1,657.55
Fort Greene Senior Citizens Council, Breakfast/Brunch 1990, 966 Fulton Street, Brooklyn, NY.	0203-8307	NYS Office for Aging ...	3,080.47
Fort Greene Senior Citizens Council, Drop In Center 451 1990, 966 Fulton Street, Brooklyn, NY.	0203-8315do	1,058.11
Fort Greene Senior Citizens, Inc., Seniors Contribution and Fundraising, 966 Fulton Street, Brooklyn, NY.	0202-8891	Seniors fund raising ...	688.18
Fort Greene Young Minds, 972 Fulton Street, Brooklyn, NY.	0203-1787	Parent's fund raising ..	2,147.89
Fort Greene Senior Citizens, Choir Fund, 966 Fulton Street, Brooklyn, NY.	2019-8624	Seniors choir	50.00
Fort Greene Senior Citizens Council, No. 1, 966 Fulton Street, Brooklyn, NY.	0203-0187	Board fund raising	

Account name	Account No.	Funding source	Held by FDIC
Fort Greene Senior Citizens Council, Inc., CNSL No. 1-A, 966 Fulton Street, Brooklyn, NY.	0203-0195do	
Fort Greene Senior Citizens Council, Sick Committee, 966 Fulton Street, Brooklyn, NY.	2018-6852	Seniors fund raising ...	2.37

FORT GREENE SENIOR CITIZENS
COUNCIL, INC.

Brooklyn, NY, November 30, 1990.

Ms. LAURA SIMONE,

Office of U.S. Senator D'Amato, Hart Senate
Office Building, Washington, DC.

DEAR MS. SIMONE: Attached are the listing
of accounts which you requested. Since I will
be out of the office for a while, please call
me this afternoon.

Thank you for your interest in this issue.

Sincerely

GRACE HAREWOOD,
Executive Director.●

By Mr. KOHL:

S. 771. A bill to amend the Carl D. Perkins Vocational and Applied Technology Education Act to permit the Secretary of Education to waive certain requirements with respect to the distribution of funds to secondary school programs to permit certain postsecondary institutions to receive such funds; and for other purposes; to the Committee on Labor and Human Resources.

TECHNICAL AMENDMENT TO CARL D. PERKINS
VOCATIONAL AND APPLIED TECHNOLOGY EDU-
CATION ACT

● Mr. KOHL. Mr. President, as we all know, in the last session of Congress, we reauthorized the Carl Perkins Vocational Education Act. During that reauthorization process I was very concerned about certain programs falling through the cracks of the legislative process. One very valuable program did fall through the cracks—a unique dropout intervention program offered by an adult vocational technical school that serves high school students and that provides accredited high school diplomas to such students. At the time of the reauthorization I engaged in a colloquy with the good Senator from Rhode Island, Senator PELL, chairman of the Subcommittee on Education. I would like that to be inserted in the RECORD at the end of my statement. In this discussion, we agreed that this type of dropout intervention program was one that the Senate intended to be funded under the new Perkins formula.

I have been working with the Department of Education as they draft the regulations for the Carl Perkins Act to ensure that this dropout intervention program offered to high school students through this postsecondary institution is eligible for funding. Unfortunately, I have been informed that the language of the law may not qualify this program for funding. Therefore, I rise today on behalf of myself and my colleague from Wisconsin, Senator

KASTEN, to correct an oversight Congress made in the reauthorization of the Carl Perkins Act. By adopting my bill, thousands of at-risk youth will continue to be served by the unique program, Project Second Chance, administered by the Milwaukee Area Technical College. The project has the support of the Milwaukee public schools and the State superintendent of public instruction.

It was not the intent of Congress to defund this program. It was not the intent of Congress that we allow more Milwaukee youth to drop out of school without intervention.

This is an exceedingly limited amendment, which I believe will only affect this particular program. I urge my fellow Senators to join with us in correcting this mistake made several months ago.

Mr. President, I ask unanimous consent that the colloquy and the bill language be printed in the RECORD.

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

S. 771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DISTRIBUTION OF FUNDS TO CERTAIN POSTSECONDARY VOCATIONAL INSTITUTIONS.

Section 231 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2341) is amended by adding at the end thereof the following new subsection:

“(e) POSTSECONDARY INSTITUTIONS.—Notwithstanding the allocation requirements of section 231 (a) or (d), the Secretary shall permit a State to reserve and allocate a reasonable and appropriate level of funds made available under this section for unique dropout intervention programs offered by adult vocational technical schools that serve high school students and that provide accredited high school diplomas to such students.”

Mr. KOHL. Mr. President, I want to commend my distinguished colleague and friend from Rhode Island, Mr. PELL, for his leadership in bringing before the Senate the Carl D. Perkins Vocational Educational Reauthorization Act.

Our Nation is faced with the challenge of ensuring that we will continue to have a work force with the education and training necessary as we move into a technologically demanding society. Enhanced academic skills are needed. The great majority of workers must be able to read, write, and perform basic mathematical operations, as well as have problem-solving skills. In addition, advanced skills and occupational training are essential. Vocational education is a vital component in meeting the requirements necessary for developing a skilled and competitive work force.

In looking at the language in S. 1109, I have a few questions for my colleague concerning the language in title II, and would appreciate it if my friend from Rhode Island would comment upon the kinds of programs included under two sections of the bill. The first, in section 222, concerns the State reserve for areas with severe problems, and says that “a State may distribute funds under this section for high school programs in community colleges for 16-18 year olds

and which provide high school diplomas.” The second, in section 241, concerns grants awarded for postsecondary and adult programs which may be used for programs at postsecondary institutions serving high school students age 16-18 and providing a high school diploma.

Mr. PELL. I will be happy to help my colleague from Wisconsin [Mr. KOHL] in clarifying the committee's intent in adding this language.

Mr. KOHL. I thank the Senator. In Wisconsin, we have a program which was created to stem the increasing numbers of students dropping out of high school. The program is coordinated by a postsecondary institution, MATC [the Milwaukee Area Technical College], but works solely with high school dropouts, ages 16, 17, and 18. The program is called “Second Chance.” In the past, Project Second Chance, coordinated by the Milwaukee Area Technical College, has qualified for Federal funding under the Perkins Vocational Education Program. I want to be certain that Project Second Chance will remain eligible for funds under this bill.

In this program outreach specialists work cooperatively with about 60 high schools in the Milwaukee area, including public and private community-based organizations in order to identify dropouts. A key to the success of the program has been the role of a counselor, who works together with program participants to design an individualized educational and training plan for each student and then follows each student's progress as they work through the program. In addition, each student is provided with a support system, which may include his or her family members, peers, educators, and counselors, as they progress through the program. As a result of this attention, and as a result of this fact that grading is done every 4 weeks, rather than once a semester, academic difficulties are identified early on. Counselors quickly become aware of problems: If a student starts to miss class or if his or her grades begin to fall, the counselor knows about it and is ready to ask “Why?”

Mr. PELL. I understand that the program brings together the resources of a college, high schools, community-based organizations, and local businesses.

Mr. KOHL. That is right. The program has been quite successful. It has received national recognition, and has been cited as an exemplary program. It is a program which would be useful for other communities seeking ways of reaching those who have dropped out of high school. In the last 4 years, Project Second Chance had identified and contracted over 3,000 students, encouraging them to return to school; 669 have reenrolled in MATC's high school or in community-based organizations. Over 970 have reenrolled in the Milwaukee public schools. Over 300 have received job training and/or job placement; 38 students have received their GED and 82 have received high school diplomas. Of those receiving a high school diploma, over 50 percent have gone on to a postsecondary education program.

Mr. PELL. This is exactly the type of program the committee had in mind when drafting this language. I would hope that with the language we have added, which discusses the use of funds for postsecondary institutions having programs for secondary students, a program such as Second Chance will be able to continue to receive Perkins funding.

Mr. KOHL. I appreciate the assistance of my colleague in helping the people of Wisconsin understand the intent of the Senate in adding this language.●

By Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mr. BRADLEY):

S. 772. A bill to amend title V of Public Law 96-550, designating the Chaco Culture Archeological Protection Sites, and for other purposes; to the Committee on Energy and Natural Resources.

CHACOAN OUTLIERS PROTECTION ACT

• Mr. DOMENICI. Mr. President, I rise today to introduce the Chacoan Outliers Protection Act of 1991. This legislation would expand the Chaco culture archeological protection sites to include an additional 4,996 acres containing structures and artifacts associated with the Chacoan Anasazi Indian culture of the San Juan Basin of New Mexico.

The San Juan Basin is an area of major significance to the cultural history of North America. It is here that a people that we now call the Anasazi, which is Navajo for "the ancient ones," mysteriously appeared, flourished, and suddenly disappeared in the space of 400 years, from 900 to 1300 A.D. The center of this civilization was Chaco Canyon, a remote and barren site.

The Anasazi built many pueblos and structures around Chaco Canyon and established a large network of outlying communities, known as Chacoan outliers. The Chacoan outliers were spread over an area of over 30,000 square miles and linked by an extensive system of roads.

Archeologists debate the purpose of Chaco Canyon and its outlying communities. The traditional view is that Chaco was a trade center, but an emerging body of evidence, bolstered by the archeo-astronomy work of the solstice project, points to Chaco as a religious and ceremonial site.

Chaco Canyon has long been recognized as being a nationally and internationally significant site. In 1907, Chaco Canyon was designated a National Monument. The United Nations demonstrated the international significance of Chaco Canyon when it recently designated Chaco Canyon and five Chacoan outliers as world heritage cultural properties.

In 1980, I introduced and the Congress passed the Chaco Culture National Historical Park Establishment Act, which became Public Law 96-550. This act enlarged the park and re-established it as the Chaco Culture National Historical Park, consisting of the main body of the park and three noncontiguous units. The act also mandated procedures for the protection, preservation, and administration of archeological remnants of the Chacoan culture.

When Chaco Canyon was first afforded Federal protection in 1907, numerous archeological sites were known to exist outside the boundaries of the National Monument. Their relationship to Chaco Canyon, however, was unclear. Archeologists subsequently de-

termined that many of these sites—some as far as 100 miles from Chaco Canyon—were part of the Chacoan culture.

To the untrained eye, the physical remains of the Chacoan outliers are difficult to discern. At some of the sites, walls still stand. At most sites, however, the magnificent structures of the Anasazi people have collapsed into a mound of rubble, which over the years have been buried by the desert sands.

Unfortunately, over the years, many of these sites were vandalized by unscrupulous pot-hunters or degraded by development activities.

In order to protect these outliers, the Chaco Culture National Historical Park Establishment Act designated 33 sites as Chaco culture archeological protection sites. The Secretary of the Interior is charged with managing these sites in order to preserve them and provide for their interpretation and study. Activities that would endanger the cultural values of the sites are prohibited.

Ownership of the lands containing the archeological protection sites is a checkerboard of private, State, Federal, and Indian interests. The Indian interests include trust, allotted, and fee parcels. In addition, some surface and subsurface ownerships are divided between two or more entities. Therefore, the Act mandated that these lands be protected by cooperative agreements, rather than Federal acquisition, where possible.

The Chacoan outliers are not included in the National Park System. Rather, they are managed primarily by the Bureau of Indian Affairs and the Bureau of Land Management. These entities are responsible for resource protection and preservation at the sites.

The Chacoan Outliers Protection Act will expand the existing Chaco culture archeological protection sites system to add a total of 7 new sites to the 33 existing sites in the Chaco culture archeological protection sites system. Those sites are: Casamero; Chimney Rock; Guadalupe; Manuelito-Atsee Nitsaa; Manuelito-Kin Hchoi; Navajo Springs; and Salmon Ruins.

Included in these new archeological protection sites is the first Forest Service site, Chimney Rock in southern Colorado. The Manuelito sites have been designated as "Priority 1 National Historic Landmarks" because severe erosion has damaged the sites.

The bill also will expand the boundaries of 13 of the existing protection sites by a total of 2,328 acres.

The sites to be expanded are: Allentown; Andrews Ranch; Bee Burrow; Coolidge; Dalton Pass; Great Bend; Grey Hill Spring; Haystack; Hogback; Newcomb; Peach Springs; San Mateo; and Standing Rock.

Three sites—Las Ventanas, Morris 41, and Squaw Springs—would be deleted

from the system, and four sites—Jaquez, Muddy Water, Section 8, and Skunk Springs/Crumbled House—would be reduced by a total of 219 acres.

The net results of the changes to be made by the Chacoan Outliers Protection Act would be to increase the number of Chaco culture archeological protection sites from 33 to 37 and to increase the acreage of the system by 4,996 acres to 13,767 acres.

The bill also includes technical changes to the Chaco Culture National Historical Park Establishment Act to clarify that some sites lie outside the San Juan Basin, to correct the spelling of the name of the Jaquez site, and to direct that maps of the sites be filed with various agencies that have management responsibility for the sites.

These changes, which are the result of 9 years of research by Federal, State, and Indian archeologists, were recommended by the Interagency Management Group for the Chaco Culture Archeological Protection Sites, consisting of the National Park Service, the Bureau of Indian Affairs, the Bureau of Land Management, the Forest Service, the Navajo Nation, and the State of New Mexico. They also are in accordance with the 1983 Joint Management Plan for the Chaco culture archeological protection sites.

This bill is similar to S. 798 of the 101st Congress, which was approved by the Senate last year. Unfortunately, it was not acted upon by the House.

I am pleased that Senators BINGAMAN and BRADLEY are joining me as cosponsors of the Chacoan Outliers Protection Act of 1991 and that Representative RICHARDSON is introducing similar legislation in the House of Representatives.

Mr. President, the Chacoan Outliers Protection Act would preserve sites of major cultural significance for future generations and assure that the sites are protected from further degradation. These sites are part of the cultural heritage of all Americans and we must act to preserve them, for cultural resources, once lost, can never be restored or regained.

I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

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

S. 772

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 "Chacoan Outliers Protection Act of 1991".

SEC. 2. AMENDMENT OF PURPOSES.

Subsection (b) of section 501 of Public Law 96-550, relating to the Chaco Culture Archeological Protection Sites, is amended by striking "San Juan Basin;" and inserting "San Juan Basin and surrounding areas;"

SEC. 3. ADDITIONS TO ARCHAEOLOGICAL PROTECTION SITES.

Subsection (b) of section 502 of Public Law 96-550 is amended to read as follows:

"(b) Thirty-seven outlying sites are hereby designated as 'Chaco Culture Archaeological Protection Sites'. The thirty-seven archaeological protection sites totaling approximately thirteen thousand seven hundred sixty-seven acres identified as follows:

Name:	Acres
Allentown	380
Andrews Ranch	950
Bee Burrow	480
Bisa'ani	131
Casa del Rio	40
Casamero	160
Chimney Rock	3,160
Coolidge	450
Dalton Pass	135
Great Bend	26
Greenlee Ruin	60
Grey Hill Spring	23
Guadalupe	115
Halfway House	40
Haystack	565
Hogback	453
Indian Creek	100
Jaquez	26
Kin Nizhoni	726
Lake Valley	30
Manuelito-Atsee Nitsaa	60
Manuelito-Kin Hochoi	116
Muddy Water	1,090
Navajo Springs	260
Newcomb	50
Peach Springs	1,046
Pierro's Site	440
Raton Well	23
Salmon Ruin	5
San Mateo	61
Sanostee	1,565
Section 8	10
Skunk Spring/Crumbled House	533
Standing Rock	348
Toh-la-kai	10
Twin Angels	40
Upper Kin Klizhin	60."

SEC. 4. MAP.

A map entitled "Chaco Culture Archaeological Protection Sites" generally depicting the thirty-seven outlying sites shall be kept on file and available for public inspection in the office of the Headquarters of the Chaco Culture National Historical Park, the office of the State Director of the Bureau of Land Management in Santa Fe, New Mexico, the Office of the Area Director of the Bureau of Indian Affairs in Window Rock, Arizona, and the offices of the State Historic Preservation Officers of Arizona and New Mexico.*

By Mr. CHAFEE (for himself, Mr. MCCAIN, Mr. BOND, and Mr. DANFORTH):

S. 773. A bill to amend title XIX of the Social Security Act to create a new part under such title to provide access to services for medically underserved populations not currently served by federally qualified health centers, by providing funds for a new program to allow federally qualified health centers and other qualifying entities to expand such centers' and equities' capacity and to develop additional centers; to the Committee on Finance.

HEALTH CARE SERVICES TO CRITICALLY UNDERSERVED POPULATIONS

Mr. CHAFEE. Mr. President, today I join with several of my colleagues in

introducing legislation to provide critical health care services to our Nation's medically underserved populations.

In recent years we have witnessed rising concern about the problems in our health care system, and a growing number of Americans agree that the time has come to move forward with solutions. Some fear that our businesses will continue to lose their competitive edge in international markets in part because of the skyrocketing cost of providing health insurance to employees. Others are appalled at the prospect of health care costs which are projected to consume up to 25 percent of our GNP in the near future.

Still others express concern over the 30 million Americans who do not have health insurance, one third of those being children. We have attempted to address this aspect of our health care problem in recent years by increasing Medicaid coverage for our most vulnerable citizens: low-income children and pregnant women. I have been a strong supporter of these expansions. Yet, insurance, be it public or private, is of little help if providers are unavailable or unwilling to accept it.

Likewise, we all have heard about rural areas in this country where there are no physicians to deliver infants or provide prenatal care. We have heard of pregnant women coming to inner-city hospital emergency rooms in labor, having had absolutely no prenatal care. We have been shocked at the increasing number of children who are not receiving critical immunizations. Thus, often the problem is not that they are uninsured, but that there is a shortage of providers who will accept them as patients.

I firmly believe that we must strive to assure that every American has access to appropriate and affordable health care services. The proposal we are introducing today is designed to assist in achieving this goal.

This legislation creates a part B in the Medicaid Program. The purpose of this new part is to bolster existing cost-effective, high quality health care delivery systems such as community health centers, and to encourage the creation of similar entities.

Under our legislation, health centers can apply to the Secretary of Health and Human Services for funds to enhance their ability to provide health care services to those who are medically underserved. These funds can be used to increase services, recruit and train staff, purchase necessary supplies and equipment, renovate and expand facilities, and with the approval of the Secretary, expand to new sites.

Since our purpose is to get the highest quality and greatest value for our health care dollar, the vast majority of funds will go to federally qualified health centers [FQHC's]. We are focusing on FQHC's because they have a proven track record. They provide cost-

efficient primary, preventive, and acute care services.

FQHCs must be located in medically underserved areas or health manpower shortage areas. This requirement guarantees that they are located where they are most needed. They are community-based—the governing board must have at least 51 percent participation by consumers. They must provide a full range of primary and preventive care services, and they must either provide services to all who request care, or if they are at capacity, place them on a waiting list.

They are required to collect for services provided to individuals who have insurance, and charge a sliding-scale fee to uninsured individuals based on their ability to pay. Most importantly, they provide quality care; FQHC physicians must be board certified or board-eligible, and the centers must be recertified by the Secretary of HHS annually.

Who will be helped? Those who are currently underserved. Those who are eligible for public programs such as Medicaid. Even those covered by a private insurance plan. Why? Because if they live in a medically underserved area, they all have one thing in common; they may not be able to find a physician or health care provider to take them.

This legislation will cost \$2.8 billion over the next 5 years. Community health centers currently provide health care services to approximately 6 million individuals. Waiting lists at these centers average about 6 months. The National Association of Community Health Centers estimates that this proposal will allow them to serve an additional 7.5 million patients by 1996.

While the facilities eligible for these funds under our legislation are primarily FQHCs, we have included a 10 percent set aside for other organizations that meet most of the same requirements. This provision is intended to encourage local communities to redesign how care is provided to the underserved.

All too often, there is no coordination of services, and patients do not receive the most appropriate care. A prime example of this is those individuals who receive most of their health care services through hospital emergency rooms. Under this proposal, a group of providers could establish a referral center for nonemergency care. While this proposal may not be the answer to all of our system's shortcomings, it will be an important component of any comprehensive solution.

If we are serious about reforming our health care system, we must take a hard look at our existing delivery systems. We must choose the services and the providers that are delivering the most cost effective, high quality and appropriate care, and we must encourage and support them. This bill does

just that. I urge my colleagues to join with us in sponsoring this legislation.

I ask unanimous consent that a section by section analysis of the bill and the text be included in the record immediately following my remarks.

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

S. 773

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) at least 30 million Americans lack access to even the most basic health services;

(2) access to health care is especially difficult for those Americans who—

(A) live in medically underserved rural communities or inner city neighborhoods;

(B) lack public or private health insurance coverage and the ability to pay directly for care;

(C) must move for work purposes, such as migrant farmworkers;

(D) are members of minority groups, or who speak limited English; or

(E) are members of other vulnerable groups, including persons who are homeless or are high-risk pregnant women, infants and children;

(3) the consequences of poor access to health care is evidenced in elevated infant and childhood mortality rates, dangerously low childhood immunization rates, overutilization of hospital emergency rooms or other inappropriate providers of primary care services, and hospitalization rates for preventable conditions that are significantly higher than the national average;

(4) efforts to provide access to essential health care services for medically underserved Americans will not only contribute to improved health status, but will also result in less unnecessary care and reduced overall costs of health care; and

(5) the federally qualified health centers, including the community and migrant health centers which serve more than 6 million needy Americans, provide an effective and proven model for extending access to all medically underserved Americans.

SEC. 2. ESTABLISHMENT OF NEW PART UNDER THE MEDICAID PROGRAM TO PROVIDE FUNDS FOR A NEW FEDERALLY QUALIFIED HEALTH CENTERS GRANTS PROGRAM.

(a) IN GENERAL.—Title XIX of the Social Security Act is amended by inserting after the title heading the following new part title:

“PART A—PAYMENT TO STATES FOR MEDICAL ASSISTANCE”.

(b) PURPOSE.—Section 1901 of the Social Security Act (42 U.S.C. 1396) is amended—

(1) in the first sentence—

(A) by striking “and (2)” and inserting “(2)”; and

(B) by striking “self care,” and inserting “self care; and (3) grants to assist entities in providing health care services to medically underserved individuals.”; and

(2) by amending the second sentence to read as follows: “The sums made available under this section shall be used for making payments—

(A) under this part to States which have submitted, and had approved by the Secretary, State plans for medical assistance; and

(B) under part B to entities meeting the requirements under such part.”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall become effective on October 1, 1991.

SEC. 3. ESTABLISHMENT OF NEW PROGRAM TO PROVIDE FUNDS TO ALLOW FEDERALLY QUALIFIED HEALTH CENTERS AND OTHER ENTITIES OR ORGANIZATIONS TO PROVIDE EXPANDED SERVICES TO MEDICALLY UNDERSERVED INDIVIDUALS.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), as amended by the Omnibus Budget Reconciliation Act of 1990, is amended by adding at the end the following new part:

“PART B—GRANTS TO QUALIFIED ENTITIES FOR HEALTH SERVICES

“HEALTH SERVICES ACCESS PROGRAM

“SEC. 1941. (a) ESTABLISHMENT OF HEALTH SERVICES ACCESS PROGRAM.—From amounts appropriated under section 1901 of part A of this title, the Secretary shall, acting through the Bureau of Health Care Delivery Assistance, award grants under this section to federally qualified health centers (hereinafter referred to as ‘FQHC’s’) and other entities and organizations submitting applications under this section (as described in subsection (c)) for the purpose of providing access to services for medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act) or in high impact areas (as defined in section 329(a)(5) of the Public Health Service Act) not currently being served by a FQHC.

“(b) ELIGIBILITY FOR GRANTS.—(1) The Secretary shall award grants under this section to entities or organizations described in this paragraph and paragraph (2) which have submitted a proposal to the Secretary to expand such entities or organizations operations (including expansions to new sites (as determined necessary by the Secretary)) to serve medically underserved populations or high impact areas not currently served by a FQHC and which—

“(A) have as of January 1, 1991, been certified by the Secretary as a FQHC under section 1905(1)(2)(B); or

“(B) have submitted applications to the Secretary to qualify as FQHC’s under section 1905(1)(2)(B); or

“(C) have submitted a plan to the Secretary which provides that the entity will meet the requirements to qualify as a FQHC when operational.

“(2)(A) The Secretary shall also make grants under this section to public or private nonprofit agencies, health care entities or organizations which meet the requirements necessary to qualify as a FQHC except, the requirement that such entity have a consumer majority governing board and which have submitted a proposal to the Secretary to provide those services provided by a FQHC as defined in section 1905(1)(2)(B) and which are designed to promote access to primary care services or to reduce reliance on hospital emergency rooms or other high cost providers of primary health care services, provided such proposal is developed by the entity or organizations (or such entities or organizations acting in a consortium in a community) with the review and approval of the Governor of the State in which such entity or organization is located.

“(B) The Secretary shall provide in making grants to entities or organizations described in this paragraph that no more than 10 percent of the funds provided for grants under this section shall be made available for grants to such entities or organizations.

“(c) APPLICATION REQUIREMENTS.—(1) In order to be eligible to receive a grant under

this section, a FQHC or other entity or organization must submit an application in such form and at such time as the Secretary shall prescribe and which meets the requirements of this subsection.

“(2) An application submitted under this section must provide—

“(A)(i) for a schedule of fees or payments for the provision of the services provided by the entity designed to cover its reasonable costs of operations; and

“(ii) for a corresponding schedule of discounts to be applied to such fees or payments, based upon the patient’s ability to pay (determined by using a sliding scale formula based on the income of the patient);

“(B) assurances that the entity or organization provides services to persons who are eligible for benefits under title XVIII, for medical assistance under a State plan approved under this title or for assistance for medical expenses under any other public assistance program or private health insurance program; and

“(C) assurances that the entity or organization has made and will continue to make every reasonable effort to collect reimbursement for services—

“(i) from persons eligible for assistance under any of the programs described in subparagraph (B); and

“(ii) from patients not entitled to benefits under any such programs.

“(d) LIMITATIONS ON USE OF FUNDS.—(1) From the amounts awarded to an entity or organization under this section, funds may be used for purposes of planning but may only be expended for the costs of—

“(A) assessing the needs of the populations or proposed areas to be served;

“(B) preparing a description of how the needs identified will be met;

“(C) development of an implementation plan that addresses—

“(i) recruitment and training of personnel; and

“(ii) activities necessary to achieve operational status in order to meet FQHC requirements under 1905(1)(2)(B).

“(2) From the amounts awarded to an entity or organization under this section, funds may be used for the purposes of paying for the costs of recruiting, training and compensating staff (clinical and associated administrative personnel (to the extent such costs are not already reimbursed under this title or any other State or Federal program)) to the extent necessary to allow the entity to operate at new or expanded existing sites.

“(3) From the amounts awarded to an entity or organization under this section, funds may be expended for the purposes of acquiring facilities and equipment but only for the costs of—

“(A) construction of new buildings (to the extent that new construction is found to be the most cost-efficient approach by the Secretary);

“(B) acquiring, expanding, or modernizing of existing facilities;

“(C) purchasing essential (as determined by the Secretary) equipment; and

“(D) amortization of principal and payment of interest on loans obtained for purposes of site construction, acquisition, modernization, or expansion, as well as necessary equipment.

“(4) From the amounts awarded to an entity or organization under this section, funds may be expended for the payment of services but only for the costs of—

“(A) providing or arranging for the provision of all services through the entity necessary to qualify such entity as a FQHC under section 1905(1)(2)(B);

"(B) providing or arranging for any other service that a FQHC may provide and be reimbursed for under this title; and

"(C) providing any unreimbursed costs of providing services as described in section 330(a) of the Public Health Service Act to patients.

"(e) PRIORITIES IN THE AWARDING OF GRANTS.—(1) The Secretary shall give priority in awarding grants under this section to entities which have, as of January 1, 1991, been certified as a FQHC under section 1905(1)(2)(B) and which have submitted a proposal to the Secretary to expand their operations (including expansion to new sites) to serve medically underserved populations for high impact areas not currently served by a FQHC. The Secretary shall give first priority in awarding grants under this section to those FQHCs or other entities which propose to serve populations with the highest degree of unmet need, and which can demonstrate the ability to expand their operations in the most efficient manner.

"(2) The Secretary shall give second priority in awarding grants to entities which have submitted applications to the Secretary which demonstrate that the entity will qualify as a FQHC under section 1905(1)(2)(B) before it provides or arranges for the provision of services supported by funds awarded under this section, and which are serving or proposing to serve medically underserved populations or high impact areas which are not currently served (or proposed to be served) by a FQHC.

"(3) The Secretary shall give third priority in awarding grants in subsequent years to those FQHCs or other entities which have provided for expanded services and project and are able to demonstrate that such entity will incur significant unreimbursed costs in providing such expanded services.

"(f) RETURN OF FUNDS TO SECRETARY FOR COSTS REIMBURSED FROM OTHER SOURCES.—To the extent that an entity or organization receiving funds under this part is reimbursed from another source for the provision of services to an individual, and does not use such increased reimbursement to expand services furnished, areas served, to compensate for costs of unreimbursed services provided to patients, or to promote recruitment, training, or retention of personnel, such excess revenues shall be returned to the Secretary.

"(g) TERMINATION OF GRANTS.—(1)(A) With respect to any entity that is receiving funds awarded under this section and which subsequently fails to meet the requirements to qualify as a FQHC under section 1905(1)(2)(B) or is an entity that is not required to meet the requirements to qualify as a FQHC under section 1905(1)(2)(B) but fails to meet the requirements of this section, the Secretary shall terminate the award of funds under this section to such entity.

"(B) Prior to any termination of funds under this section to an entity, the entities shall be entitled to 60 days prior notice of termination and, as provided by the Secretary in regulations, an opportunity to correct any deficiencies in order to allow the entity to continue to receive funds under this section.

"(2) Upon any termination of funding under this section, the Secretary may (to the extent practicable)—

"(A) sell any property (including equipment) acquired or constructed by the entity using funds made available under this section or transfer such property to another FQHC, provided, that the Secretary shall reimburse any costs which were incurred by

the entity in acquiring or constructing such property (including equipment) which were not supported by grants under this section; and

"(B) recoup any funds provided to an entity terminated under this section.

"(h) LIMITATION ON AMOUNT OF EXPENDITURES.—The amount of funds that may be expended under this title to carry out the purposes of this part shall be for fiscal year 1992, \$200,000,000, for fiscal year 1993, \$400,000,000, for fiscal year 1994, \$600,000,000, for fiscal year 1995, \$800,000,000, for fiscal year 1996, \$800,000,000, and for fiscal years thereafter such sums as provided by Congress."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall become effective with respect to services furnished by a federally qualified health center or other qualifying entity described in this section beginning on or after October 1, 1991.

SEC. 4. STUDY AND REPORT ON SERVICES PROVIDED BY COMMUNITY HEALTH CENTERS AND HOSPITALS.

(a) IN GENERAL.—The Secretary of Health and Human Services (hereinafter referred to as the "Secretary") shall provide for a study to examine the relationship and interaction between community health centers and hospitals in providing services to individuals residing in medically underserved areas. The Secretary shall ensure that the National Rural Research Centers participate in such study.

(b) REPORT.—The Secretary shall provide to the appropriate committees of Congress a report summarizing the findings of the study within 90 days of the end of each project year and shall include in such report recommendations on methods to improve the coordination of and provision of services in medically underserved areas by community health centers and hospitals.

(c) AUTHORIZATION.—There are authorized to carry out the study provided for in this section \$150,000 for each of fiscal years 1992 and 1993.

SECTION-BY-SECTION ANALYSIS

SECTION 1: FINDINGS

Finds that: more than 30 million low-income Americans including children, women of childbearing age, migrant workers and their families, homeless persons, persons infected with HIV, working poor families and the elderly living in the community are medically underserved and lack access to basic health services; million of underserved persons are either completely uninsured or else dependent on public insurance such as Medicaid; the consequences of poor access to health care are costly and preventable disease and disability; and that federally qualified health centers (FQHCs) are an effective and proven model for extending basic health care.

SECTION 2: ESTABLISHMENT OF A NEW PART UNDER THE MEDICAID PROGRAM

Establishes a new Part B under Title XIX of the Social Security Act to fund the expansion and development of health care services provided in federally qualified health centers and other entities furnishing care to low-income and medically underserved persons. This new part of Medicaid is designed to address the problem of lack of access to services even for those eligible for Medicaid by reinforcing cost efficient, high quality providers of service.

SECTION 3: ESTABLISHMENT OF A NEW PROGRAM TO PROVIDE FUNDS TO FEDERALLY QUALIFIED HEALTH CENTERS AND OTHER ORGANIZATIONS

(a) General: Establishes a new section under part B of Medicaid to finance grants to FQHCs and other qualified entities and organizations.

(b) Eligibility: Grants may be given to expand the services provided in existing FQHCs qualified under Section 1905(1)(2)(B) of the Act as well as entities that have applied to qualify as FQHCs; and to establish new FQHCs where none (or an inadequate number) now exist.

Also permits the Secretary to use up to 10 percent of funds available under part B in any Fiscal year to finance the expansion or development of primary health service programs by public or private non/profit organizations and agencies which are located in (or serving) medically underserved areas and populations and which meet all service requirements and assurances for qualification as FQHCs other than consumer-majority governing board requirements.

Requires that in awarding funds to new and existing grantees the Secretary shall include funds for needs assessment, service development, recruitment and retention of personnel, and the unreimbursed cost of furnishing services to patients which are made available once service development funds have been provided under the program.

(c) Applications Requirements: Requires that FQHCs eligible to apply for grants under Section (b) to meet certain requirements including: maintenance of schedule of charges for services, and a charge discount system based on patients ability to pay; participation in Medicare and Medicaid; and maintenance of a system for collecting reimbursement for services from public and private insurers.

(d) Limitations: Limits use of funds to: needs assessment and planning; service development; recruitment and training of personnel; activities necessary to achieve operating status; acquiring, expanding or modernizing sites and other capital related costs (as approved by the Secretary); and coverage of unreimbursed costs of providing services attributable to program expansion or implementation supported by grants made under the program.

(e) Priorities: In awarding grants under the program, the Secretary shall give priority to qualified FQHCs as of January 1, 1991, with highest priority to those FQHCs proposing to expand activities to populations with the highest degree of unmet need. Second priority is to be given to those entities which assure that they will qualify as FQHCs when operational.

(f) Return of Funds: Requires entities and FQHCs receiving funds under the program to return excess revenues to the Secretary or else have excess revenues charged against subsequent grants.

(g) Termination: Requires the Secretary to terminate grants of entities that fail to meet funding requirements under this part.

(h) Limitation on Expenditures: Limits expenditures under part B to \$200 million in FY 1992, \$400 million in FY 1993, \$600 million in FY 1994, and \$800 million in FY 1995 and \$800 million in FY 1996.

SECTION 4: STUDY

Authorizes a study on the relationship between community health centers and hospitals, in meeting the needs of medically underserved areas, both rural and urban. The study shall evaluate the recommendations as to improve their coordination.

Mr. DOMENICI. Mr. President, before the distinguished Senator from Rhode Island, Mr. CHAFEE, leaves the floor, I wonder if he would answer one question for me and permit me, if the answer is what I think it is, to make an observation regarding his bill.

Is this the bill wherein the Senator attempts to significantly increase the community health center health delivery system by moving that over to an entitlement and over the long run increase the capacity of that program?

Mr. CHAFEE. That is right. What we have done, as the distinguished Senator knows—and he has been a great supporter of community health centers—we provide grants to pay for the operation of these centers, but grant dollars cannot be used for capital expansions. So we have established, under the Medicaid Program, a part B, through which these centers would receive funds for training and recruitment of personnel for capital investment, and expansion of the current number of community health centers.

Mr. DOMENICI. Mr. President, let me just say to the Senator from Rhode Island, about 2 years ago I did an economic evaluation of the community health center service delivery system, and I was startled. I found that of all of the public efforts to deliver health care to those who are unfortunate and needy, none comes even close to delivering health care of a primary nature, not hospital care but health care, to the poor that is of a higher quality at a lower rate and lower cost to the taxpayer than this program. I found, for about \$500 million a year, we are taking care of in excess of 7.5 million of the unfortunate people in this country.

This program is an interesting one because it came along under Lyndon Johnson's poverty programs and, though few of them have remained, this one has stayed in place. I had the privilege of saving it in 1981 from the Block Grant Program. Personally, I had observed it as mayor of our city, Albuquerque, and I thought we should save it. I did everything I could, and I think in the waning months of a conference I said, why do we not leave it freestanding? It has its share of management problems, as do all programs of this type. But if we are looking for a system that currently is in place with thousands of health professionals delivering to millions of Americans primary care at a very low per unit of care, this is it.

The reason I am not on the bill that the Senator introduced, although I was heard to say 2 years ago that the reason the program has not grown is because it is an appropriated account and we have not had enough money, if it were an entitlement, I said, it would probably already be taking care of many more of our poor people.

The good Senator from Rhode Island has built on that notion. As I under-

stand it, he is putting a portion of that program in as an entitlement, and thus it will get some automatic Medicaid funding. I do not quite understand the mechanics, but I was not prepared yet to be part of a new entitlement program. Because of the budget process and the fact we have to pay for new programs that are entitlements, I told the Senator I would say something positive about his measure, and I think I have. I will continue to be very positive about community health centers as a health delivery system for the poor on the primary health side.

I told the Senator from Rhode Island that if he would prepare a multiyear reauthorization of an expanded community health center proposal with some public training of our doctors, which is already on the books, expand that, I would put that in perhaps 2 weeks from now, and the Senate would have an opportunity to look at both approaches, expanding it under the current appropriated account mechanism, with more emphasis on training doctors for the public service through our public health training corps, and we will get an opportunity in this next year or year and a half to see if, some way or another, this system does not fit into the health delivery expansion that we want to do in Congress. If we choose one of these two approaches, we will, indeed, take care of many of our poor people in the most economic way. I am not sure we should do it all this way, but certainly more than today would be an appropriate way to begin to address the problem.

So I thank the Senator for his diligence and the efforts that he puts forth here today and I hope some good will come from it.

Mr. CHAFEE. Mr. President, I will be very brief. I thank the Senator from New Mexico, who has long been active in his support for the community health centers.

One of the reasons I am bringing this legislation before the Senate today is, yes, I am a strong advocate for these centers.

I think it is great. It will be a great achievement if we can accomplish it. But I also want to bring to the Senate's attention the community health centers. Not enough Senators, I believe, are aware of the great service that these community health centers provide, and the cost effectiveness of them. Many say, well, you have the emergency rooms and hospitals.

For an individual to receive preventive care or primary care in a hospital emergency room is just not the most appropriate setting. It is terribly expensive to serve that individual, and all too often they are not able to properly serve that individual because they are crowded, and they are involved with other true emergencies.

So the proper way to go is an expansion of these community health cen-

ters. We have 14 in my State, all providing tremendous services to the low-income and otherwise underserved populations. As I say, all too often we have people with insurance—it might be Medicaid, Medicare—but there is not an adequate number of physicians in what we call underserved areas. This must be true in many of the rural areas of the country likewise.

Mr. President, I hope that this proposal that I have brought forward will receive a thorough consideration. Certainly, I am going to do everything I can to seek its approval. I thank the Chair.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

• Mr. DANFORTH. Mr. President, I rise today in support of Senator CHAFEE's legislation. This bill focuses on an issue of grave importance to all of us: Providing access to needed medical care for low income individuals. Presently, there are between 31 million and 37 million people in this country without any health insurance at all. This is a tragedy which cannot be tolerated.

Community health centers are a proven model for extending care to those in need. They do so in a cost effective, low-tech manner, and they focus on early detection and prevention. For every dollar spent on a Medicaid patient in a community health center, the Government saves \$1.61. This is a startling statistic which reveals that money spent on community health centers is invested wisely. In Missouri alone, community health centers served 122,536 people in 1989. Sixty-three percent of these people were uninsured, and therefore, community health centers are a major force in caring for the 617,000 Missourians who lack health insurance.

For these reasons, I support Senator CHAFEE's proposal for a capped entitlement. These funds will give grants under a new part B of Medicaid for the development and expansion of community health centers. I believe that it is wise health policy to redirect resources now spent in other more wasteful ways to community health centers where these funds will be spent cost-effectively.

Mr. President, I used the word "redirect" purposefully because I do not believe that this country needs or can afford to spend any more of its resources on health care. Almost every other developed nation in the world insures that all of its citizens are insured at a cost far below that of the United States. In 1987, we spent over \$500 billion on health care. Half a trillion dollars was close to 11.2 percent of our gross national product [GNP]. Last year, it is estimated that we spent \$660 billion, and this was close to 11.9 percent of our GNP. The Health Care Financing Administration estimates that

this percentage will leap to 15 percent by the year 2000. The United States spends more money and covers less of its citizens than most of our developed neighbors. Our health care system is broken and badly needs repair.

Under the leadership of the distinguished Senator from Rhode Island, a group of Senators have been meeting once a week for months to discuss the issue of health care reform. One of the principal purposes of this group is to focus on the need to contain health care costs. In fact, the theory of the group, and one of the reasons that I have been an enthusiastic member, is the collective realization that we have spent enough on health care. We need to restructure the system in order to cover those most in need. It is easy to think up ideas on how to spend more on health care. The tough choices will be in how to limit this spending, how to restructure the system so as to cover everyone for the same aggregate amount that we spend now.

In the context of spending the same aggregate amount on health care, I enthusiastically support the concept of placing more resources in Federal Qualified Community Health Centers. By definition, community health centers are located in underserved areas where people are isolated from medical care because of geographic, financial, or cultural barriers. These centers truly represent community values because they are governed by community boards. Services are available to all with charges based upon one's ability to pay, and most importantly from my perspective, health centers provide low-tech, primary services. I believe that a bias against primary services has developed in our health care system, and we must struggle against an overemphasis on expensive, state-of-the-art technology.

For 25 years, community health centers have been providing primary care for almost one-fourth of the medically needy in this country. Forty nine percent of community health center patients are uninsured. Therefore, community health centers are truly on the front line of our society's effort to take care of the 37 million people without insurance. If we are trying to address the problem of the uninsured in this Nation, then placing resources into those institutions which have been shouldering the burden of the uninsured for 25 years seems to be a wise expenditure.

I congratulate the Senator from Rhode Island for his leadership in the Republican Health Task Force and for his sponsorship of this needed legislation. I hope that this bill will be one segment of a broader effort to restructure our health care system in a manner that contains cost while spreading access to those in need.●

By Mr. BREAUX (for himself and Mr. JOHNSTON):

S. 774. A bill to amend the Solid Waste Disposal Act to provide for State management of solid waste; to reduce and regulate the interstate transportation of solid wastes; and for other purposes; to the Committee on Environment and Public Works.

STATE REGULATION AND MANAGEMENT OF SOLID WASTE ACT

● Mr. BREAUX. Mr. President, every day the average American throws away 3.5 pounds of trash. By the end of this year, Americans will throw away 160 million tons of waste. Since very few communities have enacted recycling programs, currently only 11 percent of our solid waste is recycled, the majority of our waste goes directly into landfills which are perilously close to capacity in most States.

In fact, since the late 1970's over two-thirds of our Nation's landfills have been shutdown. At the same time as landfill space is running out, local opposition to the siting of landfills and other solid waste facilities is increasing. This is the so called not in my backyard syndrome or NIMBY. As a means to keep landfills from filling up to fast, some communities have doubled fees that private garbage haulers have to pay for right to dump trash in the landfill. The result is that more waste is being shipped to other States for disposal. At least 28,000 tons of garbage travels our Nation's highways every day in route from cities in New York, Pennsylvania, and New Jersey to other parts of our country.

An example of this occurred in 1989 in my State of Louisiana when a 63 car train load of sewage sludge from the city of Baltimore found its way to several small Louisiana towns for disposal. The citizens of Shriever, Labadieville, and Donaldsonville rightfully did not want this foul smelling cargo which was eventually accepted by a landfill in another State. Who could blame any community for rejecting such a train? It sometimes seems that Louisiana which is known as the sportsman's paradise, is in danger of becoming the dumper's paradise. I feel very strongly that Louisiana and other States should not be forced to become the dumping ground for the rest of the Nation, particularly when they are taking care to site and maintain solid waste disposal facilities.

Traditionally, the responsibility for garbage disposal has rested with State and local Governments—but the State's ability to care for its citizens is undermined by the current system. For example, in Louisiana parishes are trying to site landfill capacity, but at the same time, a privately owned solid waste disposal facility is accepting waste from Baltimore. Private contractors can agree to accept out-of-State waste from anywhere in the country

with the State having little say in the matter.

Many States resent their status as a dumping ground for other State's garbage, and rightfully so. States are beginning to establish legal barriers to the importation of solid waste from another State. Such barriers include refusing waste from States that fail to sufficiently address their own waste disposal problems and the charging of higher fees on out-of-State waste. The legal status of such State-imposed barriers is questionable.

A 1978 Supreme Court case, *City of Philadelphia versus New Jersey*, held that a New Jersey State law banning out-of-State waste from being disposed of within that State was unconstitutional as a violation of the interstate commerce clause of the Constitution. The Court found that although, relatively valueless, trash is commerce. The intent of the New Jersey law was to conserve its landfill space. However, the court found that the means New Jersey chose to preserve that space burdened out-of-State commercial interests. And, under the commerce clause, the States are restricted in their ability to regulate interstate commerce when such regulation places an "undue burden" on that commerce.

The Philadelphia case makes clear that a State, acting on its own, may not unduly burden interstate commerce by banning the importation of out-of-State waste. Congress, on the other hand, is specifically given the authority under the Constitution to regulate interstate commerce. This authority is broad and far reaching, and Congress may use it to authorize State imposed bans on waste shipments.

Mr. President, it is time to get the garbage crisis under control. Waste should not be moving long distances between States, creating potential health hazards, unpleasant odors, noise, increased traffic and impeding the ability of States to effectively manage their own wastes. A State should continue to have the primary responsibility to care for its citizens by assuring solid waste management capacity. Congress must provide the means by which a State can assure its solid waste management needs are met.

Therefore, I am introducing legislation which will require each State to develop a solid waste management plan. This bill is similar to legislation I introduced in the 101st Congress. The plan submitted by each State will project how the State will manage solid waste generated within its borders for 20 years. The plan must demonstrate that solid waste will be managed in accordance with the following priorities: The State must first take steps to reduce the amount of waste generated within its borders; next, the State must encourage recycling, energy and resource recovery; and only as a final option, should the State con-

sider landfills, incinerators, and other options of disposal. The State will be required to demonstrate that it complies with the waste management hierarchy and has issued all appropriate permits for capacity sufficient to manage the solid waste for rolling 5-year periods. The Federal Government, working with the State, will be required to provide technical and financial assistance to local communities to meet the requirements of the plan. The plan shall also provide that if the State accepts out-of-State waste, such waste will be managed in accordance with the plan and shall be accepted only if doing so will not impede the ability of the State to manage its own solid waste.

A State with an approved plan will then have the authority to refuse to accept out-of-State waste for purposes of solid waste management, other than for transportation, and to charge higher fees on out-of-State waste based on the origin of such waste. Half of the proceeds from the out-of-State fees will go to the locality where the garbage is being disposed and may only be used for solid waste management activities.

By giving the States with approved solid waste management plans the authority to exclude out-of-State waste, I expect the States to be better equipped, through providing and utilizing solid waste management capacity, to develop the capability to effectively manage its own wastes within its borders. I expect this power to be exercised to discourage garbage exports as a disposal practice and to encourage each State to manage its own solid waste. The interstate barriers will be particularly helpful in encouraging States to make significant strides toward minimizing the amount of waste generated within their borders and to increasing recycling efforts since waste exports will be a less attractive waste management option.

Mr. President, the interstate war over garbage is on going. Congress needs to take clear and decisive action to give the States the powers they need to protect Americans from public health threats associated with interstate shipment of solid waste.●

By Mr. CRANSTON (for himself, Mr. DECONCINI, Mr. ROCKEFELLER, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. THURMOND, and Mr. JEFFORDS):

S. 775. A bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

VETERANS COMPENSATION COST-OF-LIVING
ADJUSTMENT ACT

● Mr. CRANSTON. Mr. President, as the chairman of the Committee on Veterans' Affairs, I am introducing today S. 775, the proposed Veterans Com-

pensation Cost-of-Living Adjustment Act of 1991. I am joined in doing so by a bipartisan group of Veterans' Affairs Committee members—Senators DECONCINI, ROCKEFELLER, GRAHAM, AKAKA, DASCHLE, THURMOND, and JEFFORDS.

I am especially pleased to note that this is the first veteran's bill that my good friend, TOM DASCHLE, has cosponsored since becoming the newest member of our committee. Senator DASCHLE, who was an active member of the Veterans' Affairs Committee in the House, already has played an important role in significant veterans' legislation in the Senate, such as the landmark agent orange law we enacted February 6 of this year. I and the other members of the committee welcome the Senator from South Dakota and look forward to working with him.

Mr. President, this bill would require the Secretary of Veterans Affairs to increase, effective December 1, 1991, the rates and limitations for compensation paid to veterans with service-connected disabilities and for dependency and indemnity compensation [DIC] paid to the survivors of certain service-connected disabled veterans by the same percentage as the increase that will be made in Social Security and VA pension benefits. The compensation COLA would become effective on the same date as the increase for those benefits takes effect.

At this time, the Congressional Budget Office estimates that the COLA will be 5.3 percent. This is a preliminary estimate, though, and I expect the actual increase will be revised from this estimate. The President's budget estimated at the beginning of February that the increase will be 5.2 percent. The Congressional Budget Office estimates that a 5.3-percent COLA would cost \$486 million in budget authority and \$438.3 million in outlays.

Mr. President, we have a fundamental obligation to address the needs of the 2.2 million service-disabled veterans and 320,952 survivors who depend on these compensation programs. The needs and concerns of these veterans and survivors are uniquely related to service to our Nation, and addressing their needs continues to be my No. 1 priority in veterans' affairs. In my 21 years in the Senate, I consistently have led the effort to provide COLA's in compensation and DIC benefits in order to ensure that the value of these top-priority service-connected VA benefits is not eroded by inflation. Most recently, Congress enacted Public Law 102-3 on February 6, 1991, providing a 5.4-percent increase in these same benefits for the current fiscal year, effective January 1, 1991.

I am proud that Congress has provided annual increases in these rates every fiscal year since 1976 and I urge my colleagues to continue to support these regular increases.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

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

S. 775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASES.

(1) IN GENERAL.—(1) The Secretary of Veterans Affairs shall, as provided in paragraph (2), increase, effective December 1, 1991, the rates of and limitations on Department of Veterans Affairs disability compensation and dependency and indemnity compensation.

(2)(A) The Secretary shall increase each of the rates and limitations in sections 314, 315(1), 362, 411, 413, and 414 of title 38, United States Code, that were increased by the amendments made by the Veterans' Compensation Amendments of 1991 (Public Law 102-3; 105 Stat. 7). The increase shall be made in such rates and limitations as in effect on November 30, 1991, and shall be by the same percentage that benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1991, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(B) In the computation of increased rates and limitations pursuant to subparagraph (A), amounts of \$0.50 or more shall be rounded to the next higher dollar amount and amounts of less than \$0.50 shall be rounded to the next lower dollar amount.

(b) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(c) PUBLICATION REQUIREMENT.—At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1991, the Secretary shall publish in the Federal Register the rates and limitations referred to in subsections (a)(2)(A) and (b) as increased under this section.●

● Mr. ROCKEFELLER. Mr. President, I am proud to be an original cosponsor of the Veterans Cost-of-Living Adjustment [COLA] Act of 1992. This is important legislation that reaffirms our country's commitment to our veterans.

Recent events in the Persian Gulf have reminded us of the enormous debt of gratitude that our Nation owes the veterans returning from the Operation Desert Storm, and all veterans who have bravely served our country in the Armed Forces.

As a member of the Senate Veterans' Affairs Committee, I feel privileged to work on veterans' issues. Over the years, I have fought hard for measures to strengthen veterans' health care programs and pushed for initiatives on veterans' employment and retraining. Our committee will face some chal-

lenges in preparing the VA to meet the changing needs of veterans in the 21st century. On the health care side, we must look ahead toward the special needs for our aging veterans population. We need to be ready and able to provide compassionate options to meet increasing demands of long-term care, including strengthening home care programs. Training programs for veterans, like training programs for all Americans, must be more flexible to respond to the rapid changes in our modern workplace. Our veterans need to learn new skills which will enable them to find jobs now, and to be adapt to new technologies so that they will have jobs in the future as well. These are bold challenges that we must address.

But we also need to be watchful on a basic issue—the cost-of-living adjustments [COLA] for our disabled veterans. I believe it is important each year for Congress to review this need and to act on legislation to provide a COLA to help veterans keep pace with the cost of living.

Last year, Congress unfortunately adjourned before enacting the veterans' COLA. This was a mistake. Recognizing the importance of this issue, the first bill introduced in the Senate by Majority Leader MITCHELL was legislation for the veterans' COLA, and I was proud to be an original cosponsor of this bill. Congress acted swiftly and by February 6, 1991, the President signed legislation providing the COLA for veterans.

Our veterans will be receiving their COLA in their April benefit check. The COLA will be retroactive to January 1, 1991.

This year, I am strongly supporting the COLA legislation because I want to ensure that Congress takes the action required to provide our veterans with their COLA in a timely manner. Our veterans truly deserve it.●

By Mr. KENNEDY:

S. 776. A bill to require that humanitarian assistance to Cambodia be provided through international organizations and private and voluntary organizations and to prohibit assistance to combat forces seeking to overthrow the Government of Cambodia; to the Committee on Foreign Relations.

ANTI-KHMER ROUGE ACT

Mr. KENNEDY. Mr. President, the events of the past 8 months in the Persian Gulf make it more important than ever to review our policy in other parts of the world to ensure that we are working with, and not against, the forces of freedom. One area where our policy is clearly contrary to that goal is in Cambodia.

In fact, current United States policy toward Cambodia is still supporting the genocidal Khmer Rouge in their bid to seize control of that country. By continuing to fund the non-Communist military forces of Prince Norodom

Sihanouk and Son Sann in their struggle to overthrow the Hun Sen government, the United States is paving the way for the militarily powerful Khmer Rouge to return to power.

This policy is senseless and indefensible.

The gulf war has taught America two vital lessons. First, that the United States should not pursue a policy that supports the forces of tyranny and brutality. Second, that we should not underestimate the ruthlessness of an aggressive military force that is seeking to expand its power.

During Pol Pot's brutal reign of terror between 1975 and 1979, nearly a third of the Cambodian population was murdered. During the past year, the Khmer Rouge have been pursuing a military strategy similar to the one that enabled them to take Phnom Penh in 1975. Terrorist attacks against civilians have been stepped up and supply routes have been choked—with the result that food and medical supplies are in short supply across the country.

Last August, the permanent members of the United Nations Security Council agreed to a framework for a comprehensive political settlement for Cambodia under which the United Nations would supervise disarmament and the country's administration and hold elections.

While we are all hopeful that a peaceful resolution will be forthcoming under this plan, there is no guarantee that this will occur. And every day we continue supporting the war in Cambodia, we contribute to the deaths of innocent civilians and the return of Pol Pot back to power. It is time to end our support for the war, before this impoverished country loses its ability to escape the Khmer Rouge.

Earlier this month, the administration released a report on military cooperation between the non-Communist resistance and the Khmer Rouge. This report is particularly important because current law requires the President to terminate United States assistance to any Cambodian organization that he determines is cooperating tactically or strategically with the Khmer Rouge in military operations.

Regrettably, the administration's report is an inexplicable whitewash. The administration acknowledges reports of tactical cooperation and military coordination between the non-Communist resistance and the Khmer Rouge, but downplays the significance of this cooperation and then fails to make a formal determination that such cooperation occurred.

The report's conclusion bears no relation to the evidence presented—or to the large amount of additional evidence of military cooperation which the administration failed to include in the report. Moreover, although the administration cites coordinated military activities, it refuses to apply the

law requiring the President to terminate U.S. assistance.

The concept of a non-Communist resistance as an autonomous military entity fighting a civil war independently of the Khmer Rouge is a fiction. All three rebel groups are funded by China. All three are fighting to overthrow the Phnom Penh government, and they support and benefit from each other's military offensives.

Moreover, even if the rebel groups were autonomous military entities, the United States would have no business funding the non-Communist resistance, since their military victory would inevitably lead to a Khmer Rouge government. Any support for the military defeat of the Hun Sen government is counterproductive.

Democratic elections need to be held in Cambodia. But if the Hun Sen government falls, the Khmer Rouge will return to power, and that result would be the worse of all possibilities in Cambodia.

The Foreign Operation Act for fiscal year 1991 provides \$20 million for humanitarian and development assistance for Cambodians. Of this, \$7.5 million is for non-lethal assistance to the non-Communist resistance. About \$12 million is reserved for economic and humanitarian assistance for Cambodians after a needs assessment by the Agency for International Development.

As the Khmer Rouge and the non-Communist resistance continue their offensive, Cambodian civilians suffer the heaviest casualties. Every day, men, women, and children are killed by the rebels or are maimed by land mines. The rebels' terrorist campaign against the civilian population resulted in thousands of casualties last year alone.

In the past, AID has used humanitarian and economic assistance to develop districts in Cambodia under the control of the non-Communist resistance. This aid has excluded other districts not under the control of the non-Communists.

To avoid this inequality, funding for humanitarian assistance should be distributed to international and private and voluntary organizations working in Cambodia. In addition, the services rendered by these organizations should be provided to civilians in all parts of the country.

The measure we are introducing today would help to stave off the Khmer Rouge and assist the civilian victims of Cambodia's tragic civil war.

The legislation has two central components.

First, it would terminate all assistance to entities seeking to overthrow the Government of Cambodia by force.

Second, it would require humanitarian assistance earmarked for Cambodia to be provided through international and private voluntary organi-

zations. In addition, it would require that such assistance be used to maximize relief for civilian victims of the civil war in all parts of the country, irrespective of their political beliefs. Isolated districts would not be selected for enhanced assistance that is not provided to other districts with the same needs.

The legislation would become effective 30 days after enactment into law.

The United States should lose no time in responding to the current situation in Cambodia. If we want to ensure that the Khmer Rouge do not return to power, and if we are sincere in our concern for the civilian victims of this tragic civil war, we should make certain that our policies are not undermining the very people we are seeking to protect.

It is time to terminate United States policies toward Cambodia which assist the genocidal Khmer Rouge in their efforts to regain control over that war-torn country. Let us put ourselves on the side of freedom and liberty for the Cambodian people.

By Mr. KOHL:

S. 777. A bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage revenue bond financing; to the Committee on Finance.

MORTGAGE REVENUE BOND FINANCING

• Mr. KOHL. Mr. President, I rise today to introduce legislation that will help Wisconsin and several other States extend one of our most successful veterans programs to Persian Gulf war participants and others. This bill will amend the eligibility requirements for mortgage revenue bond financing for State veterans housing programs.

Wisconsin uses this tax-exempt bond authority to assist veterans in purchasing their first home. Under rules adopted by Congress in 1984, this program excluded from eligibility veterans who served after 1977 or who had been out of service for more than 30 years. This bill would simply remove those restrictions.

Wisconsin and the other eligible States simply want to maintain a principle that we in the Senate have also strived to uphold—that veterans of the Persian Gulf war should not be treated less generously than those of past wars. This bill will make that possible.

Finally, Mr. President, I'd like to thank the Wisconsin Department of Veterans Affairs for their assistance on this bill, as well as my colleague, Congressman JIM MOODY, who introduced identical legislation in the House, H.R. 1250.

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

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

S. 777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (4) of section 143(1) of the Internal Revenue Code of 1986 (defining qualified veteran) is amended to read as follows:

“(4) QUALIFIED VETERAN.—For purposes of this subsection, the term ‘qualified veteran’ means any veteran who meets such requirements as may be imposed by the State law pursuant to which qualified veterans’ mortgage bonds are issued.”

*(b) The amendment made by subsection (a) shall apply to obligations issued after the date of the enactment of this Act.**

By Mr. GORE (for himself and Mr. HOLLINGS) (by request):

S. 778. 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 Commerce, Science, and Transportation.

NASA AUTHORIZATION ACT

• Mr. GORE. Mr. President, I am today introducing, by request, the National Aeronautics and Space Administration Authorization Act for Fiscal Year 1992. I am joined by the distinguished chairman of the Committee on Commerce, Science, and Transportation, Senator HOLLINGS.

Mr. President, throughout the last year NASA has come under a great deal of scrutiny by the Congress, the media, and the American people. Very simply, after a series of postponed launches of the space shuttle and the Hubble Space Telescope debacle last summer, the U.S. space program has lost some of the luster that it gained during the successful missions of earlier years.

In an effort to help put the space program back on track, Norm Augustine was selected last year to lead the Advisory Committee on the Future of the U.S. Space Program. The resulting report detailed a broad-brushed approach for returning the civil space program back to a level of national pride and international preeminence. While calling for a balanced space program, the Advisory Committee's report clearly established space science as the having the highest priority, maintained at or above the current fraction of the NASA budget. Other recommendations called for a strong “Mission to Planet Earth,” focusing on environmental measurements, a “Mission from Planet Earth,” with the long-term goal of human exploration of Mars, a significantly expanded technology development program, and development of a new, unmanned heavy-lift launch system.

The Advisory Committee reached a number of other important conclusions and recommendations, but foremost was the call for real growth in NASA's annual budget of 10 percent. While this

was the desired objective, the members of the Advisory Committee recognized that fiscal limitations could limit the availability of funding of this magnitude for NASA programs. Thus, they urged that space exploration activities, including future missions to the Moon and Mars, be conducted on a “go as you pay” approach, placing this on a lower priority basis than NASA's space science missions.

This legislation, which would provide authority to carry out the President's fiscal year 1992 budget request for NASA, reflects the administration's response to the recommendations of the Augustine Committee report. The budget calls for a total of \$15.754 billion for NASA in fiscal year 1992, an increase of nearly \$1.9 billion over the current fiscal year. The majority of these funds have been requested to support on-going programs, including the restructured Space Station Program, continued flight of the Space Shuttle fleet, a strong aeronautics program, and continued development of a variety of space science and applications missions, including those related to the “Mission to Planet Earth.”

The President's bill also requests funds to begin two new programs, the new launch system, a joint NASA/DOD expendable launch vehicle expected to be available by the turn of the century, and a recoverable life sciences satellite, known as Lifesat, intended to define radiation protection requirements for the long-term habitation and exploration of space. Another new item in the fiscal year 1992 budget is the Assured Shuttle Availability Program, an effort to focus funds to high priority improvements in the space shuttle. This effort will help enable NASA to enhance shuttle safety and operational efficiency, particularly important as NASA attempts to increase the number of flights to 9 in fiscal year 1992 and fiscal year 1993, to a maximum of 10 flights by fiscal year 1993.

Mr. President, we all agree on the importance of a budget that will support a strong civil space and aeronautics program for the United States. And the President's budget request for fiscal year 1992 for NASA, with a 13.6-percent increase, is very ambitious. Unfortunately, it comes at a time when new funds available for the coming fiscal year have been made scarce by last year's budget agreement and will be hard to obtain for NASA.

As chairman of the Science, Technology, and Space Subcommittee, I look forward to beginning our series of hearings on the NASA budget request shortly after the Easter recess. It is my sincere hope that through these hearings, we can begin to develop a plan for NASA to continue its space science, technology, and exploration programs. I hope that we can then move quickly to consideration of an authorization bill by the Commerce Committee, in

order that the policies and priorities established in our bill can be incorporated into the appropriations bill when it is drafted later this summer.

Mr. President, the Congress has an unusual opportunity this year to shape the future of the U.S. Space Program. As I mentioned earlier, the Augustine Committee has offered a series of recommendations for the future direction of the civil space program. Yet, those recommendations may not fit into the funding profile available to NASA, as it was established by last year's budget agreement. It is therefore incumbent upon the Congress to determine the appropriate manner in which those program recommendations are prioritized into a more limited funding profile. Such guidance is essential if we are to ensure program stability, which is critical to NASA's future.

Mr. President, I appreciate the opportunity to make this brief statement. Before concluding, I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD at the end of my statement, and as well that a summary of the major provisions, prepared by NASA, be included following the bill.

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

S. 778

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FISCAL YEAR 1992 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION

SEC. 101. That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1991:

(a) For "Research and development," for the following programs:

- (1) Space Station Freedom, \$2,028,900,000;
- (2) Space transportation capability development, \$879,800,000;
- (3) Physics and astronomy, \$1,140,600,000;
- (4) Life sciences, \$183,900,000;
- (5) Planetary exploration, \$627,300,000;
- (6) Space applications, \$982,800,000;
- (7) Technology utilization, \$32,000,000;
- (8) Commercial use of space, \$118,000,000;
- (9) Aeronautical research and technology, \$591,200,000;
- (10) Transatmospheric research and technology, \$72,000,000;
- (11) Space research and technology, \$421,800,000;
- (12) Safety, reliability and quality assurance, \$33,600,000;
- (13) Tracking and data advanced systems, \$22,000,000;
- (14) Academic Programs, \$64,600,000;

(b) For "Space flight, control and data communications," for the following programs:

- (1) Space Shuttle production and operational capability, \$1,288,900,000;
- (2) Space transportation operations, \$3,023,600,000;
- (3) Expendable launch vehicles, \$341,900,000;
- (4) Space and ground network, communications and data systems, \$953,899,796 of which \$32,674,796 shall be used only for the purpose of reducing all outstanding debt to the Fed-

eral Financing Bank, for the Tracking and Data Relay Satellite System (TDRSS) loan;

(c) For "Construction of facilities," including land acquisition, as follows:

- (1) Construction of Space Station Processing Facility, Kennedy Space Center, \$35,000,000;
- (2) Modification for Earthquake Protection, Downey/Palmdale, CA, Johnson Space Center, \$4,400,000;
- (3) Modifications for Safe Haven, Vehicle Assembly Building, High-Bay 2, Kennedy Space Center, \$7,500,000;
- (4) Rehabilitation of Crawlerway, Kennedy Space Center, \$3,000,000;
- (5) Restoration of Shuttle Landing Facility Shoulders, Kennedy Space Center, \$4,000,000;
- (6) Restoration of the High Pressure Gas Facility, Stennis Space Center, \$6,500,000;
- (7) Construction of Addition for Flight Training and Operations, Johnson Space Center, \$13,000,000;
- (8) Construction of Advanced Solid Rocket Motor Program Facilities (various locations), \$150,000,000;
- (9) Modernization of Industrial Area Chilled Water System, Kennedy Space Center, \$4,000,000;
- (10) Rehabilitation and Expansion of Communications Duct Banks, Kennedy Space Center, \$1,400,000;
- (11) Replace 15 KV Load Break Switches, Kennedy Space Center, \$1,300,000;
- (12) Repair Site Water System, White Sands Test Facility, \$1,300,000;
- (13) Replace Central Plant Chillers and Boiler, Johnson Space Center, \$5,700,000;
- (14) Modifications to X-Ray Calibration Facility (XRCF), Marshall Space Flight Center, \$5,200,000;
- (15) Restoration and Modernization of High Voltage Distribution System, Goddard Space Flight Center, \$7,000,000;
- (16) Construction of Earth Observing System Data Information System Facility, Goddard Space Flight Center, \$17,000,000;
- (17) Modernization of Main Electrical Substation, Jet Propulsion Laboratory, \$5,500,000;
- (18) Restoration of Utilities, Wallops Flight Facility, \$3,500,000;
- (19) Repair and Modernization of the 12-foot Pressure Wind Tunnel, Ames Research Center, \$25,000,000;
- (20) Upgrade of Outdoor Aerodynamic Research Facility, Ames Research Center, \$3,300,000;
- (21) Modernization of 16-foot Transonic Tunnel, Langley Research Center, \$3,400,000;
- (22) Modifications to the High Pressure Air System, Langley Research Center, \$11,700,000;
- (23) Rehabilitation of Central Air System, Lewis Research Center, \$5,600,000;
- (24) Rehabilitation of Icing Research Tunnel, Lewis Research Center, \$2,600,000;
- (25) Construction of Data Interface Facility, White Sands Test Facility, \$4,000,000;
- (26) Rehabilitation of Tracking and Data Relay Satellite System (TDRSS) Ground Terminal, White Sands Test Facility, \$5,700,000;
- (27) Repair of facilities at various locations, not in excess of \$1,000,000 per project, \$31,700,000;
- (28) Rehabilitation and modification of facilities at various locations, not in excess of \$1,000,000 per project, \$34,800,000;
- (29) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$750,000 per project, \$12,900,000;
- (30) Environmental compliance and restoration, \$36,000,000;

(31) Facility planning and design, not otherwise provided for, \$34,000,000;

Because of changes to the Davis-Bacon Act, the total amount authorized for subsections (1) through (29) is reduced by \$5,700,000.

(d) For "Research and program management," \$2,452,300,000;

(e) For "Inspector General," \$14,600,000;

(f) Notwithstanding the provisions of subsection 101(i), appropriations hereby authorized for "Research and development" and "Space flight, control and data communications" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" and "Space flight, control and data communications" pursuant to this act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$750,000, unless the Administrator or the Administrator's designee has notified the Committee on Science, Space and Technology of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate, of the nature, location, and estimated cost of such facility.

(g) When so specified and to the extent provided in an appropriation Act, (1) any amount appropriated for "Research and development," for "Space flight, control and data communications" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) contracts may be entered into under "Inspector General" and under "Research and program management" for maintenance and operation of facilities, and for other services to be provided, during the next fiscal year.

(h) Appropriations made pursuant to subsection 101(d) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator, and his determination shall be final and conclusive upon the accounting officers of the Government.

(i)(1) Funds appropriated pursuant to subsections 101(a), (b), and (d) may be used for the construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities, provided the cost of each such project, including collateral equipment, does not exceed \$200,000.

(2) Funds appropriated pursuant to subsections 101 (a) and (b) may be used for unforeseen programmatic facility project needs, provided the cost of each such project, including collateral equipment, does not exceed \$750,000.

(3) Funds appropriated pursuant to subsection 101(d) may be used for repair, rehabilitation or modification of facilities con-

trolled by the General Services Administration, provided the cost of each project, including collateral equipment, does not exceed \$500,000.

ADMINISTRATOR'S REPROGRAMMING AUTHORITY

SEC. 102. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1) through (31), inclusive, of subsection 101(c)—

(a) at the discretion of the Administrator or the Administrator's designee, may be varied upward 10 percent, or

(b) following a report by the Administrator or the Administrator's designee to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, on the circumstances of such action, may be varied upward 25 percent, to meet unusual cost variations.

The total cost of all work authorized under paragraphs (a) and (b) shall not exceed the total of the amounts specified in Section 101(c).

SPECIAL REPROGRAMMING AUTHORITY FOR CONSTRUCTION OF FACILITIES

SEC. 103. Where the Administrator determines that new developments or scientific or engineering changes in the national program of aeronautical and space activities have occurred; and that such changes require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities; the Administrator may transfer not to exceed 1/2 of 1 percent of the funds appropriated pursuant to Section 101(a) and 101(b) to the "Construction of facilities" appropriation for such purposes. The Administrator may also use up to \$10,000,000 of the amounts authorized under Section 101(c) for such purposes. The funds so made available pursuant to this section may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No such funds may be obligated until a period of 30 days has passed after the Administrator or the Administrator's designee has transmitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written report describing the nature of the construction, its cost and the reasons therefor.

LIMITATIONS ON AUTHORITY

SEC. 104. Notwithstanding any other provision of this Act—

(a) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science, Space, and Technology or the Senate Committee on Commerce, Science, and Transportation,

(b) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 101(a), 101(b) and 101(d),

(c) no amount appropriated pursuant to this Act may be used for any program which has not been presented to either such committee,

unless a period of 30 days has passed after the receipt by each such committee, of notice given by the Administrator or the Ad-

ministrator's designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

TITLE

SEC. 105. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1992."

TITLE II—AMENDMENT TO THE SPACE ACT ON PROTECTION OF INFORMATION DEVELOPED UNDER SPACE ACT AGREEMENTS

SEC. 201. Section 303 of the National Aeronautics and Space Act of 1958, as amended, is amended by adding "(a)" after "303", by removing "and" before "B," and by adding after "national security" the following: "and (C) information described in subsection (b), below." At the end of subsection 303(a), add the following new section:

(b) The Administrator, for a period of up to five years after the development of information that results from activities conducted under an agreement entered into under the authority of section 203(c)(5) and section 203(c)(6) of this Act, and that would be a trade secret or commercial or financial information that is privileged or confidential under the meaning of section 552(b)(4) of Title 5, United States Code, if the information had been obtained from a non-Federal party participating in such an agreement, may provide appropriate protection against the dissemination of such information, including exemption from subchapter II of Chapter 5 of Title 5, United States Code.

SECTIONAL ANALYSIS OF 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, research and program management, and Inspector General, and for other purposes)

SECTION 101

Subsections (a), (b), (c), (d), and (e) would authorize to be appropriated to the National Aeronautics and Space Administration, funds, in the total amount of \$15,753,999,796 as follows: (a) for "Research and development," a total of 14 program line items aggregating the sum of \$7,198,500,000; (b) for "Space flight, control and data communications," a total of 4 line items aggregating the sum of \$5,508,299,796; (c) for "Construction of facilities," a total of 31 line items aggregating the sum of \$480,300,000; (d) for "Research and program management," \$2,452,300,000; and (e) for "Inspector General," \$14,600,000.

Section 1001(c) includes a reduction of \$5,700,000 in facilities projects consistent with Administration proposals to make regulatory reforms under and legislative changes to the Davis-Bacon Act.

Subsection (f) would authorize the use of appropriations for "Research and development" and "Space flight, control and data communications" without regard to the provisions of subsection 101(i) for: (1) items of a capital nature (other than the acquisition of land) required at locations other than NASA installations for the performance of research and development contracts; and (2) grants to nonprofit institutions of higher education, or to nonprofit organizations, whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities. Title to such facilities shall be vested in the United States unless the Administrator determines that the national

program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Moreover, each such grant shall be made under such conditions as the Administrator shall find necessary to ensure that the United States will receive benefit therefrom adequate to justify the making of that grant.

In either case, no funds may be used for construction of a facility in accordance with this subsection, the estimated cost of which, including collateral equipment, exceeds \$750,000, unless the Administrator notifies the specified committees of the Congress, of the nature, location, and estimated cost of such facility.

Subsection (g) would provide that, when so specified and to the extent provided in an appropriation Act, any amount appropriated for "Research and development," "Space flight, control and data communications," or for "Construction of facilities" may remain available without fiscal year limitation. Subsection (2) states that amounts appropriated for the "Inspector General" and "Research and program management" appropriations are available for contracts for maintenance and operation of facilities and for other services for this fiscal year and for the next fiscal year.

Subsection (h) would authorize the use of not to exceed \$35,000 of the "Research and program management" appropriation for scientific consultation or extraordinary expenses, including representation and official entertainment expenses, upon the authority of the Administrator, whose determination shall be final and conclusive.

Subsection (i)(1) would provide that of the funds appropriated for "Research and development," "Space flight, control and data communications," and "Research and program management," not in excess of \$200,000 per project (including collateral equipment) may be used for construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities.

Subsection (i)(2) would provide that not to exceed \$750,000 per project of "Research and development" and "Space flight, control and data communications" funds may be used for facility repair or modification due to unforeseen programmatic needs.

Subsection (i)(3) would provide that not in excess of \$500,000 per project (including collateral equipment) of funds appropriated for "Research and program management" may be used for work on facilities owned or leased by the General Services Administration.

SECTION 102—ADMINISTRATOR'S REPROGRAMMING AUTHORITY

Section 102 would authorize upward variations of the sums authorized for the "Construction of facilities" line items of 10 percent at the discretion of the Administrator or the Administrator's designee, or of 25 percent following a report by the Administrator or the Administrator's designee to the Committee on Science, Space and Technology of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate on the circumstances of such action, for the purpose of meeting unusual cost variations. However, the total cost of all work authorized under these line items may not exceed the total sum authorized for "Construction of facilities" under subsection 101(c).

SECTION 103—SPECIAL REPROGRAMMING AUTHORITY FOR CONSTRUCTION OF FACILITIES

Section 103 would provide that not more than 1/2 of 1 percent of the funds appropriated

for "Research and development" and "Space flight, control and data communications" may be transferred to and merged with the "Construction of facilities" appropriation, to be available for the construction of facilities and land acquisition at any location if the Administrator determines that new developments or scientific or engineering changes in the national aeronautical and space program have occurred; and that such changes require the use of additional funds for the purpose of construction, expansion or modification of facilities at any location; and that deferral of such action until the next authorization Act is enacted would be inconsistent with the interest of the Nation in aeronautical and space activities. Additionally, up to \$10,000,000 of "Construction of facilities" funds may be used for these purposes. However, no such funds may be obligated until 30 days have passed after the Administrator or the Administrator's designee has transmitted to the Committee on Science, Space and Technology of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a written report containing a description of the construction, its cost, and the reasons therefor.

SECTION 104—LIMITATIONS ON AUTHORITY

Section 104 would provide that, notwithstanding any other provision of this Act—

(a) No amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science, Space and Technology or the Senate Committee on Commerce, Science and Transportation,

(b) No amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by subsections 101(a), 101(b) and 101(d), and

(c) No amount appropriated pursuant to this Act may be used for any program which has not been presented to either such committee,

unless a period of 30 days has passed after the receipt by the House Committee on Science, Space and Technology and the Senate Committee on Commerce, Science, and Transportation of notice given by the Administrator or the Administrator's designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

SECTION 105—TITLE

Section 105 would provide that the Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1992."

TITLE II—AMENDMENT TO THE SPACE ACT ON PROTECTION OF INFORMATION DEVELOPED UNDER SPACE ACT AGREEMENTS

The purpose of Section 201 is to amend section 303 of the National Aeronautics and Space Act of 1958, as amended, to provide NASA with the authority to protect certain information, including withholding from public disclosure, resulting from research and development activities under an agreement entered into by NASA under section 203(c)(5) or section 203(c)(6) of such Act. The protection would be for a period of up to five years after the development of information, and would apply to any information that would be a trade secret or commercial or financial information that is privileged or confidential within the meaning of section 552(b)(4) of Title 5, United States Code, if ob-

tained from a non-federal party participating in such agreements.

This authority is virtually the same (except for structural changes necessary to interface with the Space Act) as that provided in section 3133(a)(7) of Public Law 101-189 for the protection of the same information as that resulting from agreements entered into under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a). The Congress, in providing such authority in Public Law 101-189, recognized that the lack of protection for such information was a significant reason for companies' reluctance to enter into cooperative research and development agreements with the Federal laboratories, and expressed a desire to make such agreements more effective instruments for cooperative research (Conference Report 101-331, November 7, 1989, accompanying H.R. 2461; discussion of Technology Transfer (secs. 3031-3133)).

NASA uses the authority provided in section 203(c)(5) or 203(c)(6) of the National Aeronautics and Space Act of 1958, as amended, to enter into agreements that are virtually identical to, and produce the same results as, those authorized by section 12 of the Stevenson-Wylder Technology Innovation Act of 1980. The continuing use of such Space Act authority by NASA was expressly recognized in the House-Senate Conference Report for H.R. 3773 (which became Pub. L. 99-502 amending the Stevenson-Wylder Technology Innovation Act of 1980 to provide the section 12 authority therein) by the statement:

"This authority [to enter into cooperative research and development agreements] is optional in both [House and Senate] versions and is not intended to affect previously existing cooperative agreement authority, such as the Space Act provisions, which for almost three decades have permitted NASA laboratories to enter into cooperative agreements."

Thus, section 201 is intended to provide the same protection for the same type of information resulting from the same type of agreements entered into by NASA under its Space Act authority as those entered into by other agencies under the authority provided by section 12 of the Stevenson-Wylder Technology Innovation Act. This is in furtherance of the Congressional intent to make such agreements instruments for cooperative research, irrespective of the specific authority relied on in entering into such agreements.

No additional protection is sought for information obtained from a non-federal party participating in such agreements (as distinguished from information resulting from NASA's activities under the agreement) in that adequate protection is considered to exist under subsection (b)(4) of 5 U.S.C. 552 for such information.

● Mr. HOLLINGS. Mr. President, the recent months have proven to be difficult ones for the U.S. civil space program. In addition to a long, highly publicized series of hydrogen leaks and cracks in the fleet of space shuttles, the \$2.1 billion Hubble space telescope was found to be flawed, and Congress directed the National Aeronautics and Space Administration [NASA] to redesign the space station *Freedom* in order to eliminate the growing numbers of technical problems and to reduce the total project cost.

Yet, while NASA was working to address these important problems, others

in the administration sought to initiate long-term space exploration projects costing hundreds of billions of dollars. Unfortunately, the National Space Council has attempted to pursue a program of human exploration of the Moon and Mars without giving us any idea of how to pay for such an initiative. This type of approach is precisely why the Congress must take a strong leadership role in ensuring that the space program has the appropriate priorities as we proceed through this decade of the 21st century.

Mr. President, it is essential that we continue with a vigorous space and aeronautics program. I firmly believe that a balanced program that will ensure continued pursuit of space science, technology, and exploration programs is critical to the future success of this of this Nation.

However, it is equally important that our efforts in space are consistent with our ability to pay for them. The future benefits of our exploration and utilization of space will be wasted if future generations continue to be burdened with the debt this administration insists on accumulating.

Working with limited resources therefore will be the key issue for NASA during the coming fiscal year. In that regard, the President's budget for NASA requests an increase of \$1.9 billion over current funding levels, to nearly \$15.8 billion in fiscal year 1992. While some will say that this is necessary to ensure the continued growth in our space programs, it represents nearly 20 percent of the increased funds to be made available under last year's budget agreement to all nondefense discretionary programs in fiscal year 1992.

Mr. President, when the Commerce Committee begins our hearings on the details of the NASA fiscal year 1992 authorization bill, our efforts will be directed toward securing as much of the proposed increase as possible. However, realities dictate that we likely will be forced to consider a more realistic funding plan for NASA. Recognition of these constraints is necessary to ensure the long-term stability of NASA's space and aeronautics programs. We want to avoid any future disruption in these important programs.

It is therefore critical that we work to develop a consensus on the needs of the U.S. space program. We all have wish lists. There are many things each one of us would like to see our astronauts do, there are several planets we would like to explore, and there are countless stars in the universe we would like to study. But the space program, like all others, must function within a set of agreed-upon priorities. This is our mission in the coming months.

Mr. President, in this vein, I join the chairman of the Science, Technology, and Space Subcommittee in introduc-

ing today, by request, the fiscal year 1992 NASA authorization legislation proposed by the administration. This legislation should serve to continue the dialog on NASA funding, and I hope my colleagues will join us in working to establish realistic priorities that will ensure the success of the U.S. space program in fiscal year 1992 and beyond.●

By Mr. MOYNIHAN (for himself, Mr. PACKWOOD, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. KOHL, Mr. DURENBERGER, Mr. MACK, Mr. KERRY, Mr. AKAKA, Mr. ADAMS, Mr. REID, Mr. WELLSTONE, Mr. LIEBERMAN, Mr. GRAHAM, Mr. CRANSTON, Mr. GORE, Mr. GLENN, Mr. INOUE, Mr. SEYMOUR, Mr. BRADLEY, Mr. D'AMATO, Mr. SPECTER, Mr. GRASSLEY, Mr. LEVIN, Mr. KENNEDY, Mr. SIMON, and Mr. KASTEN):

S.J. Res. 110. Joint resolution expressing the sense of the Congress that the United States and the Soviet Union should lead an effort to promptly repeal United Nations General Assembly Resolution 3379; to the Committee on Foreign Relations.

REPEAL OF UNITED NATIONS RESOLUTION 3379

● Mr. MOYNIHAN. Mr. President, for more than 15 years Resolution 3379, the obscene 1975 U.N. General Assembly resolution which found Zionism to be a form of racism and racial discrimination, has damaged the reputation of the United Nations, maligned the State of Israel, given license to anti-Semitism and interfered with the search for a lasting peace in the Middle East. There are those who have continued to urge that this resolution should be repealed, but this has sometimes been a lonely struggle, considered by many to be quixotic. Some even argued that it was better to keep quiet about this obscene resolution. Overall there has been an inability to understand just how dangerous this resolution was to the State of Israel.

A few weeks ago, however, I was able to report a significant development in the continuing efforts to repeal Resolution 3379. We had heard repeated hints of a Soviet willingness to join us in seeking to rescind this vicious canard which they once initiated and worked so hard to adopt. Almost a year ago, on March 30, 1990, I chaired a hearing before the Committee on Foreign Relations entitled "Revoking the U.N. Zionism Resolution." At that hearing an administration witness testified that the Soviets no longer supported Resolution 3379. For almost a year Soviet representatives have continued to signal this important change of policy in meetings behind closed doors.

Now, apparently for the first time, they have chosen to do so in public. The February 15 issue of the Long Is-

land Jewish World reports that Soviet Ambassador to the United Nations Yuliy Vorontsov declared at a recent press conference that "the idea of the Zionism resolution was false, it should be repealed."

On November 10, 1975, I took the floor of the General Assembly, as the Permanent Representative of the United States, to state that, "The United States of America declares that it does not acknowledge, it will not abide by, it will never acquiesce to this infamous act." Now, the Soviet Ambassador to the United Nations seconds my words. Support for Resolution 3379 is a legacy which the Soviet Union brings to the quest for peace in the Middle East. It is a poisonous legacy, one which they must repudiate. Openly. Unequivocally. Mr. President, Ambassador Vorontsov's reported remarks go a long way toward meeting this challenge. Indeed, his statement presents a welcome opportunity for Secretary of State Baker to propose to the Soviet Foreign Minister that our nations take the lead this fall in cosponsoring the General Assembly a resolution rescinding Resolution 3379.

I am introducing a joint resolution today which calls upon the United States and the Soviet Union to join together to lead a fight to repeal Resolution 3379. As I have noted, the Soviet Union has a special responsibility to help us lead this battle. What better way could there be for the Soviet Union to show that it is sincere in its desire for peace?

Mr. President, I urge my colleagues to join me in cosponsoring this joint resolution and ask unanimous consent that the text be printed in the RECORD.

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

Whereas United Nations General Assembly Resolution 3379 (XXX), which equates Zionism with racism—

(a) has been unhelpful in the context of the search for a settlement in the Middle East;

(b) is inconsistent with the Charter of the United Nations;

(c) remains unacceptable as a misrepresentation of Zionism; and,

(d) has served to escalate religious animosity and incite anti-Semitism;

Whereas the United States vigorously opposed the adoption of Resolution 3379 and has never acquiesced to its content;

Whereas the Soviet Union vigorously supported the adoption of Resolution 3379 but has now stated that it no longer supports the resolution;

Whereas the Soviet Union has expressed a desire to participate in the search for a just lasting peace in the Middle East and should demonstrate its commitment to peace by working to repeal Resolution 3379: Now, therefore, be it hereby

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States and the Soviet Union should lead an effort to promptly repeal United Nations General Assembly Resolution 3379 (XXX).●

● Mr. PACKWOOD. Mr. President, I rise today to introduce a resolution

calling for the repeal of U.N. General Assembly Resolution 3379. Resolution 3379 condemns Zionism as a form of racism, and just as it was a travesty when it passed the United Nations 15 years ago, it remains a terrible mis-carriage of justice today.

I would like to commend my good friend from New York, Mr. MOYNIHAN, for his tireless opposition to Resolution 3379 since its passage in 1975. As the U.S. Permanent Representative to the United Nations at the time of its passage, he has relentlessly pursued its repeal.

When the United Nations passed Resolution 3379, it struck at the basic principle of the State of Israel—to provide a safe haven for Jews all over the world. Moreover, the negative impact of this resolution continues to be evidenced today because its existence is a major impediment to the peace process in the Middle East.

With the cessation of war in the Persian Gulf, we now have a historic opportunity for peace in the Middle East. But, how can peace proceed when the United Nations continues to condemn Zionism as a form of racism? As a first step, the United Nations should move quickly to repeal General Assembly Resolution 3379 or risk losing what could be a real opportunity for peace in the region.

The United States opposed this resolution when it passed in 1975 and continues to do so today. Many nations, for whatever reason, voted in favor of Resolution 3379 in 1975. Already, the Soviet Union, which was an outspoken supporter of Resolution 3379, has reversed its position and publicly called for the resolution's repeal.

I am especially encouraged by statements of Mr. Yuliy Vorontsov, the Soviet Ambassador to the United Nations, who has expressed his strong support for repeal of the resolution. I call on other countries to express their support for its repeal as well.

Mr. President, I urge my colleagues to join me in cosponsoring this resolution.●

By Mr. BRADLEY (for himself and Mr. HATCH):

S.J. Res. 111. A resolution marking the 75th anniversary of chartering by act of Congress the Boy Scouts of America; to the Committee on the Judiciary.

MARKING THE 75TH ANNIVERSARY OF THE BOY SCOUTS

● Mr. BRADLEY. Mr. President, on June 15, 1916, President Wilson signed into law a bill authorizing a congressional charter for the Boy Scouts of America. The charter gave special protection and recognition to the Boy Scouts, and represented congressional support for the goals and principles of Scouting. Today I am introducing legislation to mark the 75th anniversary of this historic charter. I ask my col-

leagues to join me in saluting the Boy Scouts of America by again showing congressional support for Scouting.

In the summer of 1989, I attended the Boy Scouts Jamboree at Fort A.P. Hill, VA, where thousands of young people from all over the world met to celebrate Scouting. That day, I saw that Scouting continues to thrive by teaching children the principles and skills that will guide them throughout their lives. I also saw how Scouting has changed since my days in Scouting. Scouts were participating in the traditional aspects of Scouting that I grew up with: camping, athletics and community service. But I also saw how Scouts were addressing the problems of drug abuse, school dropouts, and pollution. Scouting continues to adapt and to evolve, and is helping our children to address the problems of the 1990's.

Scouting is able to evolve because it is grounded in timeless ideals. What does it mean to be a Boy Scout? On one level, it means that Boy Scouts stand for a set of goals and principles. A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent. It means that a Scout pledges to be physically strong, mentally awake, morally straight.

These principles have a lot of staying power. They are not merely rules of conduct. They aren't principles that work only within the circle of the troop or the circle of the campfire; they're much broader than that. The values you learn as a Scout are like a compass. They can help you find your way through difficult and sometimes uncharted terrain.

Scouting is a way to be open to individual strengths as well as individual differences. Scouting is a way to discover that each individual has the capability to respond to challenges, whether physical or mental. Scouting is a way to understand that each individual has the ability to meet adversity and to overcome hardship. Scouting is a way to understand that each individual has something valuable and unique to contribute to his community.

The values of Scouting are durable. They can provide a way to see and to deal with a changing world. And they can last a lifetime. I ask my colleagues to join me in saluting the Boy Scouts of America for their contribution to our children and to our Nation. •

ADDITIONAL COSPONSORS

S. 9

At the request of Mr. DOLE, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 9, a bill to amend the foreign aid policy of the United States toward countries in transition from communism to democracy.

S. 32

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 32, a bill to increase the rate of special pension payable to persons on the Medal of Honor Roll, and for other purposes.

S. 134

At the request of Mr. PACKWOOD, his name was added as a cosponsor of S. 134, a bill to establish a U.S. Marshals Association.

S. 311

At the request of Mr. ROTH, the names of the Senator from Hawaii [Mr. INOUE], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 311, a bill to make long-term care insurance available to civilian Federal employees, and for other purposes.

S. 360

At the request of Mr. BUMPERS, the names of the Senator from Minnesota [Mr. WELLSTONE], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 360, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small businesses, and for other purposes.

S. 576

At the request of Mr. DECONCINI, the name of the Senator from North Dakota [Mr. CONRAD] was added as cosponsor of S. 576, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for employers who provide on-site day-care facilities for dependents of their employees.

S. 693

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 693, a bill to amend the Internal Revenue Code of 1986 to allow individuals who are involuntarily unemployed to withdraw funds from individual retirement accounts and other qualified retirement plans without incurring a tax penalty.

S. 720

At the request of Mr. KENNEDY, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 720, a bill to provide financial assistance to eligible local educational agencies to improve urban education, and for other purposes.

SENATE JOINT RESOLUTION 6

At the request of Mr. JOHNSTON, the names of the Senator from North Carolina [Mr. SANFORD], and the Senator from Mississippi [Mr. COCHRAN] were added as "Year of the Wetlands".

SENATE JOINT RESOLUTION 8

At the request of Mr. BURDICK, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of Senate Joint Resolution 8, a joint resolution to authorize the President to issue a proclamation designating each

of the weeks beginning on November 24, 1991, and November 22, 1992, as "National Family Week."

SENATE JOINT RESOLUTION 69

At the request of Mr. RIEGLE, the name of the Senator from Illinois [Mr. DIXON] was added as a cosponsor of Senate Joint Resolution 69, a joint resolution to designate the week commencing May 5, 1991, through May 11, 1991, as "National Correctional Officers Week."

SENATE JOINT RESOLUTION 97

At the request of Mr. DOMENICI, the names of the Senator from North Dakota [Mr. BURDICK], the Senator from Maine [Mr. COHEN], the Senator from Florida [Mr. GRAHAM], the Senator from Massachusetts [Mr. KERRY], the Senator from Wisconsin [Mr. KOHL], the Senator from Maryland [Ms. MIKULSKI], the Senator from Oregon [Mr. PACKWOOD], the Senator from Montana [Mr. BAUCUS], the Senator from Wisconsin [Mr. KASTEN], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Arizona [Mr. DECONCINI], the Senator from Illinois [Mr. DIXON], the Senator from Ohio [Mr. GLENN], the Senator from Mississippi [Mr. LOTT], the Senator from Hawaii [Mr. AKAKA], the Senator from Vermont [Mr. LEAHY], the Senator from Indiana [Mr. LUGAR], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of Senate Joint Resolution 97, a joint resolution to recognize and honor members of the Reserve components of the Armed Forces of the United States for their contribution to victory in the Persian Gulf.

SENATE CONCURRENT RESOLUTION 12

At the request of Mr. LEVIN, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of Senate Concurrent Resolution 12, a concurrent resolution to express the sense of the Congress that the civil rights and civil liberties of all Americans, including Arab Americans, should be protected at all times, and particularly during times of international conflict of war, and for other purposes.

SENATE CONCURRENT RESOLUTION 16

At the request of Mr. MACK, the names of the Senator from Washington [Mr. GORTON], the Senator from North Dakota [Mr. CONRAD], the Senator from Ohio [Mr. GLENN], the Senator from California [Mr. SEYMOUR], the Senator from South Dakota [Mr. DASCHLE], the Senator from Montana [Mr. BURNS], the Senator from Texas [Mr. BENTSEN], the Senator from Georgia [Mr. FOWLER], the Senator from Tennessee [Mr. GORE], and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of Senate Concurrent Resolution 16, a concurrent resolution urging Arab States to recognize, and end the state of belligerency with, Israel.

SENATE RESOLUTION 81

At the request of Mr. BRADLEY, the names of the Senator from West Vir-

ginia [Mr. BYRD], the Senator from Arizona [Mr. McCAIN], the Senator from Wyoming [Mr. WALLOP], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Resolution 81, a resolution commending the Baltic States for their efforts to regain independence and urging measures to support such efforts.

SENATE RESOLUTION 82

At the request of Mr. SMITH, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of Senate Resolution 82, a resolution to establish a Select Committee on POW/MIA Affairs.

ADDITIONAL STATEMENTS

JOHN VOELKER

● Mr. RIEGLE. Mr. President, I am deeply saddened by the death of a great Michigan citizen and a very dear long time friend, John Voelker. John had a vast number of talents and accomplishments, among them being his extraordinary talent as a writer. Under the pen name of Robert Traver, John wrote numerous books and articles, the most famous being "Anatomy of a Murder," which was later made into a movie starring Jimmy Stewart, George C. Scott, and Lee Remick.

In the course of one of his many books on the joys of fishing, John wrote:

I fish, because in a world where most men seem to spend their lives doing things they hate, my fishing is at once an endless source of delight and an act of small rebellion.

Between John's writing, his fishing, and his story telling, John was an endless source of delight to everyone who knew him and who knew his work. That delight will live on for generations to come.

In addition to the already mentioned accomplishments, John was a dedicated public servant, having been an attorney for 63 years and also a member of the Michigan Supreme Court. His toughness and his fairness as a jurist are as legendary as his writing and fishing.

Several years ago, I had the distinct honor of visiting John at his camp in upper Michigan. That is a day that I will never forget. John was a marvelous host. That day he taught me to fly fish. Needless to say, his patience was endless, surpassed only by his sense of humor.

CBS Correspondent Charles Kuralt said that John Voelker was the greatest man he had met in his first 20 years on the road for CBS News. Knowing John, he would want us to celebrate his passing with a good drink in one hand, a fishing pole in the other, and good humor on our lips. I salute that great man and celebrate a life well lived.●

DEINDUSTRIALIZATION

● Mr. MACK. Mr. President, last month, widely read economics columnist Warren Brookes wrote an article in the Washington Times which shocked the conventional wisdom that the United States has been losing its industrial base for the last decade or so. His February 14 column, entitled "Whatever Happened to Deindustrialization?", reported the results of a recent Commerce Department study. Brookes observed that, according to that report, manufacturing share of GNP in the 1980's—the measure of the size of the U.S. industrial sector—matched that of the heyday of manufacturing activity in the 1960's.

It's relevant to take note of this article today because the Republican members of the Joint Economic Committee have just released their annual report for 1991. Not surprisingly, the JEC report affirms what the Commerce Department has found. And that is that the policies of lower taxes, less unnecessary government regulations, and more economic freedom which were championed by Republicans during the 1980's rejuvenated the entire economy, including our industrial sector.

Mr. President, I ask that the Warren Brookes article of February 14, 1991, be printed in the RECORD. I also suggest that my colleagues read the Republican version of the JEC annual report which will be made available to their offices shortly.

The article follows:

[From the Washington Times, Feb. 14, 1991]

WHATEVER HAPPENED TO DEINDUSTRIALIZATION?

(By Warren Brookes)

It came as no surprise to readers of this column, but last week's front-page story in the New York Times had to be a shocker to its "dominant-media-culture" readers.

The Times reported that at the end of the much-maligned Reagan decade of the '80s, "manufacturing productivity—the measure of output per hours worked—climbed to a record level in 1990.

"What is more, factories making everything from chemicals to cars now account for a robust 23.3 percent of the nation's gross national product . . . [This] matches the level of output achieved in the 1960s, when American factories hummed at a feverish clip."

At the same time, the Times wrote, "a related report by the Bureau of Labor Statistics showed that manufacturing productivity grew at an average annual rate of 3.6 percent during the 1980s, almost three times as fast as in the 1970s."

In fact, during the 1980s, the United States enjoyed its best manufacturing competitiveness performance of any decade since World War II. Said the Times, "The new data put United States manufacturers on a par with those of Japan and Western Europe."

That is why the U.S. share of world manufacturing exports rose in the 1980s, along with the U.S. share of total industrial employment for all 24 nations that make up the Organization for Economic Cooperation and Development.

If these facts surprise you, you are not alone. During the 1980s, Americans were fed a diet of non-stop nonsense about the alleged "McDonaldizing" of the U.S. economy. One of the principal sources of this claptrap, Professor Barry Bluestone of the University of Massachusetts, had the gall to tell the New York Times, "The warnings I and others raised in the early 1980s were listened to. Manufacturing became more competitive. I find this rather gratifying."

Give us a break, Barry! Mr. Bluestone and his partner, Bennett Harrison of Boston College, were trumpeting the "deindustrialization" and "low-pay jobs" myths all through the 1986 pre-election propaganda drive and were among the principal "scholarly" resources for the congressional Joint Economic Committee.

Hardly a month went by, back then, without some new, largely fictitious JEC horror story about the collapsing U.S. industrial and job base showing up on network news. Mr. Bluestone and Mr. Harrison published a book on this in time for the 1988 election campaign.

If only they were now as intellectually above board as Princeton economists William Baumol and Sue Anne Batey Blackman and New York University economist Edward Wolff, who in 1989 authored a Massachusetts Institute of Technology Press book, "Productivity and American Leadership: The Long View."

In it, the authors admit they had once promoted the myths of the U.S. industrial decline and were surprised when they took a more careful look. In careful statistical analysis, they blew away the central Bluestone/Harrison myths:

"The conclusion [about deindustrialization] is fundamentally illusory, i.e., there has been virtually no change in the share of real national output constituted by services." In fact, revised data now show that this share rose from 21.1 percent in 1980 to 23.3 percent in 1990. (See table.)

More important, Baumol & Co. found "there is no sign that the U.S. is shifting into services any more rapidly than other industrialized economies." Indeed, from 1973, the U.S. share of total industrial jobs of member nations of the Organization for Economic Cooperation and Development rose from 25.6 percent to 29.0 percent, while the U.S. share of OECD manufacturing output rose from 36 percent to 38.7 percent.

In fact, the U.S. shift into service employment has been the second-lowest of the 19 largest OECD countries. From 1965 to 1980, U.S. service employment share rose 10 percent, while Japan's rose 31 percent and Canada's rose 14 percent.

Baumol & Co. also say the basic reason for these global shifts to service-sector employment is what they call "the cost disease" of government and government-provided services.

"The cost-disease model helps to explain a widely noted (and deplored) phenomenon. This is the fact that despite a rapidly rising real cost of a number of stagnant services, their quality has deteriorated markedly. For example, street cleaning in the cities has become poorer, and the streets grown dirtier. Postal deliveries have become less frequent."

As government's share of industrialized democracies has risen, their total overall productivity performance has fallen sharply. From 1947 to 1976, while total U.S. productivity rose an average of 2.2 percent a year, productivity in government-owned or-operated industries was negative 0.2 percent.

The central message of the Baumol book supports the new Commerce Department

study: Contrary to myths, the U.S. industrial economy is alive, well and growing. Our weakest link is government.●

BUILDING DEMOCRACY SHOULD BE THE PRIORITY IN YUGOSLAVIA

● Mr. DECONCINI. Mr. President, in the past few weeks Yugoslavia has gone through a period of turmoil unsurpassed in its post-World War II history. As talks on the country's future have foundered, military units have at various times and places been put on a high state of alert, and the threat of civil unrest and ethnic violence has loomed large. As I prepare to lead a United States delegation under the auspices of the Helsinki Commission to Yugoslavia early next week, there is certainly reason for deep concern regarding the future of that beautiful, proud, and historic country. However, continued efforts by the Federal Government of Prime Minister Markovic to bring about true economic reform, decisions at the republic and Federal levels to exercise restraint at the very moment when open conflict seems most likely, and yesterday's decision by the Federal Presidency that negotiations will resume next week between the republics on the structure of a future Yugoslav community, all, in my mind, demonstrate a willingness on the part of the Yugoslav peoples to find a peaceful solution to their problems. The future of Yugoslavia, Mr. President, is for the Yugoslavs themselves to determine and for us to view in accordance with our own CSCE commitments on relations between states. Our main concern should be to see that decisions are made in a peaceful and democratic fashion, without resort to the use of force. When I go to Yugoslavia, I hope that all Yugoslavs, regardless of nationality, religion, or political persuasion, will agree with me on this critical point.●

THE 1949 DEPORTATION FROM LATVIA

● Mr. D'AMATO. Mr. President, I rise today to commemorate one of the darkest moments in the history of Soviet-occupied Latvia. Forty-two years ago, on March 25, 1949, 42,076 residents of Latvia were deported to Siberia during Joseph Stalin's forced collectivization of farmlands. Many thousands of those deported were children, literally torn from their schoolrooms and herded into cattle cars bound on the long journey from which few would return alive.

Latvia in 1949 was a country already ravaged by war and occupation by the two most barbaric regimes of our time; Stalin's Russia, and Hitler's Germany. In addition to the countless thousands who died in the war or fled to asylum in the West, Latvia had already lost at least 15,000 citizens in Stalin's first

mass deportation on June 14, 1941. And then, as the Latvian people were struggling to rebuild their nation out of the rubble, came this heinous act of a bloodthirsty tyrant—an act which in addition to its tragic human toll also broke the back of Latvia's agrarian economy. "For our people," wrote the Popular Front of Latvia 2 years ago, "this wound will never truly heal."

Mr. President, while the United States is preparing to help shape a new world order in the Middle East, an order based on respect for the sovereignty of nations and on intolerance of aggression, the leaders of the Soviet Union appear to be clinging to the old order established by Stalin. The blood of Latvian citizens has once again been spilled, and I fear more may yet be spilled, by Stalin's successors as they strive to prevent Latvia from breaking out of the prison he created.

As we reflect with rightful pride upon our victory against Saddam's army of occupation last month, let us turn our attention to the last lingering occupation of World War II. Let the brutal memory of 1949 strengthen us in our resolve to help Latvia, Lithuania, and Estonia end the 50-year nightmare and begin the long-delayed process of healing and rebuilding.●

TRIBUTE TO ROBERT L. ASACK

● Mr. DECONCINI. Mr. President, I want to take this opportunity to pay tribute to an individual who will be leaving Federal service in the near future. That individual is Robert L. Asack, the Deputy Assistant Commissioner for Aviation Operations of the U.S. Customs Service. Bob Asack's many contributions to this Nation's antidrug efforts are memorable, for this Senator. He joined the U.S. Customs Service in 1971. From that time forward, Bob Asack rose through the ranks to become one of the highest ranking enforcement officials in the Customs Service.

I like to think of Bob Asack as the father of our Nation's air interdiction program. He formulated this program in its infancy, when no one in their wildest imagination could have predicted the enormity of drug smuggling this country would one day face. He developed the Customs air program into the highly successful drug interdiction program it is today. Some of his many accomplishments include: The design of the Blue Book, the regional program which was the first long-term strategy for air interdiction; refined the air interdiction modular concept of interception, tracking, and apprehension; creation of the Customs Command, Control, Communication, and Intelligence Centers [C3I] concept; and implementation of the defense-in-depth strategy.

As an early supporter of the air interdiction concept, I worked closely

with Bob Asack and helped shepherd that concept into its ultimate implementation. I, too, saw the great value this program could provide as a deterrent to illegal drug smuggling. I am happy to say, that as Bob Asack leaves Federal service, his vision of the great deterrent effect of the Customs air program has been realized. Our Nation's borders have become almost impenetrable and air smuggling through our borders is the lowest in the history of the drug war. Mr. President, the accomplishments of Bob Asack and his contributions to the antidrug efforts will not be forgotten. This war has not yet been won, maybe it never will. But, we can all take pride in the fact that fine public servants like Bob Asack have dedicated their professional careers to helping us try to win that war.

I know Senator DOMENICI joins me in this praise of the accomplishments of Bob Asack. We wish Bob the best of luck in his future endeavors. Hopefully, now he will have the time to enjoy one of his favorite pastimes, deep-sea fishing.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the most recent budget scorekeeping report for fiscal year 1991, prepared by the Congressional Budget Office under section 308(b) of the Congressional Budget Act of 1974, as amended. This report serves as the scorekeeping report for the purposes of section 605(b) and section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by \$1.7 billion in budget authority, and under the budget resolution by \$1.3 billion in outlays. Current level is \$1 million below the revenue target in 1991 and over the 5 years, 1991-95.

The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$325.7 billion, \$1.3 billion below the maximum deficit amount for 1991 of \$327.0 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 19, 1991.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1991 and is current through March 15, 1991. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Budget Enforcement Act of 1990 (Title XIII of P.L. 101-508). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated March 12, 1991, there has been no action that affects the current level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE,
102D CONG., 1ST SESS., AS OF MAR. 15, 1991

(In billions of dollars)

	Revised on-budget aggregates ¹	Current level ²	Current level +/- aggregates
On-budget:			
Budget authority	1,189.2	1,187.5	-1.7
Outlays	1,132.4	1,131.1	-1.3
Revenues:			
1991	805.4	805.4	0
1991-95	4,690.3	4,690.3	0
Maximum Deficit Amount	327.0	325.0	-2.0
Direct Loan Obligations	20.9	20.6	-0.3
Guaranteed Loan Commitments	107.2	106.9	-0.3
Debt Subject to Limit	4,145.0	3,357.2	-787.8
Off-budget:			
Social Security outlays:			
1991	234.2	234.2	0
1991-95	1,284.4	1,284.4	0
Social Security revenues:			
1991	303.1	303.1	0
1991-95	1,736.3	1,736.3	0

¹ The revised budget aggregates were made by the Senate Budget Committee staff in accordance with section 13112(f) of the Budget Enforcement Act of 1990 (title XIII of Public Law 101-508).

² Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. In accordance with section 606(d)(2) of the Budget Enforcement Act of 1990 (title XIII of Public Law 101-508) current level excludes \$1 billion in budget authority and \$1.2 billion in outlays for Operation Desert Shield; \$0.1 billion in budget authority and \$0.2 billion in outlays for debt forgiveness for Egypt and Poland; and \$0.2 billion in budget authority and outlays for Internal Revenue Service funding above the June 1990 baseline level. Current level outlays include a \$1.1 billion savings for the Bank Insurance Fund that the committee attributes to the Omnibus Budget Reconciliation Act (Public Law 101-508). Revenues include the Office of Management and Budget's estimate of \$3 billion for the Internal Revenue Service provision in the Treasury-Postal Service appropriations bill (Public Law 101-509). The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

³ Less than \$50,000,000.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE,
102D CONG., 1ST SESS., SENATE SUPPORTING DETAIL,
FISCAL YEAR 1991 AS OF CLOSE OF BUSINESS MAR.
15, 1991

(In millions of dollars)

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			834,910
Permanent appropriations and trust funds	725,105	633,016	
Other legislation	664,057	676,371	
Offsetting receipts	-210,616	-210,616	
Total enacted in previous sessions	1,178,546	1,098,770	834,910
II. Enacted this session:			
Extending IRS deadline for Desert Storm troops (Public Law 102-2)			-1
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses:			
Veterans' education, employment and training amendments (H.R. 180)	2	2	
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in revised on-budget aggregates	-6,307	799	
VI. Economic and technical assumption used by committee for budget enforcement act estimates	15,000	31,300	-29,500
On-budget current level	1,187,484	1,131,115	805,409
Revised on-budget aggregates	1,189,215	1,132,396	805,410

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE,
102D CONG., 1ST SESS., SENATE SUPPORTING DETAIL,
FISCAL YEAR 1991 AS OF CLOSE OF BUSINESS MAR.
15, 1991—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Amount remaining: Over budget resolution			
Under budget resolution	1,731	1,281	1

Note.—Numbers may not add due to rounding.*

NATIONAL VOLUNTEER WEEK

● Mr. BRADLEY. Mr. President, our Nation's greatest resource is its people. Nowhere is this more evident than in our tradition of voluntarism—the thousands of people who contribute their time, energy and talents to improve the lives of others. The week of April 21 marks "National Volunteer Week." I ask my colleagues to join me in celebrating voluntarism and in recognizing "National Volunteer Week."

Everyday, in towns across the country, volunteers work in schools, hospitals, shelters, parks and service organizations. They work with children, the elderly, the handicapped, and those who just need help in getting back on their feet. They ask for nothing back, other than to improve the quality of life for others.

In New Jersey, the volunteers of Chilton Memorial Hospital epitomize the spirit of voluntarism in America. Every day, volunteers perform vital service throughout the hospital. But most important, they help to brighten the lives of those who are facing a difficult and often frightening period of illness. They also give much needed support to the families, who might otherwise bear the burdens of a loved one's illness alone.

Volunteers enrich our lives and our communities. They deserve our gratitude and our appreciation for their selfless and compassionate response to so many of the challenges facing our Nation.●

S. 481—RESEARCH IN DESALTING WATER

● Mr. BRYAN. Mr. President, I rise today in support of legislation introduced by my colleague, Senator SIMON, S. 481, a bill authorizing research into the desalting of water and water reuse. As a Representative from a western desert State facing its fifth year of drought, I firmly support research into the feasibility of large-scale use of desalination plants. Water in a desert community is a precious resource. Weather patterns, population increases, and depletion of our primary water sources have combined to bring us to a critical situation. These current factors have accelerated our inter-

est in desalination plants as a more economical solution to our thirst.

As world attention has focused on the Middle East, our attention has been drawn to the use of desalination plants in this arid zone. Almost 60 percent of the world's desalination water capacity is located in the Middle East with 30 percent in Saudi Arabia alone. The success of these plants has heightened our awareness that as the pioneers in many areas of improved desalination technology, we need to turn our attention to large-scale seawater desalination.

There are now about 750 desalination plants in the United States, which account for 10 percent of the capacity of the world's desalinated water. This water is used primarily for industrial purposes, and secondarily for drinking water. There are desalination plants in 46 States and on 2 island territories. Currently, the amount of desalinated water produced in this country is equivalent to about 1.4 percent of the 15,000 mgd—million gallons per day—that is consumed for domestic and industrial purposes.

The amount of water consumed, that is water withdrawn for use and not available for reuse, breaks down as follows:

Eighty-one percent of freshwater consumed in this country irrigates 58 million acres of farmland, mostly in the West; 60 percent of this water comes from major surface diversions; the rest comes from ground water aquifers.

Eight percent of all freshwater is consumed by industry.

Seven percent of all freshwater consumption is for domestic purposes. Average domestic use in this country is believed to be between 120 and 150 gallons per day per person.

Four percent accounts for rural freshwater consumption. About 90 percent of all rural water systems depend on ground water from about 12 million private wells for drinking water, livestock, and other uses.

In addition to quantity of water used, the quality of water is important. Water quality problems tend to be greater where the frequency of water reuse is higher, such as in the West where water is limited, and along waterways adjacent to heavy industry. In coastal areas, most freshwater aquifers become increasingly brackish as they extend offshore. Increasing salinity levels in coastal wells have plagued Long Island, NY, Florida, and southern California.

As the demand for freshwater increases and the quality of existing supplies deteriorates, the use of desalination technologies will increase. While desalination can be costly, improvements in technology—plant designs, heat transfer technology, scale prevention, and corrosion resistance—have had impacts on lowering costs of desalination. In comparison to other sug-

gested options—tankers carrying water from Canada, major water pipeline construction, international and interstate projects, and dragging icebergs down from the Arctic—the costs of desalination look much more appealing.

With the unpredictable rainfall in the West, it is only prudent to look at desalination as a long-term viable solution to our water shortage problem. In the past we have built dams and other water diversions; however, these projects are becoming more expensive and time consuming to construct. In addition, the environmental impacts of these structures are becoming more visible and must be considered. Along with the desalination implementation, conservation measures must be enforced. The indiscriminate waste of this precious resource must end. The attitude that there will always be enough has contributed to our present predicament. •

SENATE RESOLUTION 81—URGING THE PRESIDENT TO ESTABLISH OFFICES IN THE BALTICS

• Mr. BRADLEY. Mr. President, last night the Senate unanimously passed a resolution I introduced commending the Baltic States for their efforts to regain their independence and urging the President to establish offices in the Baltic States to facilitate diplomatic relations, technical assistance and other mutually beneficial activities.

Several times this year this body turned its attention away from our men and women winning the war against Iraqi aggression and responded to the unfolding crisis in the Baltic States. Clearly, those who planned and executed the violent repression in Lithuania and Latvia hoped that we would be too preoccupied to oppose them or that we be too inhibited by the Soviet Union's qualified support for the coalition. Instead, we pointed out that the principles which the President invoked in defending Kuwait apply to the Baltics as well. There too, we saw small nations invaded and occupied by their larger, repressive neighbors.

I introduced the first resolution late on the night of January 11, 1991, condemning the Soviet action which had just begun. Together, we also adopted a second resolution calling for a review of our economic assistance to the Soviet Union in light of the occupation. In addition, many of my colleagues made very strong and eloquent statements about the situation here on the floor of the Senate.

The Senate's actions have had an important impact on the situation. Many of us have met with representatives of the Baltic States and Russian and Soviet Democrats over the last years. All the ones I have talked to have told me that our resolutions, our attention to the problem, our efforts to find tools in American foreign policy, have slowed

the Soviet repression. Conservative forces in the Soviet Union, I have heard from many sides, are not restrained by domestic voices of reason, democracy, and morality. They do, however, look abroad, and gauge the limits of what they can do by the reaction of democratic bodies with the will and power to counter their moves, like the U.S. Senate.

Senate Resolution 81, urging the establishment of offices in the Baltic States, continues our long-standing policy of defending the Baltic States and promoting democracy. More broadly, by passing this resolution, the Senate has urged the President to bring American policy in line with the new realities in the Soviet Union.

From the beginning of the cold war until Gorbachev came to power, we saw and dealt with the Soviet Union as an unchanging, culturally uniform, political monolith. Six years of Gorbachev's rule have forced a softening of this perception, but American policy has been slow to reflect the new reality of a politically diverse Soviet Union.

Despite Gorbachev's recent efforts to recentralize control, political power has spread to the republics and local governments, and the inherent diversity of the Soviet Union is once again becoming politically meaningful. If Gorbachev, or any Soviet leader, is serious about reform and eventual integration into the world economic and political community, then he must encourage and foster this process, not use the military, the KGB, censorship and other repressive measures to resist it.

Our role in fostering this process is limited, but there are steps the United States can and should take. For example, we should not consider most-favored-nation status, any kind of economic assistance or Soviet membership in the IMF and World Bank until we have seen irreversible political and economic changes.

We should also reevaluate our relationship with the Baltic States, whose annexation by the Soviet Union we have never recognized. The Baltics have been fighting to keep their cause in front of policymakers and the public for more than 50 years.

In the Congress, we have passed resolutions commending the Baltic States' pursuit to freedom. Many of us in the Congress and in the administration have met with the leaders of the Baltic States, and made a commitment to help their struggle. We condemned the violence that took place in January, and urged that our relationship with the Soviet Union be reviewed in the light of the Soviet brutality.

The State Department did not forget the Baltic States either. On every official map of the Soviet Union, in small print, was the phrase, "The United States does not recognize the incorporation of the Baltic States into the Soviet Union."

It is time to put substance behind Congress' commitments and the words on our maps. Last month, all three Baltic States held plebiscites which showed overwhelming support across ethnic lines for independence from the Soviet Union.

In Lithuania, 76 percent of the eligible voters participated and 90 percent of those voted for independence.

In Latvia, 88 percent of eligible voters participated and 74 percent of those voted for independence.

In Estonia, 83 percent of eligible voters participated and 74 percent of those voted for independence.

International law and principled international relations have always been on the side of Baltic independence. The electoral results reaffirm our longstanding policy.

Offices like the ones I urged the President to establish are consistent with that policy. They could help American businesses find opportunities in the Baltics, develop market economies and build the institutions and traditions that are the basis of democracy.

Furthermore, tangible evidence of our support for the Baltics encourages other nations that are in the process of reform to demonstrate their commitment to democracy and free markets. Nowhere are those values more in doubt than the Soviet Union; the Soviet transition will be encouraged if the Balt's independence and ties to the West allow them to reassert their historical role as the conduit of commerce and ideas between Russia and the West.

International law and United States policy have been reinforced by the vote for independence in the Baltics. It is time for the President to offer a concrete response by acting on this resolution and establishing relations that give substance to our longstanding commitments.

While calling on the President to take these useful steps, this resolution also recognizes the constraints that are imposed by the continuing Soviet occupation. Full recognition is not possible as long as the Baltic States do not control their borders, do not have the authority to grant visas and are still in the process of self-determination.

The Baltic States enjoy a special status under international law, but we should not forget that other republics of the Soviet Union are also struggling to redefine their relationship with the Soviet Union. The results of the plebiscites on a Russian President, an independent mayor of Moscow, support for Ukrainian independence, and in one region of the Urals on private property—not to mention a six-republic boycott of the entire vote—show that Gorbachev does not have a mandate for change imposed by repression from the top down. Rather, the people want change to take place from below, by le-

gitimate local and regional political bodies.

Georgia deserves special mention because it was the first Soviet Republic to suffer brutal military repression in recent years. Tanks, gas, and shapened shoves were used to break up a peaceful protest in the central square of Tblisi on April 9, 1989. The bloodshed and deaths were even greater than in the Baltics, and Georgia's quest for freedom and independence has been thwarted by the same sorts of lies, covert activities, economic pressures, and other coercive techniques that the Soviets have used against the Baltics independence movements. For instance, the Soviets have been inciting interethnic strife, including armed opposition to the Georgian governments by Ossetian separatists in the north and Abkhazian nationalists in the west.

A democratically elected government in Tblisi has been striving to keep these centrally-instigated tensions and provocations from escalating into much more violent and bloody conflict. It has scheduled a plebiscite of its own on independence on March 31, and we will be paying close attention to how it is conducted and the results.

Mr. President, I am proud that my colleagues unanimously joined Senator BIDEN, Senator HATCH, myself and others in urging the President to take this step in the Baltics. It is important not only as an expression of our intent to see the process of democratization, reform and self-determination continue in the Baltic States and the Soviet Union, it will serve as a marker for other legislation that deals with Eastern Europe and the emerging democracies of Europe that my colleagues on the Foreign Relations Committee will be working to complete this year. I have been a strong supporter of aid for countries that are struggling with the difficult transition to democracy. I continue to support measures which direct U.S. assistance to countries that have made the commitment. There is no better investment than an investment in democracy.

The Baltic States have made a fundamental commitment to democracy, and we have a long-standing commitment to the Baltics. The time has come for us to put substance behind our words of support for the Baltic States.

I ask that a copy of Senate Resolution 81, with its additional cosponsors be printed in the RECORD following my remarks.

The resolution follows:

SENATE RESOLUTION 81—COMMENDING THE BALTIC STATES FOR THEIR EFFORTS TO RE-GAIN INDEPENDENCE

Mr. BRADLEY (for himself, Mr. BIDEN, Mr. HATCH, Mr. RIEGLE, Mr. LEVIN, Mr. BYRD, Mr. MCCAIN, Mr. WALLOP, and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 81

Whereas the United States has never recognized the illegal annexation of the Baltic states of Estonia, Latvia, and Lithuania by the Soviet Union as a result of the 1939 Pact between Hitler and Stalin;

Whereas the Baltic states have recently completed plebiscites to determine the extent of public support for their independence, and such plebiscites were conducted freely and fairly according to observers who monitored the voting;

Whereas the overwhelming majority of people in each Baltic State expressed support for independence;

Whereas support and eventual recognition of legitimate governments would be consistent with the long-standing United States policy of not recognizing the forcible annexation of Estonia, Latvia, and Lithuania in 1940; and

Whereas the United States can take useful steps toward recognition by establishing United States Government offices in the Baltic States to facilitate diplomatic relations, technical assistance, cultural exchanges, and other mutually beneficial programs; Now therefore, be it

Resolved, That the Senate—

(1) commends the governments and peoples of the Baltic states on their use of democratic processes to regain their independence; and

(2) urges the President, if so requested by the government of any Baltic State, to establish offices in that state to facilitate diplomatic relations, technical assistance, cultural exchanges, and other mutually beneficial programs.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

MEASURING CHICAGO'S JOB-SKILLS DEFICIT

● Mr. SIMON. Mr. President, there is a business-oriented publication called Chicago Enterprise, published by the civic committee of the Commercial Club of Chicago.

In its March edition, there is an article by Patrick Barry titled, "Measuring Chicago's Job-Skills Deficit."

The last two sentences of the that report are questions that are important to the future of Chicago, but they are also extremely important to the future of the Nation.

He writes:

650,000 English-speaking Chicago adults lack 6th-grade reading and writing skills and 375,000 non-native English speakers have similar deficits. In the technology-driven 1990s, can any city carry a million low-skilled adults and expand its economy at the same time?

That is a question the Nation has to ask.

Senate Resolution 2, sponsored by our colleague Senator TED KENNEDY, contains a literacy portion of the bill that could move our Nation ahead, at least modestly.

I wish we were in a situation to propose less modest answers, but this legislation, for the first time, would launch this Nation on a comprehensive effort to attack adult illiteracy.

That's important for Chicago. It's important for the Nation.

Mr. President, I ask to insert the full article in the RECORD at this point.

The article follows:

[From Chicago Enterprise, March 1991]
MEASURING CHICAGO'S JOB-SKILLS DEFICIT
(By Patrick Barry)

Civic leaders last month took a step toward building a training machine to meet Chicago's desperate need for workforce development. Breakfasting on fruit salad and quiche in Harris Bank's 37th floor dining room, 180 people finally heard some hard numbers about the troubled skills-training system and some fresh ideas on how to fix it.

It was not the first big meeting on the subject and must not be the last because, as the president of the Chicago Council on Urban Affairs, Ann Seng, pointed out, "to do nothing is to invite the decline of Chicago's economy."

The report issued that morning, "Chicago Challenge: Workforce Development," paints a frightening picture. Chicago invests some \$260 million a year in adult workforce development, but with 20 disparate programs using the funds, few performance standards in place and no master plan to coordinate efforts, the skills pipeline produces hardly a trickle of job-ready graduates.

That creates "tremendous uneasiness" in the business community, said Ronald Gidwitz, chairman of the Economic Development Commission of the City of Chicago (EDC), which co-sponsored the report with Seng's group and the Civic Committee of The Commercial Club of Chicago. He said Chicago will have some 5,000 openings in metal-working jobs this year but provides training to only 756 people to fill the slots. "We face a major challenge retaining that industry," Gidwitz said.

He also produced sobering numbers from his own firm, Helene Curtis Inc. Last year, it filled 140 jobs at its downtown headquarters and West Side manufacturing complex. Of 8,000 applicants, 60 percent were rejected for lack of a high school education or the ability to read and write. Then, 790 prospects were interviewed to find enough qualified people to work the keyboards and computerized machinery that are standard issue in every modern workplace.

Screening 58 people for every hire is not the kind of ratio that impresses companies considering relocating to Chicago. Nor does it make sense for growing firms to stay here if they must mount rigorous searches for talent and then spend heavily on remedial training of their recruits.

What would impress companies is a civic job-training mechanism that asks business what skills they need and then develops programs to deliver those skills. That is the core recommendation of the Chicago Challenge report. The city has the beginnings of this capability in the City Colleges' new Productive Chicago initiative and some programs funded by the Mayor's Office of Employment and Training. Also in place is a network of programs at neighborhood libraries, Cook County Jail, proprietary schools, mental health centers, public housing developments and many workplaces.

The programs reach about 175,000 adults each year with both literacy and vocational training. But, like Soviet factories that cranked out product without regard to demand, most programs put their emphasis on enrollment and forget about the objective: matching skilled people to good jobs. Chicago trains far too many cosmetologists and

not enough machinists and nurses. Literacy programs, instead of pointing graduates down job-training paths, simply end. "Lacking an overall plan or system," the report states, "there is no compulsion or motivation for [programs] to work together."

The report suggests a straightforward process to reverse the situation. First, create a leadership team on workforce development in Chicago. Second, create a coordinated and accountable workforce development system at the state level. Finally, develop a fund to pay for a focused and substantial pilot effort in Chicago.

Many prospects for the leadership team were at the meeting last month; put them together on a regular basis and the venture will be off to a good start. Pulling the team together and giving it a mandate will take leadership, of course. For that, said Ann Seng, "we are looking to the mayor's office."

The governor's involvement is also crucial. The city and state should be working on parallel tracks, folding existing programs together, tightening performance standards and developing tracking systems that show where money is spent, how many graduates are produced and where more effort is needed. Just before leaving office, former Gov. James Thompson created an Illinois State-wide Task Force on Human Resource Development. A few words from Gov. Jim Edgar could keep that task force on track.

A natural result of serious planning would be a pilot project to test new ideas. The report suggests creation of a \$7 million pool by combining existing money from state government's Prairie State 2000 program, the Department of Commerce and Community Affairs' industrial training initiative and a portion of federal Job Training Partnership Act funding.

Easier said than done? Perhaps. As Civic Committee Executive Director Larry Howe pointed out, Chicago is "a prisoner of its own history," shackled by layers of bureaucracy, rigid labor contracts and decades of unresponsive programs. Hammering together a top-notch effort will inevitably bruise egos.

It will be an unwieldy undertaking but the alternative is uglier. The Challenge report estimates that 650,000 English-speaking Chicago adults lack 6th-grade reading and writing skills and 375,000 non-native English speakers have similar deficits. In the technology-driven 1990s, can any city carry a million low-skilled adults and expand its economy at the same time?*

S. 15—THE VIOLENCE AGAINST WOMEN ACT OF 1991

• Mr. AKAKA. Mr. President, I rise today to decry the increasing incidence of domestic violence against women.

In my own State of Hawaii, three women were murdered, two women were held hostage, and one woman was stabbed during domestic disputes last month. In the city and county of Honolulu alone, 22 women have been killed in documented domestic violence cases since 1988. Arrests for domestic violence in the city have increased from three per week in 1986 to four per day in 1990.

These deplorable acts of violence against women in Hawaii reflect an overall escalation in violent crimes against women nationwide. More than 1 million women a year require medical

attention because of injuries resulting from domestic assaults. And over 50,000 women were murdered by their male partners during the 1980's.

These statistics, as appalling as they are, do not convey the personal horror experienced by individual women victimized by domestic violence and the fear that these women share as a consequence.

All forms of physical and emotional violence are abhorrent. I feel that domestic violence is particularly reprehensible, because these crimes are committed by men whom women have trusted and loved and to whom they have confided. It is the abuse of this trust that is helping to undermine our families and communities.

Indeed, women are not the only victims of domestic violence. Children are emotionally scarred by watching their mothers beaten by their fathers. We also know that men who commit spousal abuse were often raised in violent families. The abuse experienced in one generation is being rampantly spread to another, perpetuating a destructive cycle of violence.

In order to reverse the increasing tide of domestic violence, we must enact tough Federal penalties and establish effective prevention programs. For this reason, I am proud to be an original cosponsor of S. 15, the Violence Against Women Act of 1991. This comprehensive legislation is intended to address the staggering increase nationwide in all violent crimes against women, including rape, sexual abuse, date rape, and domestic violence. Title II of S. 15, the Safe Homes for Women Act, focuses upon spousal abuse.

The Safe Homes for Women Act would create the first Federal laws barring spousal abuse. It proposes stiff criminal penalties. Under the bill, it would be a Federal crime for an abuser to follow his spouse across State lines and continue the abuse. The legislation also provides civil rights remedies for victims that would prescribe Federal criminal penalties and require abusers to pay financial restitution to their victims. It is only right that victims be accorded protection from abuse by Federal law, in addition to local statutes, and be compensated for the medical care and lost income resulting from abuse.

Despite increased awareness and sensitivity in our communities to the problem of domestic violence, and an increase in the filing and prosecution of criminal complaints against abusive partners, many incidents of domestic abuse go unreported. One can only reason that this is in part of a result of the sense of isolation, low-level of self-esteem, and fear of continued abuse experienced by the victims of domestic violence.

To increase women's trust in the system designed to protect them, S. 15 would provide funds to encourage

States and local governments to implement proarrest programs and policies in police departments. In addition, moneys would be provided to educate judges in criminal and other courts about spousal abuse and to improve judicial handling of such cases.

This legislation recognizes that it is equally important to prevent abuse as it is to punish it. Grants would be provided for public awareness campaigns about domestic violence. It also increases the funds available to shelter the abused and provides funds to increase the availability of services to domestic violence victims.

Mr. President, I urge my colleagues to support S. 15, and urge its expeditious consideration in the Senate.♦

ARMENIAN NATIONALISM AND THE FERMENT OF FAITH

• Mr. SIMON. Mr. President, for reasons I don't need to spell out to the Senate at this point, through the years, I have felt very close to the Armenian community in the United States.

While paging through the *Christian Century*, I came across an article by Vigen Guroian, associate professor of theology and ethics at Loyola College in Baltimore. It talks of a trip that he made to Armenia but, also, gives some of the background of the situation in Armenia.

You do not need to concur in every political or religious sentiment expressed by Mr. Guroian to appreciate that his article offers insights into what is taking place in Armenia, one of the republics of the Soviet Union.

I ask to insert the article into the RECORD at this point.

The article follows:

ARMENIAN NATIONALISM AND THE FERMENT OF FAITH

(By Vigen Guroian)

In August 1990, Mikhail S. Gorbachev sent a message to His Holiness Vazken I, Catholicos of All Armenians, pleading with him "to use the influence, authority, rich life experience and the higher feelings of your humanitarianism and your responsibility for the fate of the Armenian people, to work for the immediate ending of ethnic violence and fighting in the Transcaucasian region." The message revealed the deep historical and cultural relationship of the Armenian Church to the Armenian nation. It was also a reminder of the long-established Soviet practice of prevailing upon that church to assist the central government in imposing its policies.

This dual role for the church—self-described soul of the nation and partner with the Soviet authorities—developed not only under Soviet rule but over half a millennium of Ottoman domination. Over the years the Armenian Church learned simultaneously to sanctify the existing social and political order and represent itself as the one institution above all others upon which the well-being of the Armenian people depended. The Soviet authorities built upon and modified this dual role to suit their own purposes.

The Armenian Church, in turn, internalized the Soviet bureaucratic structure and gave the regime unqualified public support. Over the past 70 years Armenian hierarchs have labored to link the communist myth of the Bolshevik revolution and a fraternity of Soviet peoples with the Armenian national-religious myth of a people born out of the church and nurtured in that church's bosom. The central symbol of the latter myth is also a historical fact. The fourth-century Armenian kingdom was the first to establish Christianity as a state religion.

As late as February 1988, in the midst of the heated national movement to annex the autonomous region of Nagorno-Karabagh, Vazken I could be heard drawing together the Soviet and Armenian myths. During an interview published in the Moscow newspaper *Moskovy Novosti* he said: "Mutual respect and trust form the basis of relations between the church and the state. There is no evidence to prove otherwise." He invoked the powerful symbol of the Armenian homeland with "Etchmiadzin as the headquarters of the spiritual life" of Armenians everywhere. He boasted of full churches that attracted believers and nonbelievers alike, thus proving that the church is so intertwined with the traditions of the people that it stands with them as witness to the fact that "we are a people, we prevailed and we conquered."

The behavior of the church since the elevation of Vazken I in 1955 might be described as pragmatic accommodation—a middle position in a spectrum ranging from total obedience to and collaboration with the state at one end to minimal support and evasion of state restrictions at the other. Through this pragmatic accommodation, the Armenian hierarchy sought to preserve a traditional moral and liturgical role in the national life. The price paid for even such a symbolic role has been a static, secularized, ecclesial body largely gutted of any deep piety or serious theology. In 1972, a decade before Gorbachev and glasnost, the Armenia Church had only six bishops, eight monks, about 30 archimandrites and roughly 100 priests in all of the Soviet Union. These served 3.5 to 4 million Soviet Armenians. The church figures have not changed significantly, though hopes are high for the future. There are, for example, only 33 operating churches in the whole of Armenia today for over 3 million Armenians. There is no real theology being done. As author Claire Seda Mouradian commented in a recent article on the Armenian Church: "One looks in vain for essays about christology ecclesiology, or Christian morality." Problems of dogma, rites and liturgy are dealt with almost exclusively "from a national and secular view, in the context of the quest for the historical patrimony."

Yet despite the Armenian Church's stagnation, something quite remarkable has been happening in Armenia amid the political and social upheavals over environmental issues, Nagorno-Karabagh, and especially the pogroms in Azerbaijan and the catastrophic earthquake of December 1988. A religious awakening is under way. There is little statistical data to support this theory. Most of what is known about it in the West comes by way of diaspora Armenians traveling to and from Armenia. It is not difficult to verify, however, that hundreds of baptisms are done each week at the See of Holy Etchmiadzin, the historic birthplace of Armenian Christianity. I saw the building in which these baptisms occur during a recent visit. On that occasion, a former student of mine who recently completed a year of training at the

seminary in Etchmiadzin explained to me how hundreds of people line up on the weekends to be baptized. In streets and marketplaces people can be seen wearing shiny new Armenian crosses. Vazken I had pointed out that 70 percent of all infants are now being baptized, compared with 20 percent 30 years ago.

While in Armenia I visited St. Sarkis Church, the home parish of the bishop of Yerevan, Karekin in Nersissian. In recent months vesper services have been held at St. Sarkis on Wednesday and Friday evenings, followed either by a lecture from a seminarian or priest on a religious topic or, more frequently, by choral practice. The entire parish is the choir. On the evening I was there the parish was earnestly rehearsing for a visit from representatives of the World Council of Churches. The rehearsal was profoundly moving: I was struck by the enormous crowd, the small children, the people's piety and reverence before icons and crosses, and most of all the voices singing hymns newly learned with remarkable clarity and fervor.

Armenia's religious awakening is by no means uniform, however. The new religious ferment takes a variety of forms, including a minority Catholic community and Hare Krishna sects. During the 19th century, Protestant missionaries made considerable headway among Armenians who had been discouraged by the deadening traditionalism of the Armenian Church. That Protestant evangelical movement has persisted in the Western diaspora, with congregations in most of the major centers of Armenian diaspora life. Within Armenia itself Protestant Christianity could post a significant challenge to the Armenian Church. It is viewed already by some church leaders as not merely a challenge but a threat, and it may well become so. Even Orthodox Armenian believers exude an evangelical piety which, if sufficiently frustrated by an ossified Orthodoxy, could be won over by a lively and experimental Protestantism. The vast majority of Armenians will most likely remain with the Armenian Church, though the shape that church might take in the future is an open question.

The Armenian Church did not have to cope with religious pluralism during the Soviet period. Ironically, it was effectively shielded from it by the state's official atheism. Meanwhile, the Soviets tolerated a church willing to reduce its public expressions to a minimalistic ritualism and willing to cooperate with the authorities. In exchange, the church was allowed a monopoly of religious institutional presence. The result is a church as ill prepared to compete in a religious free market as the Communist Party is in a political one. In fact, the last place the Soviet structure remains totally intact in Armenia is the Armenian Church. Likewise, the last place democratization is understood is within the church, even though in theory and by constitution the Armenian Church is among the most democratic of the Orthodox churches.

While Soviet culture is being rejected by great numbers of Armenians today, it goes on living within the church. Many Armenians have turned to religion as a way of sorting out the decadence of Soviet culture, seeking firm ground upon which to stand and live with hope. They think that religion is the basis for any moral reformation of society. Sadly, the Armenian Church lingers far behind the rest of the society in refuting a corrupt Soviet culture.

Although it is unlikely in the short term that any new Armenian Church will emerge

out of the old one, several comments made by Vazken I in a September 5, 1990, television address provide the opportunity to speculate about another scenario for the Armenian Church. The patriarch congratulated the newly elected noncommunist Armenian Parliament for its declaration of an independent Armenia:

"This is the time for our people, both in our fatherland and in the diaspora, to emerge with a new spirit, abandoning the old molds of thinking and working, and following the words of the . . . Apostle: 'You must remove the old yeast of sin so that you will be entirely pure'" [1 Cor. 5:7].

His remarks suggest a new model of a national church that would welcome vital, autonomous, secular institutions of government and culture as lifting from its shoulders the burden of being the sole symbol of national unity. With this new model, the Armenian Church would realize that its former real or imagined responsibilities for preserving the memory of the nation's rich past need no longer be its sole or even its primary concern. I recall a conversation with a young priest at Etchmiadzin who said to me: "The church will be much healthier and of true service to the gospel of Jesus Christ when one head is removed from the Patriarchal Eagle." He was referring to the two heads of the symbol of the Patriarchate representing the church's spiritual leadership of the nation and its role as custodian of the nation's temporal life and culture.

While this priest was committed to ministering to the immediate physical as well as spiritual needs of the people, he knew all too well the history of the national church. Under the millet or community system, the Ottomans had placed in the hands of the religious leadership the responsibility of overseeing and administering the internal lives of their religious-ethnic communities. What came of necessity grew into habit. Armenian hierarchs conceived of themselves as princes not only of the church but of the nation. As the Russian Orthodox theologian and historian John Meyendorff has pointed out, in the 19th century the reversal in the scale of values within what had already for some time become Orthodox national cultures was completed. "The 'nation' and its interests began to be considered as ends in themselves," and the churches internalized these nationalist aspirations in such a way that those aspirations became the primary goals of the churches as well. In effect, "the Orthodox churches accepted de facto control by secular national interests." The temptations to blur the discontinuities between Soviet atheist culture and Christian faith only compounded this secularization of the faith.

I suggested to the young priest that the church itself is in a diaspora among its own people. To my surprise, he welcomed and heartily embraced that description. (I had not expected such a metaphor to be understood in Armenia, as it is not yet intelligible to most Armenians in the diaspora.) In order to understand the church in Armenia as in a diaspora, one must realize, in the face of a massive myth depicting even present-day Armenia as a Christian nation, that Armenian Christendom no longer exists. One must also understand the mission of the church as biblical and not nationalistic.

When I asked the wife of the priest of a historic church in the city of Etchmiadzin whether she thought Armenia as a Christian nation, she hesitated and then said, "Yes." I asked in what way that was so. "Armenians are hospitable," she said. While this was an answer worth exploring—hospitality is a

powerful theme in biblical faith—it is not adequate. She knew it was not plausible either and said so later. In fact, it became clear that she held what can only be described as an apocalyptic view of the present times. She identified the Soviet empire as the harlot in Revelation 18, "drunk with the blood of the saints and the blood of the martyrs of Jesus Christ." In her view only a remnant of the true faith remained. Glasnost and perestroika were "a good provision" to gather the faithful before the Second Coming. Yet the myth of an Armenian Christendom haunted her and remained a powerful part of her own symbolic construction of social and religious reality.

During my visit to Armenia, the complex relationship between faith and peoplehood was repeatedly brought home to me. Kevork and Anahid are a couple who lost their 12-year-old son and nearly lost their daughter in the earthquake. On the night I spent with them, I noticed that several feet from the foot of their bed was a small household "altar." Hung on the wall from top to bottom were a picture of their son, photographs of family and friends in which the son was present, a crucifix, and the flag of the short-lived independent Armenian Republic of 1918-1920 (it has since become the flag of the new Armenian Republic). On a table against the wall were placed a votive candle, belongings of the son pulled out from the rubble, and a miniature volume of the Gospel of Mark.

Earlier, Kevork had made known to me his own personal struggle with faith and doubt. We had claimed a hill in Yerevan to a memorial to the 1.5 million martyrs and victims of the Turkish genocide perpetrated against the Armenians. Kevork told me that he had virtually exhausted himself in an argument with God. The earthquake, he believes—as do many Armenians—was set off deliberately by the Russians with an underground nuclear explosion to punish the Armenians for their defiance of Soviet authority. Anahid had had a recurring dream of God in the clouds and horses ascending into those clouds, where God's face was hidden. From out of the clouds God spoke: "I did not bring this catastrophe upon you." Even so, Kevork refused to exonerate God from responsibility for the earthquake. God was yet to blame, he exclaimed, "for he did not prevent the hand of men from doing such a thing to the Armenian people." I asked Kevork whether he was speaking of the earthquake or the genocide. "Both!" he answered.

Kevork's argument with God is on behalf not only of himself and his personal loss but of the victim nation—once victim of genocide, recently victim of a devastating earthquake. If faith is to be forged out of such tragedy, faith must illumine not only meaning for personal suffering, but for an entire nation's experience of affliction. (In October 1990, Kevork and Anahid's ten-year-old daughter Lillit visited the U.S. for a second time to receive corrective surgery for a head injury suffered during the earthquake. In accordance with the wishes and instructions of her parents, Lillit was baptized.)

Kevork was not the only Armenian I met who embodied such a union of faith and peoplehood. Meline and Dikran are two young professionals who live in one of the major cities in Armenia. She is a professor of philology and ancient Greek and he is a professor of architecture. They describe themselves as Christian democrats and teach their children at home. They say they are for the restoration of Christianity. Their views came the closest to those I heard from Rus-

sian religious dissidents in Moscow. I asked Meline and Dikran what they thought of Vaxken I and Etchmiadzin. There was a long silence. They were really quite taken aback and unsure what to say to a stranger. So I shifted my query to what they thought the role of the Armenian Church should be in the future.

Dikran was emphatic. He wanted the church to join the political struggle for democracy and to oppose communism outright. I asked him if this was not a dangerous confusion of religion and politics, church and state. Was it not an invitation for the church to subordinate its primary mission of preaching the gospel of Jesus Christ to political and nationalistic purposes? He asked me, "What do you think the relationship of church and state should be?" I suggested that one problem with the Armenian Church in the past, whether under Ottoman or Soviet rule, was that it was too closely aligned with the state and wanted to assume the leadership of the nation. "Is it wrong for there to be an English Church?" Dekron countered. "No." I answered, but I also indicated that I think it is a mistake for any church to accept the status of an established church—in this case, a model based on the Constantinian-Theodosian union of church and state. With startling alacrity, Erna agreed that the church had been compromised over the centuries by the various transmutations of the Constantinian-Theodosian model. Dikran was less willing to follow the logic. He insisted that the role of the church is "to build the nation."

This couple's disagreement is a microcosm of the tremendous struggle among believers in Armenia over how to relate faith, church and nationalism. Many secular nationalists are quite content with an Armenian Church stuck in a medieval vision of Christendom, so long as the church does not challenge their own agendas. Under these conditions it is perfectly permissible and even desirable for the church to continue making vague pronouncements exhorting the nation to be proud of its past and hopeful about its future. In addition, a large number of believers hold to a narrow pietism and naive traditionalism which leave them incapable of envisioning a church other than the existing one. But even Dikran wanted an activist church that would risk its comfort in order to move the nation toward real democracy—an entirely different matter.

While Catholicos Vazken's metaphor of the leaven and his call for the abandonment of old molds and for overcoming the spirit of "narrow nationalism" may mark the beginning of a new mind and mission for the Armenian Church, I remain deeply skeptical. Much, in fact, may depend initially not upon the disposition of Vazken I or the hierarchy but upon whether Christian Armenians in the diaspora offer their support to the faithful in Armenia through educational materials and resources for mission and evangelization. Yet diaspora Armenians must also report honestly and self-critically to their kin on the true nature of their own often-envied religious experience within free societies.

Perhaps Armenian-Americans will simultaneously find the will to commence the crucial business of sorting out what it means to be a Christian and a church in a nation that, although permitting religious freedom, is one in which religious bodies suffer profound spiritual enervation, the deconstructive impact of denominationalism and a secular hegemony which wears pluralism like a reversible vest.

I hope that the Armenian Church in America and in the rest of the diaspora may itself be regenerated and reformed under the influence of the religious awakening in Armenia. The various admixtures of faith and nationalism in the minds and hearts of Armenians need to be taken into account, but the awakening in Armenia itself is quite real. That lively and experiential faith reveals just how thin and pale much of diaspora Armenian Christianity is. Amid this religious ferment, Armenian national identity could well undergo some healthy transformations. Finally, there is reason to hope that the Armenian Church abroad and in Armenia will learn anew what it means to be free and faithful in Christ. Only then will it cease being the handmaid of nationalism and secular authority and instead be the spiritual leaven that raises and purifies the character of its people.♦

ADJOURNMENT OF THE TWO HOUSES OVER THE EASTER RECESS

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 106, now at the desk.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 106) providing for an adjournment of the two Houses from March 22 until April 9, 1991.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDENT pro tempore. The question is on agreeing to concurrent resolution.

The concurrent resolution (H. Con. Res. 106) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

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

The motion to lay on the table was agreed to.

U.S. MARSHALS ASSOCIATION

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of Calendar No. 55, S. 134, a bill to establish a U.S. Marshals Association.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 134) to establish a United States Marshals Association.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee

on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Marshals Association Establishment Act".

SEC. 2. ESTABLISHMENT AND PURPOSE OF ASSOCIATION.

(a) ESTABLISHMENT.—There is established the United States Marshals Association (hereafter in this Act referred to as the "Association"). The Association is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

(b) PURPOSES.—The purposes of the Association are—

(1) to elevate and strengthen public knowledge of law enforcement in general, and the United States Marshals Service in particular;

(2) to promote the exchange of information among private and public institutions and individuals about law enforcement and justice systems issues;

(3) to organize symposia, studies and research for such purposes;

(4) to study the history of law enforcement;

(5) to produce, sell and distribute educational materials;

(6) to accept and administer private gifts or property for the benefit of, or in connection with, the activities and services of the United States Marshals Service; and

(7) to promote the general welfare of law enforcement.

SEC. 3. BOARD OF DIRECTORS OF THE ASSOCIATION.

(a) ESTABLISHMENT AND MEMBERSHIP.—The Association shall have a governing Board of Directors (hereafter referred to in this Act as the "Board"), which shall consist of not less than 3, nor more than 20 Directors, each of whom shall be a United States citizen and be knowledgeable or experienced in law enforcement matters. The Director of the United States Marshals Service (hereafter referred to in this Act as the "Director") shall be an ex officio nonvoting member of the Board. Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purposes of any Federal law.

(b) APPOINTMENT AND TERMS.—The Directors of the Board may be appointed with the advice of the Director of the United States Marshals Service. The Directors shall be appointed for terms of 4 years. A vacancy on the Board shall be filled in the manner in which the original appointment was made. No individual may serve more than two consecutive terms as a Director.

(c) CHAIRMAN.—The chairman shall be elected by the Board from its members for a 2-year term.

(d) QUORUM.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(e) MEETINGS.—The Board shall meet at the call of the Chairman at least twice a year. If a Director of the Board misses three consecutive regularly scheduled meetings, that individual may be removed from the Board and that vacancy filled in accordance with subsection (b).

(f) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary travel and subsistence expenses incurred by them in the performance of the du-

ties of the Association in keeping with the objectives of the Association.

(g) GENERAL POWERS.—(1) The Board may complete the organization of the Association by—

(A) appointing officers and employees;

(B) adopting a constitution and bylaws consistent with the purposes of the Association and the provisions of this Act; and

(C) undertaking of other such acts as may be necessary to carry out the provisions of this Act.

(2) The following limitations apply with respect to the appointment of officers and employees of the Association:

(A) Officers and employees may not be appointed until the Association has sufficient funds to pay them for their services. Officers and employees of the Association shall 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 such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS-18 of the General Schedule.

(B) The first officer or employee appointed by the Board shall be the Secretary of the Board who (i) shall serve, at the direction of the Board, as its chief operating officer, and (ii) shall be knowledgeable and experienced in matters relating to law enforcement.

(h) ADVISORY COUNCIL.—In addition to the Board of Directors, the Chairman of the United States Marshals Association may appoint an Advisory Council of up to 15 members. Members of the Advisory Council have no vote in the internal affairs of the Association.

SEC. 4. MEMBERSHIP.

(a) ELIGIBILITY.—Eligibility for membership shall be limited to persons and organizations demonstrating support of the stated purpose, goals and functions of the United States Marshals Association. Categories of membership shall be as follows:

(1) Regular member shall be limited to persons actively or formerly employed in the United States Marshals Service.

(2) Associate member is one who is qualified by training and/or experience in Federal, State, local or foreign law enforcement.

(3) Honorary member shall be limited to persons who have an outstanding record of public or private service.

(4) Corporate member shall be limited to non-Government, public, private or nonprofit organizations which support the United States Marshals Association concerns.

(5) Sponsoring member shall be limited to official Government entities.

(b) APPLICATION.—Application for membership shall be made in writing on the form provided for that purpose.

(c) SPONSORSHIP.—Applicants or nominees for membership in any category except that of sponsoring agency must be sponsored by a regular member. Except in the case of prospective honorary members, acceptance of applicants or nominees shall be determined by a majority vote of the Board of Directors.

(d) DUES FOR MEMBERS.—Membership dues shall be established by the Board of Directors. Dues or fees must accompany a prospective member's application. No fees or dues shall be required in the case of honorary members or sponsoring agencies.

(e) VOTING.—A member shall have voting status and may serve on the Board of Directors.

(f) SUSPENSION OR EXPULSION OF MEMBERS.—A member may be suspended or expelled for nonpayment of dues or fees in arrears for 60 days, for good cause, or other reasons by a vote of two-thirds of the full Board of Directors in accordance with procedures prescribed in Robert's Rules of Order. No member who has been suspended or expelled from the Association may be readmitted to membership within 1 year, and readmission thereafter shall require the consent of the Board of Directors.

SEC. 5. RIGHTS AND OBLIGATIONS OF THE ASSOCIATION.

(a) IN GENERAL.—The Association—

(1) shall have perpetual succession;

(2) may conduct business throughout the several States, territories, and possessions of the United States;

(3) shall have its principal offices in the State of Virginia or wherever else deemed necessary; and

(4) shall at all times maintain a designated agent authorized to accept service of process for the Association.

The serving of notice to, or service of process upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Association.

(b) SEAL.—The Association may use the United States Marshals Service seal, insignia, badge, and other materials unique to the United States Marshals Service, a Government agency, only with the express written permission of the Director of the United States Marshals Service.

(c) POWERS.—To carry out its purposes under section 2, the Association shall have, in addition to the powers otherwise given it under this Act, the usual powers of a corporation acting as a trustee in the State of Virginia or wherever else deemed necessary, and including the power—

(1) to accept, receive, solicit, hold, administer and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(2) to acquire by purchase or exchange any real or personal property or interest therein;

(3) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain or otherwise dispose of any property or income therefrom;

(4) to borrow money and issue bonds, debentures, or other debt instruments;

(5) to sue and be sued, and complain and defend itself in any court of competent jurisdiction, except that the Directors of the Board shall not be personally liable, except for gross negligence;

(6) to enter into contracts or other arrangements with public agencies and private organizations and persons and to make such payments as may be necessary to carry out its function; and

(7) to do any and all acts necessary and proper to carry out the purposes of the Association.

A gift, devise, or bequest may be accepted by the Association even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the Association.

SEC. 6. ADMINISTRATIVE SERVICES AND SUPPORT.

The Director may provide personnel, facilities, and other administrative services to the Association, including reimbursement of expenses under section 3, not to exceed then current Federal Government per diem rates, for a period of up to 5 years from the date of

enactment of this Act, and may accept reimbursement therefor, to be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.

SEC. 7. VOLUNTEER STATUS.

The Director may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Association, the Board, and/or the officers and employees of the Board, without compensation from the Department of Justice, as volunteers in the performance of the functions authorized herein.

SEC. 8. AUDITS, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) AUDITS.—For purposes of the Act entitled "An Act for audit of accounts of private corporations established under Federal law," approved August 30, 1964 (Public Law 88-504, 36 U.S.C. 1101-1103), the Association shall be treated as a private corporation established under Federal law.

(b) REPORT.—The Association shall, as soon as practicable after the end of each fiscal year, transmit to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(c) RELIEF WITH RESPECT TO CERTAIN ASSOCIATION ACTS OF FAILURE TO ACT.—If the Association—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with its purposes set forth in section 2(b); or

(2) refuses, fails, or neglects to discharge its obligations under this Act, or threatens to do so,

the Attorney General of the United States may petition for such equitable relief as may be necessary or appropriate.

SEC. 9. UNITED STATES RELEASE FROM LIABILITY.

The United States shall not be liable for any debts, defaults, acts, or omissions of the Association nor shall the full faith and credit of the United States extend to any obligation of the Association.

SEC. 10. NONDISCRIMINATION.

(a) EMPLOYMENT PRACTICES.—Notwithstanding section 701(b) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(b)) or section 101(5)(B) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(5)(B)), the United States Marshals Association and any agent of such Association shall be considered an employer for purposes of title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 if the Association is engaged in an industry affecting commerce and meets the minimum employee requirements set forth in the Acts.

(b) MEMBERSHIP PRACTICES.—

(1) PROHIBITED PRACTICES.—It shall be unlawful for the United States Marshals Association, on the basis of the race, color, religion, sex, national origin, age, or disability, of an individual, to—

(A) fail or refuse to accept the individual into membership;

(B) expel the individual from membership;

(C) suspend the membership of the individual; or

(D) discriminate against the individual with respect to any of the benefits or obligations of membership.

(2) ENFORCEMENT.—

(A) RIGHT OF ACTION.—Any person may bring a civil action to enforce paragraph (1) in any appropriate judicial district under section 1391 of title 28, United States Code.

(B) INJUNCTIVE RELIEF.—In any civil action brought under this paragraph, the court may grant as relief any permanent or temporary injunction, temporary restraining order, or other equitable relief as the court determines appropriate.

SEC. 11. AMENDMENT AND REPEAL.

The Congress expressly reserves the right to repeal or amend this Act at any time.

Mr. THURMOND. Mr. President, I am pleased that the Senate is considering today S. 134, which I introduced along with Senator BIDEN. This legislation would establish a U.S. Marshals Association.

In 1989, the U.S. Marshals Service celebrated its bicentennial anniversary. Created by the First Congress in the Judiciary Act of 1789, the U.S. marshals and the Federal judicial system were established in the same legislation. George Washington appointed the first 13 marshals, and for the next 150 years the marshals were the only Federal agency authorized to make arrests and enforce Federal law.

Though best known as the frontier lawmen, U.S. marshals were the first Secret Service men, and even took the population census every 10 years until 1870. Because they perform general purpose law enforcement duties, marshals are often confused with the CIA, FBI, the county sheriff, and other law enforcement agencies.

U.S. marshals, appointed by the President, are under the jurisdiction of the Justice Department. Last year, the 2,694 marshals—including 94 marshals and 2,600 sworn deputies—arrested 15,000 Federal fugitives and approximately 10,000 State fugitives—more than all other Federal law enforcement agencies combined. They protected 505 judicial facilities and 1,611 judges and magistrates. Their responsibilities include not only ensuring security and proper decorum in the courtroom, but also providing personal protection for judges, U.S. attorneys, jurors, and witnesses while away from the court facilities when warranted. Their court security officers detected 55,970 weapons at courthouse checkpoints, and they administered the Witness Security Program with its 5,500 protected witnesses and 6,000 witness family members. The Marshals' National Prisoner Transportation Network transported 92,000 defendants to 333,987 court appearances, and last year the marshals managed more than \$1 billion in property seized from alleged lawbreakers in the National Asset Seizure and Forfeiture Program.

I feel it is only appropriate to elevate and strengthen public knowledge of law enforcement in general, and the U.S. Marshals Service in particular by introducing this legislation to establish a U.S. Marshals Association. The legislation is modeled after similar legislation which established the National Fish and Wildlife Foundation and the National Park Foundation. Governed by a board of directors, the association

would be a charitable and nonprofit corporation and would not be an agency or establishment of the United States. The directors would serve for terms of 4 years, and the legislation requires that they be knowledgeable and/or experienced in law enforcement matters. Regular membership shall be limited to persons actively or formerly employed in the U.S. Marshals Service. Associate membership will be open to those who are qualified by training and/or experience in Federal, State, and local law enforcement.

I urge my colleagues to approve this legislation.

Mr. BIDEN. Mr. President, I am proud to be an original cosponsor of S. 134, a bill introduced by Senator THURMOND, which would establish a U.S. Marshals Association.

The U.S. Marshals Service has served the Federal justice system for more than 200 years. The Judiciary Act of 1789, which established the Federal judicial system, also created the office of the U.S. marshal. President George Washington appointed the first 13 U.S. marshals, whose primary function was to enforce Federal law. For more than a century, the U.S. marshals and their deputies were the only nationwide civilian police force, serving the President, Congress, and the Federal courts.

The role of the U.S. marshal has changed considerably throughout their 200-year history. During their first century, they were frontier lawmen, responsible for establishing law and order in the newly populated territories. Later, they helped to enforce prohibition and desegregation in the schools.

Today the U.S. Marshals Service is involved in all stages of the Federal justice system. They are responsible for fugitive investigations, the custody and care of all Federal prisoners until they are tried, prisoner transportation, and the protection of Federal judges, jurors, and other persons serving the court. They also administer the Witness Security Program, which protects 5,500 witnesses and more than 6,000 of their family members.

It is particularly important that the public recognize the invaluable role that the Marshals Service has played—and continues to play—in our Federal judicial system. S. 134 would establish the Marshals Service as a Federal, nonprofit corporation. The primary purpose of the U.S. Marshals Association would be to elevate public knowledge of law enforcement, and the U.S. Marshals Service in particular. It would operate similar to the approximately 30 other Federal corporations, including the National Fish and Wildlife Foundation.

I urge my colleagues to join with Senator THURMOND and myself in working for passage of this legislation. It would provide the recognition and support the U.S. Marshals Service deserves.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute?

The amendment in the nature of a substitute was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the bill will be read for a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 134) was passed.

Mr. FORD. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

RELATIVE TO IRAQ

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 45, Senate Joint Resolution 94, a joint resolution relative to Iraq.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 94) relative to Iraq.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause, and insert the following:

That, in addition to the conditions contained in the Iraq Sanctions Act of 1990 (Public Law 101-513), the President shall not lift any sanction in effect against Iraq as of March 19, 1991, unless and until the President certifies in writing to the Speaker of the House of Representatives and the chairman of the Senate Committee on Foreign Relations that Iraq has released all prisoners of war and has accounted, as fully as possible, for all those missing in action, including Kuwaiti civilians and military personnel captured during the Iraqi occupation of Kuwait; and, be it further resolved that, in addition to conditions imposed on Iraq by United Nations Security Council resolutions, the President shall make every effort to ensure that United Nations and other multilateral sanctions against Iraq remain in effect until Iraq has released all prisoners of war and has accounted, as fully as possible, for all those missing in action, including Kuwaiti civil-

ians and military personnel captured during the Iraqi occupation of Kuwait.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, as amended, and the preamble, are as follows:

S.J. RES. 94

Whereas the United States, as world's leading democracy, was at the forefront of the United Nations' effort to liberate Kuwait from the hand of a destructive tyrant, Saddam Hussein;

Whereas the American people are deeply committed to the brave men and women serving in the armed forces of this Nation and to the liberation of those held against their will by the Government of Iraq;

Whereas over half of a million of America's servicemen and women risked their very lives to liberate the people of Kuwait, and to prevent further aggression by Saddam Hussein;

Whereas eight thousand one hundred and seventy-seven Americans missing or imprisoned during the Korean War have yet to be accounted for by the Democratic People's Republic of Korea;

Whereas two thousand two hundred and eighty-five Americans missing or imprisoned during the Vietnam conflict have yet to be accounted for by the Socialist Republic of Vietnam or by the Lao People's Democratic Republic;

Whereas the American people owe no greater obligation than to stand up for those who have been captured or are missing in action while risking their lives in defense of country;

Whereas thousands of innocent Kuwaitis are reportedly still being held by the Iraqis; and

Whereas a complete return of all those known to be captured by the Government of Iraq and a fullest possible accounting of those known to be missing in action in the Persian Gulf is of the highest national priority: Now, therefore, be it.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the conditions contained in the Iraq Sanctions Act of 1990 (Public Law 101-513), the President shall not lift any sanction in effect against Iraq as of March 19, 1991, unless and until the President certifies in writing to the Speaker of the House of Representatives and the chairman of the Senate Committee on Foreign Relations that Iraq has released all prisoners of war and has accounted, as fully as possible, for all those missing in action, including Kuwaiti civilians and military personnel captured during the Iraqi occupation of Kuwait; and, be it further resolved that, in addition to conditions imposed on Iraq by United Nations Security Council resolutions, the President shall make every effort to ensure that United Nations and other multilateral sanctions against Iraq remain in effect until Iraq has released all prisoners of war and has accounted, as fully as possible, for all those missing in action, including Kuwaiti civilians and military personnel captured during the Iraqi occupation of Kuwait.

Mr. BROWN. Mr. President, the victory that all Americans achieved on the battlefield in the Persian Gulf is one every citizen of this Nation can take great pride in. The message was clearly sent that no one nation, no one

dictator, can stand against a world united for peace and democracy.

But our work has not ended there, nor should it. Not until every missing American is accounted for to the greatest extent possible. I am greatly encouraged by the return of American, as well as other allied, prisoners of war who were held in Iraq, and of Iraqi efforts to date to account for those missing in action. But, having served in Vietnam, I know we must not remove the pressure on the Iraqi Government until all prisoners it holds are returned, and those missing in action are accounted for as fully as possible.

For Americans and most of the other allies, the work on this score is near completion. The Pentagon informs me its latest count shows 21 Americans are missing in action, 14 of them missing in a downed C-130 aircraft. However, for thousands upon thousands of missing Kuwaitis and for their families, the work is only beginning.

The horrors suffered by the people of Kuwait only began on August 2. Reports of Iraqi inhumanity are so gruesome they are difficult to believe. Consider:

During the early days of the occupation, 10 Kuwaiti citizens were randomly shot for every Iraqi soldier killed by the resistance. [Christian Science Monitor, March 4, 1991]

More than 300 premature babies were left to die after Iraqi forces looted incubators from at least three of Kuwait City's main hospitals. [Amnesty International USA, December 18, 1990 statement]

Enraged Iraqi soldiers killed a deaf/dumb man simply because he failed to answer their loud knocks at his door. [Christian Science Monitor, March 4, 1991]

Kuwait's largest hospital reports torture victims, bullet-riddled bodies with their hands tied behind their backs and young men who had been chopped with axes. [Washington Post, March 1, 1991]

In the final days of the occupation alone, an estimated 8,000 Kuwaitis were kidnapped and taken to Iraq as prisoners of the fleeing soldiers. [Christian Science Monitor, March 4, 1991]

That is why Senate Joint Resolution 94 is so very important, both for Americans still missing in action and for our allies. As you may have noticed, it is a simple piece of legislation that adds as a condition to existing sanctions, the release of all prisoners of war and the fullest possible accounting for those missing in action—including the thousands of Kuwaiti citizens captured and abducted during the war with Iraq.

Saddam's regime is under intense pressure, both from within and from without. But allowing economic sanctions to be lifted before the fullest possible accounting is made for all those involved in the conflict would be a mistake.

Let me note, I have every confidence in the administration and in its handling of the situation in Kuwait. However, adding this condition to those that already exist will further strengthen the administration's hand

against this brutal tyrant and his government.

Mr. President, I ask unanimous consent that the following articles detailing the horrors of the Iraqi occupation be printed in full at the conclusion of my remarks.

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

[From the Christian Science Monitor, Mar. 4, 1991]

KUWAITIS TELL OF ATROCITIES DURING HARSH IRAQI RULE
(By Peter Ford)

KUWAIT CITY. "We are so happy we do not want to go to sleep."

Capt. Ali, who asked not to be further identified, grinned broadly as he and his Kuwait Army colleagues talked late into Saturday night over endless glasses of sweet tea in the light of a flickering lantern.

But their joy at freedom was tempered by the grim and ugly matters they were discussing, as they recalled the horrors of seven months of Iraqi occupation.

Every Kuwaiti this reporter has met has had a tale of sorrow to recount: a relative killed by Iraqi soldiers, a neighbor tortured, a home ransacked, a friend disappeared.

Over the weekend, streams of Kuwaitis knocked at the United States Embassy door in search of news of the estimated 8,000 people kidnapped in the last few days of the occupation and allegedly taken to Iraq as hostages by fleeing soldiers.

"My cousin was in his house on Friday. Two Iraqi soldiers called him out onto the pavement and said they wanted to talk to him. He went with them, and he hasn't been seen since," say Ali Khaled, a public prosecutor.

Although the fate of the hostages is unknown, they are not believed to be dead, unlike unnumbered thousands of their countrymen.

The occupation forces' brutal lack of respect for life and property is evident throughout Kuwait City, from looted and destroyed homes and accounts of Iraqi occupation policy by Kuwaitis who suffered from it.

Human tragedy struck both in an organized fashion and accidentally.

A great deal of planning, for example, apparently went into the torture inflicted on resistance fighters whose mutilated corpses were photographed by comrades working in the city morgue and graveyard.

The Iraqis' policy of shooting 10 Kuwaitis for every one soldier killed in the early days of the occupation—which resistance leaders say convinced them to halt sniping attacks on Iraqi troops—was also deliberate.

Retribution was also visited on any house from which shots were thought to have been fired, or which belonged to a member of the Kuwaiti armed forces, as burned or shelled homes attest.

Iraqi military rule was harsh, and harshly enforced. This reporter was shown documents taken from a Security Force office which recorded the execution of three men on Jan. 31. Their crimes, the document read, were to have possessed a car telephone, a photocopier, and two typewriters.

But tragedy also struck almost incidentally. A deaf-and-dumb man was shot dead by Iraqi soldiers furious he had not opened the door at their knocking, neighbors said. A 17-year-old boy's back was broken as he was caught between soldiers seeking to arrest him and relatives trying to keep hold of him, an uncle said.

The city shows signs, and stories abound, of casual brutality. The public graveyard has been defaced, for example; a man said he had been tortured for a week for refusing to give up his car to a soldier who had demanded it.

Thievery on a mass scale has left thousands of shops and homes denuded of everything that was not nailed down, and much that was.

Any house left unoccupied or unguarded was likely to be looted, Kuwaitis say.

Doors have been smashed down, and apartments stripped of valuables, throughout the city. Anything left behind has been trashed, torn up, cracked, or simply tossed out of broken windows.

Hospitals were emptied of equipment and medicines, public offices left without a stick of furniture, the university library shelves are bare; only the card index is left, scattered all over the floor.

Those who lived through the occupation, whatever role they played in resisting it, seem to have experienced the same fears and insecurities, to judge by their comments.

"We were dying a little bit each day, step by step," says Captain Ali. "And sometimes we doubted that the allies would really go through with the war."

For Walid Hasawi, a teacher at the Kuwait Institute of Technology: "I never felt safe for the whole seven months. When I slept, I was just putting my head on my bed. You never know if they might come."

That insecurity affected French professor Muhammad al-Shatti, too. "You were psychologically tortured all the time. You would go to get gas and not know if you would be dead the next minute. We counted our lives in minutes."

The buildings damaged in Kuwait City have been burned rather than blown up, and what the capital needs is a massive clean up rather than a reconstruction. But the human effect will be harder to efface.

"Men were shot in front of their families, in front of their little children," says Muhammad al-Muttawa, a resistance worker. "Those children will grow up, but they will never forget what they saw the Iraqis do."

[From the Washington Post, Mar. 1, 1991]

KUWAITI DOCTORS CHARGE TORTURE, KILLINGS BY OCCUPIERS

KUWAIT CITY, February 28.—In the Arab culture, Kalid Shalawi observed, it is a sign of weakness for a man to cry. But he wept unashamedly today as he described seven months of bloody occupation by the Iraqi army.

"Sometimes I sit alone and start crying over what has happened in Kuwait. It is worse even than people thought," Shalawi said.

As acting chief of the medical section of Mubarak Hospital, Kuwait's largest, Shalawi said he saw the worst of the occupation—victims of torture, bullet-riddled bodies that came into the surgical wing with hands tied behind backs, young men who had been chopped with axes.

The hospital's deputy administrator Yousef Nassafi, was abducted by Iraqi soldiers last Friday, his colleagues at Mubarak said, and is presumed to have been taken to Iraq as a hostage.

Virtually every Kuwaiti interviewed in the street during spontaneous demonstrations to celebrate liberation said they had relatives or friends who had been abducted and taken to Iraq as hostages. Most of them suggested that about 5,000 persons had been seized but some, including resistance leaders, estimated

that the retreating army may have force-marched as many as 20,000 toward Iraq.

Medical chief Shalawi said he thought he had become accustomed to gruesome death until the body of a woman in her thirties was brought in with the top of the skull neatly sawed off, exposing the brain. That, he said, epitomized the brutality of the Iraqi army and secret police, the Mukhabarat.

Three other senior doctors at Mubarak Hospital attested in interviews that they saw the body of the woman, Rusha Kabundi, which bore signs of other forms of torture and had been shot three times in the chest. They said her body was dumped in front of the home where her three children live.

"They are psychopaths," declared Shalawi, who said he had been forced to provide morphine for three secret police interrogators who were addicts. He said at least 250 victims of torture and execution were brought to this hospital but that many more were simply buried by their families after the Iraqis dumped them in front of their homes as object lessons for the resistance movement.

Shalawi and doctors at three other hospitals in Kuwait City told a gynecologist at Mubarak Hospital, Isham Obedad, who was accused by the Iraqis in September of poisoning soldiers he treated. Obedad was tortured, executed and his body dumped at his house, said doctors who saw the body. They said that his fingernails had been pulled out and his flesh burned with lighted cigarettes.

At the al-Amiri Hospital, Ammar Baroon, a surgeon, said that just before the launching of the allies' ground offensive, the number of executions by the occupiers increased. Baroon said most of the victims he saw had been shot in the neck, head or mouth, with their hands tied behind them.

Many of the victims remain unidentified and the bodies unclaimed, he said. Police "bring the bodies to us, throw them on the floor and leave," Baroon said.

The doctor described how secret police also brought in seriously injured captives—who obviously had been tortured in interrogation—and ordered the physicians to treat them without asking any questions that could be helpful in diagnosis and treatment. He said the terrified doctors usually ministered to the patients in silence.

When asked why the Iraqis sought medical treatment for people they had handled so brutally, Baroon replied, "They wanted more information" and, hence, conscious victims.

Doctors interviewed said most executions appeared to have been carried out as punishment for people carrying Kuwaiti currency or Kuwaiti flags or who were suspected of helping resistance fighters.

Basma Yousef, head nurse at Mubarak Hospital, said the victims of the most savage tortures she had seen—including those with eyes gouged out or who had been burned with acid or had their ears cut off—appeared to have been accused of taking part in guerrilla warfare.

At the Kuwaiti Maternity Hospital, part of the al-Sabah medical complex, obstetrician Mohammed Mahfouz said the Iraqis periodically looted equipment that was in short supply in Iraq. But he said the hospital was able to function throughout the occupation.

Mahfouz said the Iraqis did not steal any infant incubators, as they were alleged to have done early in the war, but he added that they did take some advanced equipment for sonar scanning and for in vitro fertilization.

"Their argument seemed to be, 'Now that Kuwait is Iraq's 19th province, it doesn't need these things as much as the capital

does.' Then it was off to Baghdad," Mahfouz said.

Mahfouz said the Iraqis asked one of his colleagues, Isham Abadan, whether he had treated resistance fighters, and when Abadan said he had not, they tortured him and then executed him in front of his house in the presence of his parents and two brothers.

Another physician at the maternity hospital, Jassin Salakawi, said that during the first month of occupation the hospital received 30 to 40 rape victims, many of them Filipinos working here on contract. But he said, reports of rape appeared to diminish as the occupation wore on, and, in the last month, the hospital received no rape cases.

Many of those interviewed offered names of people who they said had been taken to Iraq, including some of 100 allegedly abducted by the Iraqis Friday during prayers at a mosque in the Shuwaikh neighborhood.

Khalil Abdul Aziz, a welder, said, "This man [President Saddam Hussein] is an animal. Why does he do this to women and children?"

Roof tops and parking lots at the city's hospital compounds bristled with antiaircraft guns. This, the doctors said, turned all the patients into "human shields." One of the hospitals overlooked a Persian Gulf beach lined with bunkers and firing pits built in anticipation of an amphibious assault by U.S. Marines.

Throughout the capital, roadblocks now are manned by hard-eyed, gun-toting young resistance members, who stop cars in search of Iraqi sympathizers and what they said were Iraqi army holdouts still in the city.

The Associated Press added from the United Nations:

Kuwaiti Ambassador Mohammad Abulhasan said Iraq had failed to cooperate in disclosing the conditions or whereabouts of what he estimated were 22,000 abducted Kuwaiti civilians and 8,632 Kuwaiti prisoners of war.

He said 22,000 Kuwaiti civilians were abducted from the emirate after Iraq's Aug. 2 invasion—including 5,000 taken hostage in the 48 hours before Iraq conceded defeat.

The envoy complained that the Iraqis "are not forthcoming" as to the information on the civilians and POWs. "This [is] the reason that we are very much doubtful of the intention of Iraq."

"Don't forget, more than 24 hours elapsed since they have been defeated and left Kuwait, there are no signs at all of their readiness to cooperate in this field," he said.

AMNESTY INTERNATIONAL URGES END TO TORTURE AND KILLINGS IN IRAQ: MAJOR REPORT DETAILS WIDESPREAD HUMAN RIGHTS VIOLATIONS

WASHINGTON, DC.—Amnesty International has called on the Iraqi government to follow the release of hundreds of Western nationals by ending the imprisonment, torture and killing of thousands of people in Kuwait.

In its first comprehensive report on human rights violations in Kuwait since the invasion on August 2, Amnesty International details how Iraqi forces have tortured and killed many hundreds of victims, taken several thousand prisoners and left more than 300 premature babies to die after looting incubators from at least three of Kuwait City's main hospitals.

The report catalogues 38 methods of torture used by the Iraqi military, including cutting off people's tongues and ears, shooting them in the limbs, applying electric shocks to their bodies, and raping them.

"The Iraqi forces' brutality in Kuwait has shocked many people in the past four months," Amnesty International said, "but such abuses have been the norm for people in Iraq for more than a decade."

Amnesty International said it welcomed the release of the Western nationals, but feared that the plight of thousands of victims of gross human rights violations in Kuwait and Iraq might now be forgotten. The organization called on governments to appeal to Iraq to stop the gross human rights violations.

Most of the abuses detailed in the report took place in the first three months after the invasion, when dissent among Kuwaitis and other nationals was widespread and its suppression ruthless. Reports of violations continue to reach Amnesty International almost daily, although the severity of the early suppression appears to have crushed much of the opposition that led to arrest, torture and killing.

The organization said it has collected compelling evidence supporting earlier reports of the killing of premature babies by Iraqi soldiers. "We heard rumors of these deaths as early as August," the organization said, "but only recently has there been substantial information on the extent of the killings."

The organization's investigation team interviewed several doctors and nurses who worked in the hospitals where the babies died. All had seen the dead bodies and one doctor had even helped to bury 72 of them in a cemetery near the hospital. In some hospitals, unofficial records were kept of the number of people who had been killed, including the babies.

Amnesty International's report—released today—has been submitted to all members of the United Nations Security Council, which has requested information on the human rights situation in Kuwait, and to the Iraqi government.

The organization, which takes no position on the disputed territory, again called on the Iraq government to allow the International Committee of the Red Cross into Kuwait to provide protection and assistance to all people in need.

The 82-page report was based both on medical evidence and on in-depth interviews with more than 100 people from about a dozen countries. Since the invasion, Amnesty International investigators have travelled to Bahrain and Saudi Arabia to talk to victims and the doctors who treated them, relatives and eyewitnesses. They have interviewed dozens more in several other countries.

"Time and again, we were told that the most common way soldiers killed people was to take the victim to his family's doorstep, have his relatives identify him, and then shoot him in the back of the head," Amnesty International said.

Some people were killed because they resisted the "Iraqization" of their country by carrying Kuwaiti money or refusing to pledge allegiance to Saddam Hussein. Others were killed simply for refusing to help soldiers loot medical equipment or while trying to flee the country.

The investigators also talked to scores of people who had been arrested in their homes or on the streets. Most of those arrested were Kuwaitis, although many from other Middle Eastern, Asian, European and North American countries were also held.

The team collected the names of some 1,000 people who were arrested, but believes the true figure to be much higher. Thousands of people—some as young as 13—are reported to still be held in Iraq and Kuwaiti prisons, de-

tion centers and homes; others were killed shortly after their arrest, in police stations, before firing squads, or at their homes.

[From the Washington Post, Mar. 7, 1991]

A KNOCK AT THE DOOR, AND A FAMILY IS GONE (By William Claiborne)

KUWAIT CITY, March 6.—When Iraqi secret police banged on their door at 8 a.m. Nov. 14, Ahmed Matar, his wife and three of their children were sleeping in their comfortably appointed home in the middle-class suburb of Misrif.

Matar's sister, Adla Aidan, who lives next-door in the fashion of many extended families in the Arab world, first realized something was wrong when she heard her brother shout, "They're coming! They're coming! They want to take us!" Matar, barefoot and wearing only his nightclothes, had jumped over a wall separating the houses, she said.

Then the 46-year-old schoolteacher disappeared, Aidan said. Moments later, Iraqi secret police led Matar's wife and children away.

To their terrified neighbors, that morning was another stark and convincing demonstration by the Iraqi occupiers of Kuwait just how fragile were the things they had grown accustomed to: their comfort, their stability, their sense of security, their happiness—in short, life as they knew it.

Like 24 other families and scores of individuals in the Misrif neighborhood, the Matar family vanished without a trace.

The Matars joined a still undetermined number of Kuwait is—some unofficial estimates range up to 20,000 or more—who were abducted by Iraqis and are believed to have been killed as object lessons to members of the Kuwaiti resistance or transported to prisons in Iraq to instill fear in a resentful, subjugated populace.

To a large degree, the resistance groups fighting Iraq's occupation of Kuwait were made up of members of the emirate's educated middle class, and many well-to-do neighborhoods, like Misrif, were similarly devastated by reprisal arrests and kidnappings by the Iraqi secret police, or Muhabarat.

The Matars' missing persons reports, filed by a relative, are among hundreds that have been submitted to a clearing center opened Monday at the Palace of Weddings here by the Kuwaiti government, the Red Crescent Society and the Kuwaiti Committee for Human Rights.

When the secret police arrived, Matar's daughters, Munira, 10, and Marian, 4, were sleeping in the bedroom they shared, Aidan said as she showed this reporter around the now still home. An oversized Raggedy Anne and a plastic Donald Duck dominate the girls' room. A Christmas stocking, inscribed, "I've been a good girl this year," hangs on a wall next to twin beds, which are covered with frilly pink duvets.

A boy, Isa Matar, 14, slept in a bedroom next to his mother's and father's room. There are posters of Michael Jackson and the Dream Warriors rock group on the walls of his bedroom.

Another bedroom is decorated with photographs of European soccer stars clipped from sports magazines. It would have been occupied that November morning by Khalid, 17, but the chubby, outgoing high school student had been arrested 25 days earlier by the Muhabarat on suspicion of being a member of the resistance.

Adla Aidan said she believes her brother ran away because he was afraid the secret police would find a pistol he had buried in

the backyard that morning. She said she doubts that he ever thought his wife and children would be taken away.

Aidan said she went to her brother's house and found an Iraqi soldier with an AK-47 rifle threatening to kill Fatma Matar if she did not tell him where her husband had run. In charge, Aidan said, was a portly Muhabarat officer, about 25 years old, who said his name was Faris.

Faris, Aidan said, told the two women to gather the children and all of their valuables—especially any cash and gold. They were driven to Ahmadi, an oil-producing center south of Kuwait City, where suspects were interrogated and processed for transport to Iraq.

There, Aidan said, she found Khalid Matar, dressed in pajamas, his nose broken and twisted out of shape and his face so swollen that he was almost unrecognizable.

"He was always such a big boy, and he had become so thin. He looked at me and said, 'If you cry, I'll ask them to take you out of here,'" Aidan recalled.

Eventually, Aidan said, the police told her she could leave Ahmadi, but that Fatma and the children had to remain in custody. That was the last she saw of them, she said.

When she returned to her home, Aidan said, she received a telephone call from her brother, who said he was hiding at a friend's house. Remembering that a policeman at the Ahmadi interrogation center had told her that the police were no longer interested in detaining the family, she urged Ahmed Matar to go to Ahmadi and collect his wife and children.

Later, she said, she was told by another woman, who had been arrested and interrogated at Ahmadi and released, that Khalid Matar had been separated from his family and that his parents, sisters and brother had been transported to the southern Iraq port city of Basra.

"They've gone to Basra, and Ahmed, too, because I sent him to the police," said Aidan, her voice choking and tears welling in her eyes. "They took no clothes with them. There was no telephone call. That is the last we heard of them."

The Matar missing persons reports at the clearing center, with color snapshots of 4-year-old Marian and 10-year-old Munira smiling brightly, are buried among stacks of similar documents on long tables. Relatives and friends of missing Kuwaitis lined up at them today to make their desperate inquiries.

Nadar Awadi, a human-rights lawyer, leafed through the reports and sadly shook his head. The human-rights committee will collect all the information, Awadi said, "We will take the reports and do what we can." But then he asked: What can it do to bring back thousands of Kuwaitis who have been kidnapped and transported to a hostile country that has no accountability and is unlikely to ever admit to the crimes it committed during its seven-month occupation of Kuwait?

"I don't know what will become of these unfortunate people," he said.

Aidan says she still has hope for her brother and his family. But she was unable to hold back tears as she walked through the musky and airless rooms of Ahmed Matar's once-happy family home.

Dead tropical fish float in an unattended living-room aquarium. Khalid's bicycle leans against the side of the house where he left it before his arrest four months ago. Toys lay scattered on the floor of Munira and Marian's room, and videocassettes and rock music

tapes are strewn carelessly in Isa's room, exactly the way he left them.

"We don't know why this has happened. We don't know where they are, or if they are still alive. We hear rumors that they may be in Basra, or that they may be here, or there. But we don't know. All we can do is pray for them," Aidan said.

The Associated Press reported from Geneva:

The 43-nation U.N. Human Rights Commission today condemned Iraq for using torture and summary executions during its occupation of Kuwait.

Iraq was alone in voting against the resolution, which also denounced what it called Baghdad's "failure to treat all prisoners of war and detained civilians in accordance with humanitarian law."

The three-page resolution, introduced by Kuwaiti Ambassador Jaber Ahmed Sabah, "strongly condemns the Iraqi authorities and occupying forces for their grave violations of human rights against the Kuwaiti people and nationals of other states and in particular the acts of torture, arbitrary arrests, summary executions and disappearances."

The PRESIDENT pro tempore. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDENT pro tempore. The joint resolution having been read the third time, the question is, Shall it pass?

So the joint resolution (S.J. Res. 94), as amended, was passed.

Mr. FORD. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

RECORD TO REMAIN OPEN UNTIL 4 P.M. TODAY

Mr. FORD. Mr. President, I ask unanimous consent that the RECORD remain open until 4 p.m. today for statements and introduction of legislation.

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

ORDERS FOR TUESDAY, APRIL 9, 1991

Mr. FORD. Mr. President, I ask unanimous consent that on Tuesday, April 9, following the prayer, the Journal of the proceedings be deemed to have been approved to date; that the call of the calendar be waived, and no motions or resolutions come over under the rule, and that the morning hour be deemed to have expired.

I further ask unanimous consent that following the time for the two leaders there be a period for morning business not to extend beyond 3 p.m., with Sen-

ators permitted to speak therein for up to 5 minutes each.

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

ORDER OF PROCEDURE

Mr. FORD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the Republican leader, the Senate stand in adjournment as under the provisions of House Concurrent Resolution 106.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

THE CONFERENCE REPORTS

Mr. DOLE. Mr. President, I wanted to comment briefly on the excellent job that I felt was done by the appropriators in their conference that lasted, I guess, until about midnight last night. I was in contact with some of the conferees by telephone.

I particularly wanted to thank the conferees on both sides for their positive action with reference to the export enhancement program. I thank the Presiding Officer.

I want to thank the distinguished Senator from Mississippi, Senator COCHRAN; Senator DOMENICI of New Mexico; and the Senator from Oklahoma, Senator NICKLES; and the Senator from North Dakota, Senator BURDICK; along with the chairman of the House Appropriations Committee who I know feels strongly about the program. He does not care much for it. But in the final analysis the Senate did prevail.

I would also particularly thank the Speaker, Congressman TOM FOLEY. He lives in a district that produces a great deal of wheat. I had a telephone conversation with Mr. FOLEY last evening about 9 o'clock. I think he may have discussed the importance of this program with the chairman of the Appropriations Committee on the House side, Mr. WHITTEN.

But in any event, I also want to congratulate the conferees for their ability to bring everybody together and get it done and it will be signed by the President and they have removed any questionable features in H.R. 1281, and I congratulate the conferees and extend my thanks.

CIVIL RIGHTS: NEW ADVERTISING PITCH, BUT NO BILL

Mr. DOLE. Mr. President, last week, House Democrats were busy devising a new marketing strategy for their so-called civil rights bill.

Fearing a nosedive in public credibility, they were desperately trying to shift the focus of the quota debate by giving the quota bill a fancy new name—the Civil Rights and Women's Equity in Employment Act of 1991.

Mr. President, the American people will not be fooled by the cynical ploy.

Slapping on a new label does not change the product: It is the same design, same bill, same quotas.

As the House Democrats busily pump out their advertising copy, I have noticed that their colleagues on the Senate side have been unusually quiet.

No Senate bill has been introduced.

No speeches have been made.

A Labor Committee hearing was scheduled, only to be postponed to sometime after the Easter recess.

And an eerie silence hangs over the Senate Democratic caucus like a thick London fog.

Mr. President, could it be that Senate Democrats realize that the American people will not be fooled by a slick Madison Avenue gimmick?

Could it be that Senate Democrats understand that hiring quotas and big-dollar lawyer's fees may make some people happy, but they just don't wash with the overwhelming majority of Americans?

Could it be that Senate Democrats now realize that two or three self-appointed civil rights experts do not have a monopoly on what civil rights should mean in America.

And could it be, Mr. President, that Senate Democrats have finally come to realize that President Bush was right after all—that we can have equal opportunity and civil rights for all Americans without creating a racial spoils system and without transforming title VII into a national tort law?

Mr. President, only time will tell.

Senate Democrats are smart to be laying low. And they are right to second-guess a bill that will force quotas and million-dollar lawsuits down the throats of our Nation's employers.

As we head into the Easter recess, Senate Democrats are at a crossroads.

They can choose to follow the lead of their House colleagues and participate in an orgy of spin control and marketing wizardry.

Or they can join with President Bush and pass a bill that takes a fair and responsible approach to solving the very real problems of racial discrimination and sexual harassment.

Mr. President, many of us feel we have a fairly unblemished record in support of civil rights legislation. But this is not civil rights legislation.

So I think there is an understanding by some in this body that hiring quotas

and big dollar litigation may make some people happy, but they just do not wash with the overwhelming majority of the Americans.

So it seems to me we are going to have to broaden the base. We cannot have three or four self-appointed civil rights experts offering what they consider a civil rights bill. We ought to bring the full civil rights community into the act. And we ought to bring in the business community and others who may be concerned about quotas.

Mr. President, I think it is smart to lay low on this issue as some of my colleagues are doing on the other side of the aisle. No doubt about it. This issue is starting to register with the American people. Civil rights, yes; quotas, no.

And if we are going to have a rerun of last year's debate, I challenge my colleagues on the other side of the aisle to bring out the same bill that was brought out here last year. If it is passed, it will be vetoed and I guarantee the veto will be sustained. We are not ready for quota legislation in the United States of America. When you have unlimited damages and unlimited jury trials and a complete overhaul of title VII, that is, in effect, a quota bill, notwithstanding some little disclaimer that may be contained in the bill.

ADJOURNMENT UNTIL 2:30 P.M., TUESDAY, APRIL 9, 1991

The PRESIDENT pro tempore. Under the previous order, and also under the provisions of House Concurrent Resolution 106, the Senate now stands in adjournment until 2:30 p.m., Tuesday, April 9, in this year of our Lord 1991.

At 3:04 p.m., the Senate adjourned until Tuesday, April 9, 1991, at 2:30 p.m.

NOMINATIONS

Executive nominations received by the Senate March 22, 1991:

DEPARTMENT OF STATE

RAYMOND GEORGE HARDENBERGH SEITZ, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

DEPARTMENT OF JUSTICE

WILLIE GREASON, JR., OF MISSOURI, TO BE U.S. MARSHAL FOR THE EASTERN DISTRICT OF MISSOURI VICE WILLIAM S. VAUGHN, RETIRED.

JOSE R. MARIANO, OF GUAM, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES MARSHAL FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF 4 YEARS VICE EDWARD M. CAMACHO, TERM EXPIRED.

LARRY J. JOINER, OF MISSOURI, TO BE U.S. MARSHAL FOR THE WESTERN DISTRICT OF MISSOURI VICE LEE KOURY, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE. THE OFFICERS INDICATED BY ASTERISK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

CHAPLAIN

To be lieutenant colonel

JOSEPH S. BATLUCK xxx-xx-x...

- RALPH G. BENSON xxx-xx-x...
THOMAS E. COOK xxx-xx-x...
HUGH L. DUKES xxx-xx-x...
MICHAEL R. DURHAM xxx-xx-x...
STANLEY ESTERLINE xxx-xx-x...
JAMES P. FOLEY xxx-xx-x...
NEIL E. FREY xxx-xx-x...
CHARLES E. GUNN xxx-xx-x...
JEROME A. * HABERER xxx-xx-x...
STEPHEN J. HEETLAND xxx-xx-x...
JANET Y. HORTON xxx-xx-x...
DIANA M. JAMES xxx-xx-x...
JAMES B. * JOY xxx-xx-x...
PHILIP D. KALYANAPU xxx-xx-x...
RONALD J. KELLER xxx-xx-x...
JAMES F. KLEFFMAN xxx-xx-x...
KENNETH J. LEINWAND xxx-xx-x...
LAWRENCE R. MACK xxx-xx-x...
BENJAMIN C. MANNING xxx-xx-x...
DAVID E. MCLEAN xxx-xx-x...
JERRY L. ROBINSON xxx-xx-x...
CECIL F. RYLAND xxx-xx-x...
JESSE L. THORNTON xxx-xx-x...
RONALD VANSCHENHOF xxx-xx-x...

MEDICAL CORPS

To be lieutenant colonel

- DAVID W. * ANDERSON xxx-xx-x...
ROBERT A. ARCIERO xxx-xx-x...
JULIAN E. * ARMSTRONG xxx-xx-x...
THOMAS L. * ASHCOM xxx-xx-x...
THEODORE * ATKINSON xxx-xx-x...
JOHN M. BAUMAN xxx-xx-x...
JAY R. * BISHOP xxx-xx-x...
CLIFFORD P. * BLACK xxx-xx-x...
HERMAN M. * BLANTON xxx-xx-x...
DAN W. * BOLTON xxx-xx-x...
ANDREA C. * BRADFORD xxx-xx-x...
DONALD M. BRADSHAW xxx-xx-x...
ERIC A. BREWNER xxx-xx-x...
ARTHUR E. * BROWN xxx-xx-x...
BRENT P. * BRUDERER xxx-xx-x...
PATRICIA A. * BURDEN xxx-xx-x...
LAWRENCE P. BURGESS xxx-xx-x...
RUBY J. * CAIN xxx-xx-x...
WILLIAM E. CALDWELL xxx-xx-x...
MELVIN B. * CARTER xxx-xx-x...
PAUL E. CASINELLI xxx-xx-x...
WILFRE * CASTROBLES xxx-xx-x...
BENJAMIN CHACKO xxx-xx-x...
JAMES E. * CHAPMAN xxx-xx-x...
CHRISTOPHER CHENEY xxx-xx-x...
JOHN H. * CHILES xxx-xx-x...
KEVIN * CHRISTENSEN xxx-xx-x...
JOHN G. * CHRISTIE xxx-xx-x...
JAMES A. COFFEY xxx-xx-x...
ANTHONY W. COLPINI xxx-xx-x...
CASS W. CONAWAY xxx-xx-x...
WALTER C. CONNOR xxx-xx-x...
RICHARD M. * CONRAN xxx-xx-x...
PATRICIA A. * CORNETT xxx-xx-x...
WILLIAM A. * CROSLAND xxx-xx-x...
MARK A. CROWE xxx-xx-x...
HARRY Q. DAVIS xxx-xx-x...
ROBERT F. * DEFRAINES xxx-xx-x...
DARCELLE M. * DELRIE xxx-xx-x...
GREGORY J. * DENNIS xxx-xx-x...
MONTE S. DIRKS xxx-xx-x...
DAVID L. * DOERING xxx-xx-x...
THOMAS P. * DOVE xxx-xx-x...
NANCY S. * DOW xxx-xx-x...
MARSHAL V. * DRESSELT xxx-xx-x...
JAMES F. DUNN xxx-xx-x...
WALTER E. * EGERTON xxx-xx-x...
LOUI D. ELFRINK xxx-xx-x...
MICHAEL H. * ENGHARDT xxx-xx-x...
TED D. * EPPERLY xxx-xx-x...
DONALD A. * GAGLIANO xxx-xx-x...
NEAL S. GAITHER xxx-xx-x...
LYNN C. * GARNEH xxx-xx-x...
PATRICE T. * GASFANI xxx-xx-x...
CARL A. * GEYER xxx-xx-x...
SCOTT D. GILLOGLY xxx-xx-x...
GARY A. * GOFORTH xxx-xx-x...
RICHARD * GONZALEZ xxx-xx-x...
ELDER GRANGER xxx-xx-x...
PETER H. GREENMAN xxx-xx-x...
GLENN C. * GRIFFITH xxx-xx-x...
LOUIS H. * GUERNSEY xxx-xx-x...
JOHN H. HAGMANN xxx-xx-x...
ALAN W. * HALLIDAY xxx-xx-x...
THOMAS G. * HARDAWAY xxx-xx-x...
FREDERICK * HARLASS xxx-xx-x...
GERALD HARRINGTON xxx-xx-x...
DAVID W. * HAUSE xxx-xx-x...
DENNIS L. * HAYDEN xxx-xx-x...
LESLIE * HEDDLESTON xxx-xx-x...
HOWARD S. HEIMAN xxx-xx-x...
MEREDYTH C. * HIRSBH xxx-xx-x...
CURT * HOFER xxx-xx-x...
CHARLES S. * HORN xxx-xx-x...
RODERICK F. HUME xxx-xx-x...
PIERCE B. IRBY xxx-xx-x...
PATRICIA * JEFFREYS xxx-xx-x...
PATRICK H. * JUDSON xxx-xx-x...
KEVIN N. KEENAN xxx-xx-x...
PATRICK W. * KELLEN xxx-xx-x...
KEVIN J. * KELLY xxx-xx-x...
JEROME N. * KOPELMAN xxx-xx-x...
RICHARD W. KRUSE xxx-xx-x...
HOMER J. * LEMAR xxx-xx-x...

LESTER F. * LIBOW xxx-xx-x...
 PATRI * LILLISHEARNE xxx-xx-x...
 EDWARD J. * LISECKI xxx-xx-x...
 MILAGROS * LOPEZ xxx-xx-x...
 MICHAEL F. LYONS xxx-xx-x...
 DAVID L. * MANESS xxx-xx-x...
 VINCENT E. * MARTIN xxx-xx-x...
 WINSTON K. * MARTIN xxx-xx-x...
 ALICE M. * MASCIOTTA xxx-xx-x...
 MARIA A. * MAYORGA xxx-xx-x...
 MARY A. * MCAFEE xxx-xx-x...
 PETER R. * MCNALLY xxx-xx-x...
 JOE * MENDIOLA, JR. xxx-xx-x...
 CYNTHIA L. * MEYER xxx-xx-x...
 MICHAEL E. * MULLIGAN xxx-xx-x...
 MICHAEL J. * MULVANEY xxx-xx-x...
 DANIEL G. * NEHLS xxx-xx-x...
 JANET A. * NEUTZE xxx-xx-x...
 ROBERT J. * NEWMAN xxx-xx-x...
 MICHAEL V. * NOVIA xxx-xx-x...
 JOHN H. * NOWLIN xxx-xx-x...
 MARY A. OHARA xxx-xx-x...
 JOHN R. OLSEN xxx-xx-x...
 DEBORAH J. * OMOFI xxx-xx-x...
 DANIEL P. * OTCHY xxx-xx-x...
 THADDEUS P. OZIMEK xxx-xx-x...
 MARC A. * PARADIS xxx-xx-x...
 WILLIAM A. * PHILLIPS xxx-xx-x...
 JERRY L. * PLUSS xxx-xx-x...
 MARK E. * POTTER xxx-xx-x...
 SWARNALAT * PRASANNI xxx-xx-x...
 RICARDO J. * RAMIREZ xxx-xx-x...
 LEWIS D. * RANDINO xxx-xx-x...
 MARK H. * RATERIN xxx-xx-x...
 DEBORAH B. * RAYBURN xxx-xx-x...
 JOHN P. * REASONER xxx-xx-x...
 MARY E. * REID xxx-xx-x...
 KENNETH M. RICHARDS xxx-xx-x...
 KEVIN M. * ROGAN xxx-xx-x...
 PHILIP L. * ROGERS xxx-xx-x...
 JOE A. * SALINAS xxx-xx-x...
 ALEC H. * SCHMIDT xxx-xx-x...
 GEORGE D. * SHANKS xxx-xx-x...
 JAMES A. * SHERWOOD xxx-xx-x...
 RUBEN D. * SIERRA xxx-xx-x...
 MILTON T. * SMITH xxx-xx-x...
 WILEY A. SMITH xxx-xx-x...
 ROYCE K. * SOLANO xxx-xx-x...
 JAMES L. SPINELL xxx-xx-x...
 CARL C. * STACY xxx-xx-x...
 THOMAS S. * STANION xxx-xx-x...
 LUKE M. * STAPLETON xxx-xx-x...
 HENRY P. * STIKES xxx-xx-x...
 CURTIS D. * STOLDT xxx-xx-x...
 HARLAN T. * STRATTON xxx-xx-x...
 LINDA C. * TAGGART xxx-xx-x...
 IAN M. THOMPSON xxx-xx-x...
 MARGARET * TOBIASSON xxx-xx-x...
 LAWRENCE J. * TREMPER xxx-xx-x...
 ANTHONY R. * TRUXAL xxx-xx-x...
 AMY M. TSUCHIDA xxx-xx-x...
 WILLIAM P. * TYNAN xxx-xx-x...
 THURMAN R. * VAUGHAN xxx-xx-x...
 DALE S. VINCENT xxx-xx-x...
 JUDY M. VINCENT xxx-xx-x...
 DAVID L. * WARD xxx-xx-x...
 VICTOR W. * WEEDN xxx-xx-x...
 HARRY C. * WEISER xxx-xx-x...
 CHERYL A. WESEN xxx-xx-x...
 INDIRA * WESLEY xxx-xx-x...
 WARREN L. WHITLOCK xxx-xx-x...
 PAUL E. WHITTAKER xxx-xx-x...
 HERBERT L. * WILLIAMS xxx-xx-x...
 JOHN P. * WOHLER xxx-xx-x...
 TERENCE R. * WOLANSKI xxx-xx-x...
 BRUCE A. * WOOLMAN xxx-xx-x...
 WILLIAM G. * WORTHAM xxx-xx-x...
 RONALD T. * YUKO xxx-xx-x...

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE. THE OFFICERS INDICATED BY ASTERISK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

JUDGE ADVOCATE GENERAL'S CORPS

To be major

DENISE J. * ARN xxx-xx-x...
 CHARLES W. * BACOUS xxx-xx-x...
 BRIAN D. BAILEY xxx-xx-x...
 ALAN C. * BALMANNU xxx-xx-x...
 ROBERT J. BARHAM xxx-xx-x...
 DIANE E. * BEAVER xxx-xx-x...
 WILLIAM E. * BOYLE xxx-xx-x...
 GARY J. BROCKINGTON xxx-xx-x...
 JANET W. * CHARVAT xxx-xx-x...
 DANA K. CHIPMAN xxx-xx-x...
 WILLIAM F. CONDRON xxx-xx-x...
 BRIAN D. * DIGIACOMO xxx-xx-x...
 DAVID N. * DINER xxx-xx-x...
 STEVEN K. * FORJOHN xxx-xx-x...
 KARL M. GOETZKE xxx-xx-x...
 ALLEN K. GOSHI xxx-xx-x...
 KENNETH T. * GRANT xxx-xx-x...
 CURTIS L. * GREENWAY xxx-xx-x...
 NATALIE L. * GRIFFIN xxx-xx-x...
 JAY L. * GRYTDAHL xxx-xx-x...
 STEPHEN D. HARVEY xxx-xx-x...

MARK E. HENDERSON xxx-xx-x...
 BOBBY G. * HENRY xxx-xx-x...
 THOMAS * HERRINGTON xxx-xx-x...
 PAUL P. * HOLDEN xxx-xx-x...
 WILLIAM A. * HUDSON xxx-xx-x...
 RICHARD A. * JAYNES xxx-xx-x...
 MUSETTA T. * JOHNSON xxx-xx-x...
 THOMAS R. * JOHNSTON xxx-xx-x...
 RUSSELL S. JOKINEN xxx-xx-x...
 DARYLE A. JORDAN xxx-xx-x...
 MICHAEL P. KELLY xxx-xx-x...
 JOHN C. * KENT xxx-xx-x...
 STEVEN A. LAMB xxx-xx-x...
 JAMES E. MACKLIN xxx-xx-x...
 REYNOLD * MACMERTON xxx-xx-x...
 HOWARD O. MCGILLIN xxx-xx-x...
 EDITH MEYERS xxx-xx-x...
 THOMAS P. * MOLLOY xxx-xx-x...
 FRANCES E. * OLMSTEAD xxx-xx-x...
 WILLIAM D. * PALMER xxx-xx-x...
 MICHAEL A. PARNELL xxx-xx-x...
 MARSHA A. * SAJER xxx-xx-x...
 DANIEL P. SHAVER xxx-xx-x...
 MARK P. * SPOSATO xxx-xx-x...
 SANDRA B. * STOCKER xxx-xx-x...
 KATHRYN STONE xxx-xx-x...
 STEVEN T. STRONG xxx-xx-x...
 CRAIG E. * TELLER xxx-xx-x...
 DARYL * WALKER xxx-xx-x...
 MICHAEL L. * WALLINS xxx-xx-x...
 DONNA L. * WILKINS xxx-xx-x...
 BARRY L. * WILLIAMS xxx-xx-x...
 JAMES R. * WILLSON xxx-xx-x...
 DONNA M. WRIGHT xxx-xx-x...

MEDICAL SERVICE CORPS

To be major

BRYANT H. * ALDSTADT xxx-xx-x...
 JEFFREY H. ALLAN xxx-xx-x...
 SALLYE J. ALLGOOD xxx-xx-x...
 GERARD P. ANDREWS xxx-xx-x...
 BRETT C. * ARMSTRONG xxx-xx-x...
 JORGE BACELISBRITO xxx-xx-x...
 DAVID A. * BAKER xxx-xx-x...
 PAUL T. BARTONE xxx-xx-x...
 ROBERT A. * BENSON xxx-xx-x...
 JOHN A. * BIRRE xxx-xx-x...
 CHERYL A. * BITHEM xxx-xx-x...
 PATRICIA L. BOATNER xxx-xx-x...
 WILLIAM H. BOISVERT xxx-xx-x...
 EDMUND BONIEWICK, I xxx-xx-x...
 REGINALD L. * BOOKER xxx-xx-x...
 DOUGLAS A. * BOOM xxx-xx-x...
 KEVIN J. BRESHKE xxx-xx-x...
 CLIFFORD D. * BROWN xxx-xx-x...
 SCOTT A. BURGESS xxx-xx-x...
 VICTOR W. BURNETTE xxx-xx-x...
 CRAIG A. BUSS xxx-xx-x...
 MARK K. * BYNUM xxx-xx-x...
 PATRICK T. * BYRNE xxx-xx-x...
 ROBERT A. * BYRNE xxx-xx-x...
 ELVIN P. * CARLSON xxx-xx-x...
 STEVEN H. CARPENTER xxx-xx-x...
 JON R. * CARTER xxx-xx-x...
 JAMES W. * CARTWRIGHT xxx-xx-x...
 RICHARD A. * CASSIDY xxx-xx-x...
 MICHAEL S. * CHURCH xxx-xx-x...
 ALLISON P. * CLARK xxx-xx-x...
 KATHLEE * CLENDENNIN xxx-xx-x...
 THOMAS C. * CLINES xxx-xx-x...
 KIM M. COWDEN xxx-xx-x...
 TERRY K. * COX xxx-xx-x...
 WILLIAM T. CRAFTON xxx-xx-x...
 MARTA S. * DAVIDSON xxx-xx-x...
 EARL C. DRIVER xxx-xx-x...
 JAMES V. * ENGLISH xxx-xx-x...
 STEPHEN M. FORTENOV xxx-xx-x...
 DEXTER R. * FREEMAN xxx-xx-x...
 BEAU J. * FREUND xxx-xx-x...
 GREGORY A. * GALL xxx-xx-x...
 MICHAEL K. * GAMMELL xxx-xx-x...
 JAMES W. * GIER xxx-xx-x...
 DAVID E. * GODFREY xxx-xx-x...
 SCOTT W. * GORDON xxx-xx-x...
 DAVID L. GREEN xxx-xx-x...
 REBECCA GREENWALD xxx-xx-x...
 MICHAEL C. GUNN xxx-xx-x...
 JOSEPH A. HALL xxx-xx-x...
 RONALD A. HAMILTON xxx-xx-x...
 EDMUND K. HARAGUICH xxx-xx-x...
 JEFFREY D. * HAUN xxx-xx-x...
 LYNN W. * HENSELMAN xxx-xx-x...
 STEPHANIE HIGGINS xxx-xx-x...
 MICHAEL E. HOOTEN xxx-xx-x...
 JOHN P. * HUGHES xxx-xx-x...
 NICHOLAS H. INMAN xxx-xx-x...
 DAVID B. * JACKSON xxx-xx-x...
 PATTI L. * JOHNSON xxx-xx-x...
 CASPER P. * JONES xxx-xx-x...
 JOHN D. JONES xxx-xx-x...
 STEVEN P. JONES xxx-xx-x...
 ROSALINE JORDAN xxx-xx-x...
 MICHAEL E. KIEFFER xxx-xx-x...
 TOMMY C. KINNAIRD xxx-xx-x...
 CAROLYN G. KNOTT xxx-xx-x...
 ROBERT M. * KOORS xxx-xx-x...
 GEORGE W. KORCH xxx-xx-x...
 WILLIAM L. * KRANZER xxx-xx-x...
 MICHAEL J. * KRUKAR xxx-xx-x...
 DENNIS E. * KYLE xxx-xx-x...
 RENE R. * LEBLANC xxx-xx-x...

MICHAEL J. * LEGGIERI xxx-xx-x...
 DALE H. * LEVANDOWSKI xxx-xx-x...
 EDWARD A. * LINDEKE xxx-xx-x...
 THOMAS M. * LOGAN xxx-xx-x...
 GAIL M. LONG xxx-xx-x...
 STEVEN L. * LORD xxx-xx-x...
 BRIAN J. * LUKEY xxx-xx-x...
 MICHAEL D. LYNCH xxx-xx-x...
 KENT W. MANEVAL xxx-xx-x...
 ROBERT * MASSEY xxx-xx-x...
 ANWAR R. * MATEEN xxx-xx-x...
 JEROME K. * MAULTSBY xxx-xx-x...
 RICHARD * MCCUTCHEON xxx-xx-x...
 WILLIAM M. MCDEVITT xxx-xx-x...
 MERRIL * MCGOWANSHAW xxx-xx-x...
 SARAH P. MCMENAMIN xxx-xx-x...
 MICHAEL K. * MCNIECE xxx-xx-x...
 MARK A. MILLER xxx-xx-x...
 REGINALD A. * MILLER xxx-xx-x...
 FREDER MITTELSTEDT xxx-xx-x...
 DARYL S. MOYER xxx-xx-x...
 JAMES A. * MUNDT xxx-xx-x...
 OPHELIA * MUNN xxx-xx-x...
 RAUL E. * MUSTELIER xxx-xx-x...
 WILLIAM * NAUSCHUTZ xxx-xx-x...
 RONALD H. * NELSON xxx-xx-x...
 SHIRLEY * PALMATIER xxx-xx-x...
 ROSS H. * PASTEL xxx-xx-x...
 DAVID L. PATTERSON xxx-xx-x...
 MARK J. PERRY xxx-xx-x...
 GROVER C. PETERS xxx-xx-x...
 DOUGLAS S. * PHELPS xxx-xx-x...
 JAMES J. PICANO xxx-xx-x...
 WILLIAM R. PRESUPPI xxx-xx-x...
 CARLTON T. * PYANTI xxx-xx-x...
 CLENDON P. * RAINES xxx-xx-x...
 PAULINE M. * REHRE xxx-xx-x...
 MICHAEL L. REISS xxx-xx-x...
 TIMOTHY J. RHODES xxx-xx-x...
 JAMES L. ROSENGREN xxx-xx-x...
 REGINA L. RUSSELL xxx-xx-x...
 ROBERT E. * SAUNDERS xxx-xx-x...
 JOHN J. SCHAFFER xxx-xx-x...
 ROBERT P. * SCHAUDIES xxx-xx-x...
 MARTIN J. * SETTER xxx-xx-x...
 JOHN C. * SHERO xxx-xx-x...
 CARL B. * SMITH xxx-xx-x...
 COLEEN K. SMITH xxx-xx-x...
 DOROTHY A. * SMITH xxx-xx-x...
 SCOTT E. SMITH xxx-xx-x...
 PORTIA STAINBROOK xxx-xx-x...
 BARBARA V. * STEERS xxx-xx-x...
 TONY L. * STORY xxx-xx-x...
 FREDERIC SWIDERSKI xxx-xx-x...
 ALLAN K. * TERRY xxx-xx-x...
 LEE S. THOMPSON xxx-xx-x...
 EDWARD A. * TORKILSON xxx-xx-x...
 PATRICK J. * TRACY xxx-xx-x...
 MARGARET A. * TRIBBLE xxx-xx-x...
 MICHAEL R. TRIVETTE xxx-xx-x...
 MONA L. * TYREB xxx-xx-x...
 GRACE M. UZOMBA xxx-xx-x...
 MARK A. * VAITKUS xxx-xx-x...
 GREGORY L. * VRENTAS xxx-xx-x...
 MELVIN * WASHINGTON xxx-xx-x...
 DAVID F. * WEST xxx-xx-x...
 RICHARD K. WHITTLE xxx-xx-x...
 RONALD E. * WILSON xxx-xx-x...
 CAROL E. * WRIGHT xxx-xx-x...
 JEFFREY * ZIMMERMAN xxx-xx-x...

ARMY MEDICAL SPECIALIST CORPS

To be major

VICKI W. BELCHER xxx-xx-x...
 ANNETTE L. BERGERON xxx-xx-x...
 MARY CARSTENSEN xxx-xx-x...
 ELISE M. * DEWIT xxx-xx-x...
 TERESA T. * DILLON xxx-xx-x...
 TIMOTHY W. FLYNN xxx-xx-x...
 JANE E. * FREUND xxx-xx-x...
 PATRICIA T. * HARVEY xxx-xx-x...
 WILLIAM J. HOWARD xxx-xx-x...
 JOHN T. * HURLEY xxx-xx-x...
 CASSANDRA L. * LEWIS xxx-xx-x...
 LEO H. MAHONY xxx-xx-x...
 ANN L. * PHILOPONTA xxx-xx-x...
 JANICE K. * RAUSCH xxx-xx-x...
 CECILIA D. * THOMAS xxx-xx-x...
 KEITH L. * WARD xxx-xx-x...

VETERINARY CORPS

To be major

RONALD C. * BELL xxx-xx-x...
 GARY D. COLEMAN xxx-xx-x...
 JEFFREY S. * EGGERS xxx-xx-x...
 JAMES J. * ELLIOTT xxx-xx-x...
 MARLYN D. * GOODBATH xxx-xx-x...
 RANDALL * GREENFIELD xxx-xx-x...
 VINCENT C. * GRESHAM xxx-xx-x...
 LESLIE G. HUCK xxx-xx-x...
 CORNEL L. * KITHEM xxx-xx-x...
 ERIC J. * LINN xxx-xx-x...
 MARK J. * MARTINEZ xxx-xx-x...
 MARK R. * MASON xxx-xx-x...
 THOMAS W. * MAYBET xxx-xx-x...
 RONALD E. * NIELSEN xxx-xx-x...
 STEVEN D. * OSBORN xxx-xx-x...
 JOHN W. * PROCTOR xxx-xx-x...
 JARRETT N. * SCHMIT xxx-xx-x...
 KEITH R. * VESELY xxx-xx-x...

BOB E. * WALTERS xxx-xx-x...
BRUCE H. * WILLIAMS xxx-xx-x...
ARMY NURSE CORPS
To be major

VIRGINIA M. * ABBOTTI xxx-xx-x...
NANETTE ABT xxx-xx-x...
CAROLYN J. * AMBROSE xxx-xx-x...
PATRICIA * ANDERSON xxx-xx-x...
CHERYL A. * APPLING xxx-xx-x...
BETTY D. * ARCHIE xxx-xx-x...
STEVEN G. * ARETZ xxx-xx-x...
VIVIAN T. * ASHFORD xxx-xx-x...
RODNEY D. * BARNES xxx-xx-x...
SANDRA T. * BEACH xxx-xx-x...
LISA M. BECKMANN xxx-xx-x...
BETH A. * BERES xxx-xx-x...
KATHLEEN E. * BERRY xxx-xx-x...
DEBORAH K. * BETTS xxx-xx-x...
JEROME * BLACK xxx-xx-x...
SUZAN L. * BLACKWELL xxx-xx-x...
LOIS * BORSAYTRINDLE xxx-xx-x...
GARY M. * BOUDREAU xxx-xx-x...
PATRICIA A. BOULLIE xxx-xx-x...
ROBERT D. * BOWMAN xxx-xx-x...
DEBRA A. * BRADFORD xxx-xx-x...
SYBI * BRADLEYDALLAS xxx-xx-x...
KARIN * BUCHANAN xxx-xx-x...
HOWARD L. * BURTNETH xxx-xx-x...
TIMOTHY M. * BUSHEY xxx-xx-x...
BOBBI L. * BYRN xxx-xx-x...
CORDELI * CADEOLIVER xxx-xx-x...
VI * CAMPBELLHEMMIN xxx-xx-x...
KATHLEEN J. * CARROLLI xxx-xx-x...
JUDITH K. * CLARK xxx-xx-x...
ELMER W. * COMBS xxx-xx-x...
MICHAEL J. * COOK xxx-xx-x...
CATHERINE A. * COOPER xxx-xx-x...
ROXANE M. * CORDIER xxx-xx-x...
DOROTHY H. * COX xxx-xx-x...
BILL N. * CREASMAN xxx-xx-x...
MYRA D. * GROSS xxx-xx-x...
CAROL S. * DAIN xxx-xx-x...
DANNY L. * DAVISON xxx-xx-x...
RAMONA S. * DECKERT xxx-xx-x...
JANE M. * DENIO xxx-xx-x...
CHARLOTTE L. * DEW xxx-xx-x...
KATHRYN J. * DOLTER xxx-xx-x...
DENNIS M. * DRISCOLL xxx-xx-x...
DEBRA A. * ECKHART xxx-xx-x...
ERIC E. * EDWARDS xxx-xx-x...

ANNE M. * ELLIOTTI xxx-xx-x...
BARRY J. * ELLIS xxx-xx-x...
RAMONA M. * FIOREY xxx-xx-x...
KATHRYN A. * FISCHER xxx-xx-x...
JOYCE * FLEMING xxx-xx-x...
MARGARET C. * FLOM xxx-xx-x...
THOMAS R. * FORBIS xxx-xx-x...
LEANA A. * FOXJOHNSON xxx-xx-x...
SOPHIE F. * FRANCIS xxx-xx-x...
LISE C. * FUCHS xxx-xx-x...
JANICE A. FULPO xxx-xx-x...
KAREN M. * GAUSMAN xxx-xx-x...
WILLIAM L. * GILLIS xxx-xx-x...
JAMES E. GLIDDEN xxx-xx-x...
JIMAL B. * HALES xxx-xx-x...
LILLIE L. * HALL xxx-xx-x...
DENISE M. * HARDIN xxx-xx-x...
RAE M. HARTMANN xxx-xx-x...
CHARLES F. * HATHAWAY xxx-xx-x...
CHRISTY A. * HAYES xxx-xx-x...
PHYLLIS A. HILL xxx-xx-x...
PATRICIA D. * HOROHO xxx-xx-x...
LEIGH P. * HUBBARD xxx-xx-x...
ROBIN T. * ILER xxx-xx-x...
DOUGLAS G. * JACKSON xxx-xx-x...
KIMBALL * JOHNSON xxx-xx-x...
CHARLES J. * KELLEE xxx-xx-x...
JAMES L. * KING xxx-xx-x...
THOMAS J. * KOWELL xxx-xx-x...
KEITH A. * KRAUSE xxx-xx-x...
JAMES M. * LARSEN xxx-xx-x...
MARY A. * LAUSCH xxx-xx-x...
BOBBY R. * LAWS xxx-xx-x...
BARBARA J. * LAWSON xxx-xx-x...
ODIS D. * LEWIS xxx-xx-x...
NANNETT * LIBERATOR xxx-xx-x...
KAREN K. * LINDELL xxx-xx-x...
NICKY R. * LINVILLE xxx-xx-x...
GERALD * LUPINOS xxx-xx-x...
SUE A. * MAHR xxx-xx-x...
STEPHEN M. * MAKS xxx-xx-x...
PATRICIA D. * MALEN xxx-xx-x...
MICHAEL MARSCHEAN xxx-xx-x...
MILDRED M. * MAYES xxx-xx-x...
MICHAEL D. * MCCARR xxx-xx-x...
MICHAEL L. * MCCOY xxx-xx-x...
CAROL S. * MCMANUS xxx-xx-x...
KATHY E. * MIKLAS xxx-xx-x...
SHELLA D. * MITCHELL xxx-xx-x...
MICHAEL J. * MOORE xxx-xx-x...
JACK E. * MORELAND xxx-xx-x...
SUSAN C. * MORELANDI xxx-xx-x...

CONNIE K. * MORENO xxx-xx-x...
ROBERT K. * MOY xxx-xx-x...
ROLAND D. * NADEAU xxx-xx-x...
CLAYTON J. * NEIL xxx-xx-x...
LORI B. * NEWMAN xxx-xx-x...
JIMMY C. * NUCKOLLS xxx-xx-x...
WAYNE C. * NYGREN xxx-xx-x...
TERESA A. PARSONS xxx-xx-x...
PATRICIA * PATRICIAN xxx-xx-x...
SHARON R. * PFIFFNER xxx-xx-x...
WANDA * PLANADEBALL xxx-xx-x...
ANNETTE B. * QUICK xxx-xx-x...
CHANTALLE RAHAMAN xxx-xx-x...
SUSAN E. * RIVADULLA xxx-xx-x...
LINDA D. * ROBINETTE xxx-xx-x...
ELLEN H. * ROGERS xxx-xx-x...
JUDITH G. * ROZELLE xxx-xx-x...
MARY P. * RUPPER xxx-xx-x...
J. C. * RUSSELL xxx-xx-x...
LUCERO * SALICRU xxx-xx-x...
LINDA D. * SALLEE xxx-xx-x...
ROSE M. * SALTER xxx-xx-x...
MARY A. * SCHWENK xxx-xx-x...
MARLYN L. * SCOTT xxx-xx-x...
LYNN M. * SILLS xxx-xx-x...
IRAHAN E. * SLAUGHTER xxx-xx-x...
LYNN A. * SLEPSKI xxx-xx-x...
KATHY A. * SMITH xxx-xx-x...
MARK R. * SMITH xxx-xx-x...
MARY E. * SMITH xxx-xx-x...
JAIME E. * SORIA xxx-xx-x...
VICTORIA L. * SOUSA xxx-xx-x...
BEATRICE * STEPHENS xxx-xx-x...
CHARLOTT STEVENSON xxx-xx-x...
ROBERTA N. * TAYLOR xxx-xx-x...
JUDY * TOLLENAERE xxx-xx-x...
TARA K. * TRINRU xxx-xx-x...
NICHOLAS C. * TUMA xxx-xx-x...
MITCHELL D. * TURNER xxx-xx-x...
ALAN D. * WAGNER xxx-xx-x...
MINNIE R. * WALLEH xxx-xx-x...
LINDA J. * WANZER xxx-xx-x...
DONNA F. * WASHINGTON xxx-xx-x...
LINDA S. * WEAVER xxx-xx-x...
BECKY J. WHITTEMORE xxx-xx-x...
TERRY C. * WICKS xxx-xx-x...
DAVID * WILLIAMS xxx-xx-x...
JONI L. * WILLIAMS xxx-xx-x...
JANET L. * WILLSON xxx-xx-x...
NANCY A. * ZAVACKI xxx-xx-x...