HOUSE OF REPRESENTATIVES—*Thursday, May 2, 1991*

The House met at 11 a.m.

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

O God our help in ages past, our hope for years to come, may Your gracious Spirit be with us and may Your blessing be upon us.

On this National Day of Prayer, when people of so many backgrounds and traditions call upon Your name, we express our thanksgiving and gratitude and praise for Your bountiful gifts to us:

For the gifts of family and friends;

For the gifts of work and responsibility;

For the gifts of a land of liberty and the freedom of worship;

For the gifts of faith and hope and love; and

For the gift of life itself.

Teach us, O God, to use the gifts that You have freely given that we will be the people You would have us be and do those good things that honor You and serve people in their needs. This is our earnest prayer. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MCNULTY led the Pledge of Allegiance as follows:

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

ADMINISTRATION CALLS ECONOMIC INDICATORS "NO BIG DEAL"

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

Mr. WISE. Mr. Speaker, the statistics are coming in. They are really no secret to the businesses of America, to the small business person, to the working person, to the unemployed and not working person. We are in a recession.

Treasury Secretary Brady last December said, "It is no big deal."

Well, that is part of the problem. It has not been a big deal. Nine months into a recession, and it goes on and on. And I know that some will say, "92 months of a postwar recovery, the longest ever period." The only problem is, have you ever seen a recovery that lasted so long, where so many people are not as well off as they were when it started? Americans' wages have been dropping. You are worse off today than you were 10 years ago. You are worse off today in terms of construction starts, in terms of auto sales, in terms of so many other areas that are important to people.

It is time to address the problems of trade, of education, and this administration wants to say it is no big deal and let us go on the way we have.

We cannot go on any longer in the area of trade, of education, of health care, of investment, of research and development, of doing those things that are so necessary to build a strong economy.

Mr. Speaker, this recession is a symptom of an underlying problem in this economy. The American people know it is here. It is time for the administration to recognize it also.

ANOTHER NO-HITTER BY NOLAN RYAN

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

Mr. DELAY. Mr. Speaker, what do the numbers 7, 16, 5,361 have in common? They are all numbers that represent records by the legend of baseball, Nolan Ryan. Going into the game last night, Ryan said that he felt old today. His back was hurting, his feet were hurting. And he "did not feel all that great."

Well, so much for getting rest. Nolan Ryan, the 24-year veteran of the big leagues, a 44-year-old man, hurled 96-mile-per-hour fastballs, mind-bending curveballs and changeups through nine innings last night for a record seventh no-hit game, three more than the next best pitcher, the legendary Sandy Koufax.

Last night he tied a team record, a record that he set, with 16 strikeouts. Nolan has also had, by the way, 12 one-hit games. Through last evening, Nolan Ryan has fanned an ongoing record of 5,361 batters, but the most important thing about Nolan Ryan is that he is an American hero.

He is a man of high moral values, a man that gives back a lot to his community because he has a heart of gold, a man that loves his kids and loves his wife, a real role model for the youth of this country, a true American hero. And I am extremely honored to represent Nolan Ryan.

I hope that the good Lord willing, he will continue to break records and set the pace in the game of baseball for many years to come.

DERAIL FAST TRACK NOW

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

Mr. RAHALL. Mr. Speaker, we must derail fast track authority. Without the input of Congress, the Mexican Free-Trade Agreement could spell disaster for thousands of American workers. My home State of West Virginia cannot stand to lose any more jobs to foreign competition.

I am opposed to the extension of fast track for the simplest of reasons. I believe that any trade agreement with Mexico, or any other nation, should be open for debate by the U.S. Congress. By extending fast track, Congress gives up the right to amend international trade agreements, and I cannot support such a proposal.

If Congress does not act, cold-hearted negotiators will automatically be given clearance to push through a trade agreement that will not address Mexico's neglect to enforce lax child labor and environmental laws.

The President may propose job retraining programs belatedly, but if no American workers and companies remain in the United States, who are we going to retrain, and for what jobs?

If Congress allows fast track to be extended, and we in turn vote to implement a free-trade agreement with Mexico, the damage that will be done to the American worker will be irreversible. How can American workers compete with their Mexican counterparts, when Mexican workers must work for very little pay under deplorable conditions just to feed their families. It is no secret that countless Mexican children quit school at a very young age to work in unsafe factories out of sheer necessity. If the free-trade agreement is approved under fast track, American jobs will be lost to Mexico where the workers are exploited and no one cares

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where chemical waste is dumped. We must take steps to see that a harmful trade agreement is not approved. The best way to stop such an agreement is to derail fast track. I urge my colleagues to join with me and say no to the extension of fast track and no to a harmful trade agreement which Congress will not have the opportunity to amend.

INCOME-DEPENDENT EDUCATION ASSISTANCE ACT (IDEA)

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

Mr. PETRI. Mr. Speaker, in the near future I will introduce my Income-Dependent Education Assistance Act—known as IDEA for short.

For both students and taxpayers, the IDEA Program would be a better deal than current student loan programs.

There are four sources of savings in IDEA that correspond to four sources of waste in current student loan programs.

First, the IDEA Program will virtually eliminate student loan defaults.

Under IDEA, the rate at which you repay your loan varies with your income. If your income increases, you repay faster. If it drops, your loan is automatically stretched out. So IDEA loans will always be affordable. There's no reason to default.

Further, the loan repayments are defined as income taxes. Evading repayment will be tax evasion. So there's no opportunity to default.

Second, the cost of loan capital under IDEA will be lower. This is because IDEA will use direct government capital rather than bank capital which, under current programs, comes with a politically negotiated high interest rate.

Third, loan subsidies under the IDEA Program are targeted precisely to those who need them, and to the extent of their need. These subsidies are balanced by premium payments from high income graduates.

Fourth, and finally, IDEA will be much simpler to administer—with no family needs analyses at the beginning, and then collection by the IRS as a part of income taxes.

Mr. Speaker, I welcome cosponsorships.

□ 1110

COMMON FEDERAL FORM NEEDED

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

Mrs. SCHROEDER. Mr. Speaker, what do you do when the President is late with what Congress has asked him to do? If a library book is late, you have to pay a fine each day. We all know what to do to deliver services more efficiently. Over and over, hearing after hearing, people have said, "Get one Federal form that applies across the board." So in Congress in 1989, the Congress passed such a mandate, asking the President to have it up here 1 year later, in November of 1990.

November of 1990 came, and there was no one form. In January, many distinguished Members of this House wrote the administration saying, "Please, couldn't you have it up here by April 30 of 1991?" Well, that has come and that has gone, and there is still no answer.

It is very frustrating to know how this should be done, to deliver the services, and yet not be able to get the President to get the agencies together to come up with this common form. I really hope we can move on this fairly fast. I think Americans are fed up with paperwork, and we know how wasteful it is.

TIME TO PASS THE CRIME BILL

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

Mr. SENSENBRENNER. Mr. Speaker, the Good Book tells us that ye shall know them by their fruits. This is certainly relevant to the congressional work product. What we produce in this body is the most accurate reflection of our true priorities.

If we are serious about stopping violent crime in America we will produce serious legislation. The President is serious about crime, and he has sent a very tough crime bill to us for action.

The challenge posed to this body was to pass this bill within 100 days. If we truly believe that violent crime poses a crisis, 100 days is not unreasonable. On the other hand, inaction would also convey a message to the American people as well. If the clock runs out on the President's 100-day challenge, it is an indication of our priorities. It is an indication that other things were more important to us than stopping violent crime. It is an indication that we do not consider violent crime to be a crisis. The American people will be able to look at our calendar and judge for themselves what we deem to be most important.

The President has offered leadership on the crime issue and the ball is in our court. It is time to pass the crime bill.

SEND VICE PRESIDENT ON FAST-TRACK FLIGHT AROUND WORLD

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

Mr. TRAFICANT. Mr. Speaker, some people are questioning Vice President DAN QUAYLE'S trip to Georgia. Now the White House has come out with an official statement, and they said, "There was no official business conducted."

Mr. Speaker, I find that hard to believe. Are they trying to tell us that the American taxpayers spent $27,000 to send the Vice President to Augusta, GA, to play golf, with five bodyguards? There has got to be some Communists involved somewhere. If not, I suggest officially sending the Vice President and some of his free trading partners to Japan and Korea. In 6 months they will blow their economies, and maybe our taxpayers and workers will get something out of all of this fact-track flight all around the world.

H.R. 5, THE STRIKER REPLACEMENT BILL

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

Mr. BOEHNER. Mr. Speaker, the Boehlert-Williams amendment to H.R. 5 destroys one of the basic foundations of Federal labor law. It creates for the first time a different set of rights for union and nonunion workers.

H.R. 5, as originally drafted, overturned the MacKay decision. MacKay drew the distinction between participation in an economic strike and an unfair labor practice strike. H.R. 5, as amended by Boehlert-Williams, overturns MacKay, but exempts nonunion employees. By exempting nonunion workers, it appears that under H.R. 5, nonunion workers can be replaced, without reinstatement rights, in any kind of strike. In effect, H.R. 5 reserves the right to strike exclusively for union members.

Mr. Speaker, H.R. 5 was put forward as a way to protect workers who are replaced in an economic strike. Now, it removes the right to strike from 86 percent of America's workers who choose not to join a union. It is obvious that this bill has nothing to do with protecting workers rights and everything to do with increasing union control of the workplace. Please join me in opposing H.R. 5.

SUNUNU SHOULD APOLOGIZE TO TAXPAYERS

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

Mr. JOHNSTON of Florida. Mr. Speaker, in the last 28 months, I have not been critical of the administration on this floor. I have tried to take a bipartisan stand on most issues, but I find that I cannot, in good conscience, be silent when Mr. Sununu becomes

very flip about spending a half million dollars on Government transportation.

The minority whip in this House has stated that Congress should tread lightly on this matter since we cannot remove ourselves from a glass house. I challenge him or anyone in Congress to identify a colleague who has taken a Government plane home to have his teeth cleaned.

Mr. Sununu tries to deflect criticism by making a joke of the fact that he has flown more than the Iraqi Air Force. I am not amused and the American people should not be amused. The money that he has spent on airplanes would provide prenatal care to 992 Medicaid mothers, it would provide immunization for measles, mumps, and rubella for over 35,000 children, and would provide Meals on Wheels to approximately 150,000 senior citizens.

Mr. Speaker, Mr. Sununu should apologize to the taxpayers of the country.

BRADY HANDGUN VIOLENCE PREVENTION ACT

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

Mr. MARLENEE. Mr. Speaker, will the Brady bill stop violent crime? No, of course not. In State after State where a waiting period is in effect, the crime rate is much higher than nonwaiting period States. Will the Brady bill prevent crimes of passion? No, of course not.

What about those who already possess firearms, Hinckley had possessed his firearm for weeks. Purdy had completed a 15-day waiting period.

What will the Brady bill do?

It will cause every firearms dealer in America to refuse legitimate sales to any honest, law-abiding sportsman because he has not received a sign-off from a chief of law enforcement.

Ask yourself one question. Do we want to consult with Darrell Gates and his gang of four before we can secure a permit to protect ourselves?

SUPPORT URGED FOR BRADY BILL

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

Mr. ATKINS. Mr. Speaker, last year, I was held up at gunpoint two blocks from this very spot. Directly in front of the Supreme Court Building in one of the most heavily policed areas in the country, a man pointed a gun at my chest and demanded my wallet.

Would the Brady bill have stopped this man from getting a pistol? I don't know. But with each day, violent crime is becoming more arbitrary—more senseless. The Brady bill is a chance to cut the odds and give honest people a little bit more chance against the randomness of violent crime—a better chance of surviving a nighttime walk around the block.

Next week we will have the rare opportunity to save lives. We don't know who—we do not know where, but if we pass the Brady bill lives will be saved.

Let's give law-abiding citizens everywhere a break. Resist the NRA and support the Brady bill.

□ 1110

FEDERAL AGENCIES GROSSLY UNDERESTIMATING COST OF PROGRAMS

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

Mr. DUNCAN. Mr. Speaker, the biggest shell game, the biggest con game going on in this country today is being done by Federal agencies which grossly underestimate the cost of some programs so they can be approved. Then the cost overruns and expenses in future years are just unbelieveable.

Yesterday the Washington Post reported that NASA is understating the cost of building the space station by $10 billion, and the cost of operating it by $24 billion, according to a General Accounting Office report. The GAO report estimates that what we really have is $118 billion program.

A subcommittee of the Government Operations Committee estimates the ultimate cost will be $180 billion, not counting inflation, and the average citizen will see almost no benefit from this. The only people who will really benefit will be the bureaucrats at NASA and a few fat cat government contractors.

Today we will vote on a NASA authorization bill with a big increase over last year. It will pass by an overwhelming margin. It contains over $2 billion in early space station funding.

What we should do is send a message to NASA and to others. We need to tell them we have too many poor people who need help in this country and too many unmet needs, and what we really need to do is stop sending so many billions and billions of dollars overseas and so many billions into outer space and help our people here at home.

SUPPORT FOR THE BRADY BILL

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

Mr. BRYANT. Mr. Speaker, I rise today in support of H.R. 7, the Brady bill. The passage of this bill is long overdue.

Last Sunday the FBI released statistics on violent crime in the United States for 1990. Nationwide, murders, robberies, and aggravated assaults increased 10 percent from 1989. In Dallas the number of these crimes soared to new records. Dallas ranked eighth in the Nation last year in number of homicides—up to 447 in 1990, from 351 in 1989. We have the obligation in this House to do what we can to stop the flood of killings and violence, and start saving lives right now—not 5 years and $1 billion from now, which is the time and estimated cost to create the nationwide instant identification system which is the basis for the Staggers amendment that will be offered to the bill.

Mr. Speaker, we cannot wait 5 more years before background checks are undertaken and convicted felons, the mentally incompetent, and drug addicts are prevented from buying handguns. We have a responsibility to our families and our communities to stop the senseless killings today. Over 9,500 people were murdered by handguns in the United States last year. If present trends continue, almost 50,000 more Americans will be needlessly murdered by handguns before the Staggers instant check system can be implemented if it is substituted for the Brady bill.

In my district, the Brady bill has been endorsed by Dallas Police Chief William Rathburn, the Dallas Police Association, the Dallas City Council, and the Dallas Morning News. It is also supported by virtually every major law enforcement organization in this Nation, because the experience in many States has unequivocally demonstrated that waiting periods successfully prevent illegal handgun sales.

The Brady bill's 7-day waiting period is not a panacea for keeping guns out of the hands of criminals and eliminating violent crime. But, as Dallas Police Chief Rathburn said recently in a letter to me, "the Brady bill is an important first step in making our communities safer. It represents a responsible approach to preventing needless death and injury while preserving basic second amendment rights."

I strongly urge my colleagues to vote for the Brady bill and join me in keeping handguns out of the hands of criminals now.

FEDERAL FACILITIES COMPLIANCE ACT OF 1991

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

Mr. HEFLEY. Mr. Speaker, I rise to express my support for the Federal Facilities Compliance Act of 1991, which was introduced by Mr. ECKART and Mr. SCHAEFER today.

Simply stated, this bill would require that Federal agencies, including the Department of Energy and Department of Defense, comply with the same Federal and State environmental laws that

everyone else does. To restate a common phrase, what's good for the goose is good for the gander.

We in Colorado are painfully aware of environmental shortcomings at Federal facilities. I have often smiled about the good fortune that allowed me to have the Solar Energy Research Institute in my district, and Rocky Flats in that of my colleague, Mr. SKAGGS.

Rocky Flats was a product of the late 1940's when we were convinced that the atom was our friend and that world war III was an eyeblink away. The Nation's defense was paramount and Rocky Flats was welcomed, even courted, as a boon to the economy. Environmental concerns were pushed to a back burner and few minded because almost everybody felt the same way.

But times have changed. Deterrence works and the result has been a world where fears of nuclear holocaust is not what it was in the 1950's. This new world has allowed us time to think about other things, among them the environment.

I believe we still have a need for nuclear capabilities. I know, however, that the public will no longer give environmental carte blanche to any agency. Production of nuclear weapons will continue but it will continue in a manner that minimizes danger to its employees and nearby residents. In the past, the Energy Department has claimed this can be done. The public will accept no less.

This bill has been built upon the experience we have had at places like Rocky Flats. I would urge you to join me in cosponsoring this legislation.

EXPRESSION OF OUTRAGE AT CONTINUED VIOLENCE IN COLOMBIA

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

Mr. RANGEL. Mr. Speaker, on Tuesday evening Enrique Low Murtra—the distinguished former Justice Minister of Colombia—was assassinated by two gunmen as he was leaving his university classroom in Bogota. There is no doubt in my mind these two were henchmen of the notorious international drug cartels, which also murdered another Justice Minister, 7 years ago to the day.

I rise this morning to express the outrage of the people of this country at the continuing violence against the institutions of democracy and justice in Colombia, and express once again to the people of Colombia the resolve of this Congress to stand with them against such intimidation. This assasination is a reminder to us that the people of Latin America and their leaders are engaged in a bitter struggle against a ruthless and determined enemy. We in the United States must do our part to help them through favorable trade agreements, economic and military assistance, and unwavering moral and political support.

Mr. Speaker, while many Americans "just-say-no" to drugs, make no mistake that there are many of us here who also—resoundingly—say yes to the fearless courage of those such as Senor Low Murta who are risking everything to rid our hemisphere of this scourge.

ANGOLA: A CEASE-FIRE AND POLITICAL SETTLEMENT

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

Mr. BEREUTER. Mr. Speaker, in recent weeks some dramatic events have quietly take place regarding the war-torn African nation of Angola. They culminated in Lisbon last night by a cease-fire agreement and political settlement.

Angola has been plagued by a 15-year civil war between the Marxist MPLA and the rebel forces of UNITA. This conflict, prolonged by the presence of tens of thousands of Cuban mercenaries and Soviet advisers, has resulted in over 200,000 casualties, produced some 20,000 orphans, and devastated the national infrastructure. As Angola, which is rich in natural resources, is a nation wracked by disease, misery, and starvation.

But yesterday, after long and difficult negotiations, the warring factions agreed to terms for a cease-fire and political settlement. The accord that was signed yesterday sets the stage for an internationally monitored cease-fire, multiparty elections in 1992, and a politically neutral national armed force.

Mr. Speaker, over the spring recess this Member traveled to Angola and had the opportunity to meet with UNITA's leader, Dr. Jonas Savimbi. I was clear from these meetings that Dr. Savimbi's commitment to the peace process and to prompt, free, and fair elections is genuine, and that he is dedicated to the rebuilding Angola.

Enormous difficulties still lay ahead. The ethnic rivalries and political hatreds will not easily fade away. But the first and most important steps have been made, and the reconciliation process has begun.

The Government of Angola and the UNITA forces are to be commended for their constructive efforts to reach a settlement. In addition, this cease-fire would have been impossible had it not been for the extraordinary efforts of the Bush administration, Soviet President Mikhail Gorbachev, and the United Nations. We should all be tentatively pleased at this major international success story, and as indicated in the editorial in the morning Washington Post, which follows the participants in the accord "deserve not just congratulations but generous support, and particularly from nations that contributed to their causes separately in war."

[From the Washington Post, May 2, 1991]

FINALLY, AN ANGOLA SETTLEMENT

The peace process Ronald Reagan undertook in southern Africa is on the verge of a crowning achievement in Angola. The process envisaged engaging the cooperation of a reformist Soviet Union, peeling off the foreign military intervenors; in this case Cuba and South Africa, and then inducing the local combatants to face up to domestic imperatives. The initialing of an Angolan agreement for an internationally monitored cease-fire and multi-party elections finally makes it possible to anticipate the end, after 16 years, of one of the world's most costly and painful wars.

On the occasion of an earlier diplomatic success, South Africa's granting of independence to Namibia in 1990, a happy meeting of minds took place. Secretary of State James Baker and Soviet Foreign Minister Eduard Shevardnadze were eager to do more Third World business and—especially Moscow—to lighten their respective Angolan obligations. With them was Portugal's Secretary of state for foreign affairs, Durao Barroso, whose country, having ignited the Angolan civil war by the cynical manner of its departure in 1975, was not ready to help. This is just what happened. A Soviet-American team did the joint papers: The Soviet government in this instance made sure the Shevardnadze "new thinking" survived its patron's ouster, and the American government kept the negotiation going by maintaining aid to the insurgents. Portugal hosted and mediated eight arduous rounds of talks among the Angolans and carried off the conclusion unfolding now.

There is no underestimating the difficulties that lie ahead as the two principal parties attempt to put aside partisan hatreds, ethnic rivalries and deep habits of autocratic control and to build a new society, politics and economic system—the works—out of the rubble. But President Jose Eduardo dos Santos of the erstwhile Marxist MPLA and rebel leader Jonas Savimbi of UNITA, combatants turned partners, have already come a long way. In peace they deserve not just congratulation but generous support, and particularly from nations that contributed to their causes separately in war.

CHILDREN'S HEALTH PLAN LEGISLATION

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

Mr. PENNY. Mr. Speaker, millions of families across the United States are continuing to gamble with their children's health. Not because they want to—but because they have little choice. Faced with tight budgets, it often comes down to buying food for the family or paying for a measles vaccination for a preschooler; paying the electric bill or buying medicine to cure a child's earache. These families are gambling with the health of their loved ones because they are caught in the

middle of the health care crisis—they make too much to qualify for Federal programs but not enough to afford private insurance.

Fortunately, many parents from my home State of Minnesota no longer have to gamble with their children's health. Minnesota has in place a preventative health care program for children. Now it is time to do more to help the rest of America's children. And that is why I am proposing the children's health plan, based on Minnesota's successful program, to provide health care access for millions of American children whose parents are members of the working poor.

The United States spends more on health care than any other country in the world, nearly $700 billion this year. Yet, just a fraction of this goes toward preventative care. The children's health plan is devoted solely to preventative care.

By focusing on prevention, the children's health plan will allow us to take a giant stride toward the goal of keeping America's children healthy.

SUPPORT FOR THE STAGGERS BILL

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

Mr. CUNNINGHAM. Mr. Speaker, my colleague from Massachusetts stated that he had been held up. All of us look over our shoulder here in Washington. My colleague from California said that the FBI stated that crime rates have gone up. I agree with both of those statements.

Mr. Speaker, I have been shot at over 1,000 times and I have been hit twice, once in combat and once as a civilian, and I can tell you that there is no one who hates weapons illegally owned more than myself.

California has a 15-day waiting period in place and crime has gone up 178 percent. We used to have a Minuteman in this country, and now those who work in the majority want a 7-day man.

Criminals, crack dealers, do not buy their guns in gun shops, they buy them on the streets. H.R. 7 will not address that problem.

□ 1130

The Brady bill will not affect California. Our laws are already in place. H.R. 1412, the Staggers bill, can work. It is already working in Virginia.

Sarah Brady supports the Virginia system. For 2 years, the Department of Justice has been working to implement this kind of a program, and it works.

INTRODUCTION OF LEGISLATION GUARANTEEING HEALTH CARE FOR ALL

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

Mr. SANDERS. Mr. Speaker, the American health care system is disintegrating before our eyes; 37 million Americans have no health insurance, another 50 million are inadequately insured, elderly citizens are unable to afford prescription drugs, and the United States today has one of the highest infant mortality rates in the world.

All of this and the cost of health insurance in this country is zooming upward 15 tc 20 percent a year, and we spend far more per capita than any other nation on Earth.

Yesterday a study was released by several Harvard physicians including Dr. Steffie Woolhandler, who is a member of my staff, which shows very clearly that if this Nation moves toward a Canadian-style national health care system we can save over $100 billion a year by doing away with the bureaucracy and paperwork inherent in our current system, which has 1,500 separate health insurance companies.

In my own State of Vermont, we can save approximately $200 million a year on paperwork and put that money into health care for the people.

Mr. Speaker, within the next several weeks I will be presenting legislation to this body which finally will guarantee health care for every man, woman, and child without out-of-pocket expense and, Mr. Speaker, we can have this plan without spending one penny more than the $700 billion we are presently spending.

THE ASSASSINATION OF COLOMBIA'S FORMER MINISTER OF JUSTICE

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

Mr. GILMAN. Mr. Speaker, on April 30, 1984, Colombia's Minister of Justice Rodrigo Lara Bonialla was assassinated. Two days ago, on the anniversary of his tragic date, Colombian drug traffickers struck again, assassinating former Justice Minister Enrique Low Murta.

In August 1989, then Colombian President Barco declared war on the drug trafficking organization, that had been systematically executing and kidnapping officials throughout the Andean nation. That valiant crusade to rid Colombia of the narco-killers has been continued by Colombia's current president, Cesar Gaviria. While we laud this continued effort; in light of the recent tragic murder of former Justice Murta, it is important to point out a very disturbing component in Colombia's struggle.

Colombia's judicial system appears to be crippled by the corruption, intimidation, and assassinations that are systematically carried out by the Colombian drug cartels. No major narcotics cases have been tried in Colombia since the 1987 extradition of Carlos Lehder Rivas to the United States. Furthermore, last September President Gaviria declared that he would stop extraditing drug traffickers.

A reliable judicial system that is capable of a fair, expeditious administration of justice is an indispensable element to any government's ability to exercise authority in presenting law and order. The Colombian system is tested every day by inhuman vigilantism on the part of drug traffickers. Last year, 500 policemen and 600 citizens including public officials and judges were killed by drug traffickers. No judicial system can be expected to effectively function under such conditions. Accordingly, I urge my colleagues when providing assistance to Colombia, we should direct our efforts to reinforcing their fragile judicial system, and in pressing for an extradition treaty.

THE BUSH RECESSION: TRICKLE-DOWN REVISITED?

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

Mr. SKAGGS. Mr. Speaker, a strong economy has always been this Nation's best social policy. Together with fair tax laws and investment in our people and infrastructure, economic growth offers the best way to help Americans achieve their dreams.

But for the past few years, even while people thought times were good, these dreams have slipped away for many working and middle-income Americans. Housing costs making home ownership impossible for many; education costs forcing many parents to choose which child, if any, to send to college; medical costs are pushing many family budgets to the breaking point.

When the Bush administration finally admitted that there's a recession, they claimed it would be short and mild. It is becoming clear these were vain hopes and nothing more, that this recession is much worse than they promised.

During the first 7 months of this recession, more payroll jobs were lost than in the first 7 months of the 1981–82 recession, which was hardly short and hardly mild. And this week we learned that every single part of our economy declined during the first 3 months of 1991. Tomorrow will bring the latest and worst unemployment numbers.

Unfortunately, the recession is here for a while, and it is going to continue to hurt. And every day we wait for the

administration to do something about the recession, more Americans lose jobs, the educations of more Americans are disrupted, fewer homes are bought, fewer dreams are achieved.

The facts of the Bush recession call for new action and approaches, but we are getting only more of the same from George Bush. The President thinks that if we cut the capital gains tax for the wealthy, things would brighten up. But we have tried the Republican trickle-down theory, and it does not work.

The fact is that tax cuts for the rich are not going to pay tuition bills or mortgage payments, they are not going to relieve millions of Americans from the impossible burden of health costs, and they are not going to help the children of today's middle-class live at least as good a life as their parents.

The recession makes it clear: We need new thinking in this country that first addresses the aspirations of the great American middle class, not the avarice of the wealthy.

SUPPORT OF FEDERAL FACILITIES COMPLIANCE ACT

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

Mr. SCHAEFER. Mr. Speaker, every now and then, a legislative proposal comes across our desks that makes such good sense or corrects so serious an inequity that party lines seem not to matter. The Federal Facilities Compliance Act, which I am pleased to join Congressman ECKART in introducing today, undoubtedly fits that category.

The legislation merely clarifies that existing enforcement authority which States and EPA currently use against private RCRA violators apply to Federal facilities as well. In other words, Federal agencies—just like their private counterparts—would now be subject to State-assessed fines and penalties for failure to comply with the Nation's waste disposal laws. Environmental contamination doesn't differentiate between Federal and private causes; neither should the law.

Last Congress, on two occasions, we in the House overwhelmingly supported this commonsense principle. Now, with the other body prepared to follow our lead, it is critical that we once again demonstrate our bipartisan commitment to environmental compliance. I ask you to join me and nearly 140 of our colleagues as cosponsors of the Federal Facilities Compliance Act.

USE COMMON SENSE: SUPPORT THE BRADY BILL

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

Mr. ANDREWS of Maine. Mr. Speaker, we have heard that the American people simply cannot wait 7 days to buy a handgun, that basic constitutional rights will be violated.

Before we get carried away on our debate on the Brady bill, I suggest we apply a bit of common sense to this issue. We wait 7 days to have our telephones installed. We wait 7 days to have our cable television hooked up. Somehow the world goes on. Somehow we cope. Somehow the Constitution manages to survive.

What is so different about handguns? We have heard from those people who put their lives on the line every single day to protect us that the Brady bill will make a difference. It will save lives.

Mr. Speaker, if a person cannot wait 7 days to buy a handgun, then I suggest he should not have one in the first place, and when it takes as long to buy a handgun in this country as it does to have your telephone installed, then our streets will be safer.

I suggest we use a little common sense on this issue and support the Brady bill.

SUPPORT THE B-2 BOMBER

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

Mr. ARMEY. Mr. Speaker, there has been much misinformation lately concerning the cost of the B-2 Stealth bomber. There is no doubt that it is an expensive aircraft. Any defense system with its capabilities is necessarily costly, but we have to keep this cost in perspective.

If we compare the cost of the B-2 against other weapons systems as a percentage of our gross national product—which is the only meaningful way to make such comparisons—we find that the Stealth bomber is actually cheaper than earlier bombers. It is even cheaper in relative terms than B-17 Flying Fortresses of World War II.

Some figures.

The B-52 during its procurement stage absorbed .136 percent of our GNP.

The B-1B bomber took .129 percent of our GNP during its procurement.

But the B-2 will cost only .058 percent of our GNP once procurement begins.

Mr. Speaker, the B-2 gives us an essential military capability at a cost which, on examination, is quite reasonable. I urge my colleagues to support the bomber.

□ 1140

BANI-SADR'S TURN TO SPEAK

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

Mr. WEISS. Mr. Speaker, the State Department has reportedly declined to give former Iranian President Bani-Sadr a visa to visit the United States to promote his new book, "My Turn to Speak," a book which alleges that high-level operatives of the Reagan-Bush Presidential campaign negotiated with Iran to delay the release of American hostages in 1980 and 1981 in return for arm sales by the United States Government when Reagan took office.

Perhaps the State Department is not trying to silence the former Iranian President, but in light of the controversy surrounding the alleged secret deals between the Reagan-Bush campaign and the Government of Iran, the Department's attempt to exclude Bani-Sadr certainly looks suspicious, especially since Bani-Sadr was publicly opposed to the hostage-taking.

Mr. Speaker, these allegations by Bani-Sadr and others are grave and far-reaching. Since the principal alleged participant is no longer able to speak for himself, we should not close off the opportunity to learn more about the event from others who were involved.

Maybe Bani-Sadr's account of the events is untrue. Maybe it is not reliable, but we will never know until we hear him out. Efforts by the State Department to prevent him from visiting the United States only serve to cast greater suspicion on the role of current members of the Bush administration.

PRESIDENT'S CRIME CONTROL PACKAGE DESERVES ACTION

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

Mr. OXLEY. Mr. Speaker, earlier this week the Federal Bureau of Investigation reported that the violent crime rate jumped 10 percent in the United States in 1990. According to preliminary FBI statistics, murder and aggravated assault each increased by 10 percent, robbery by 11 percent, and rape by 9 percent last year. This upsurge, in brutal, personal crimes against Americans is absolutely unacceptable.

Last year, this body overwhelmingly passed strong law enforcement legislation. It included habeas corpus reform, expansion of the Federal death penalty, liberalization of the exclusionary rule, and mandatory victim's restitution. The other body approved corresponding provisions. These were truly tough anticrime bills, and they reflected the will of the American people, as evidenced by the lopsided votes in their favor. And yet somehow, many of the most useful provisions were scuttled in conference committee.

Soon, this House will vote on a handgun waiting period. But while I support it, a waiting period, by itself, will do

little to reduce violent crime. The American people demand a comprehensive response. The time has come to act on the President's crime-control package.

TRIBUTE TO SPEAKER THOMAS P. O'NEILL, JR.

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

Mr. MOAKLEY. Mr. Speaker, it is with great pleasure that I rise today to share with you an inspirational article written about my good friend and former colleague, Speaker Thomas P. O'Neill, Jr.

Many of us saw Tip as he walked the corridors of the Capitol last week. His familiar greeting of "Hi ya old pal" brought back many fond memories.

Throughout his 50 years of public service, the Speaker was a champion for the causes of the needy. His staunch commitment to helping those who are less fortunate has not diminished since his retirement. In fact, his passion is as strong as ever.

Last week, Speaker O'Neill testified before the Senate Labor Committee to speak in support of additional funding for cancer research. He discussed his own battle with cancer, and that of our close friend, Sil Conte. His 20-year battle to promote cancer research stems from his deep desire to see an end to this deadly disease that has touched the lives of many Americans.

Speaker O'Neill has fought this battle for cancer research with dignity, compassion, and clear sense for what is right.

Mike Barnicle, a columnist with the Boston Globe, best captures the Speaker's commitment to public service and the needy. I respectfully submit the following news column for the RECORD:

[From the Boston Globe, Apr. 28, 1991]

A RARE MAN, CAST IN FIRM BELIEFS

(By Mike Barnicle)

When he came on TV the other night, talking about the need to allot more money for cancer research, I found myself thinking about all the lost years beyond retrieval and the fact that the man on the screen, Thomas P. O'Neill Jr., is the best big guy I ever met in my whole life. Now, he is 78 and I guess the poison is back in his system but, for once, it would be nice to write something pleasant in the present tense about a politician, even a retired one, so here we go.

Tip O'Neill is a success because he is a nice man, likes people and has a deeply rooted, quite firm set of beliefs. All three ingredients make him different from most public people today who whine about how hard their jobs are, insulate themselves with consultants and shrink from ever planting any flag of belief in the landscape for fear they might offend some special interest or, worse, lose an election.

I first met him in 1966. At the time, my day job was running an elevator in a congressional office building, a young guy on the way up. My night job was in a downtown hotel, cleaning floors after dark. I didn't know anybody and didn't know any better, but I was happy for the work because there were then a couple small kids at home who had a bad habit of eating.

O'Neill was a seven-term congressman, wired too because he had been thick with Sam Rayburn and was closer still to John McCormack, who held the speaker's gavel after death took it from Rayburn. Even then, Tip O'Neill was one of the men who moved the House. He had clout.

But he treated elevator operators the same as he treated Lyndon Johnson, the top nun at a parochial school, the president of Harvard or the cashier at Pimlico's $50 window; With respect, kindness, humor and, always, an open hand and open heart. And he has never changed.

Politics was a more honorable and certainly a more honest profession 25 years ago. A lot was happening in the country and to the country. There was a war raging, one that was dividing the nation, killing its soul. People were dying at a clip of about a hundred a week in Vietnam. And people here were fighting for decency because men, women and children were being denied dignity due to the color of their skin. O'Neill was big in both bouts.

He was always on the correct side of important issues because he relied on his gut and common sense. His conscience outweighed the caution that freezes so many who fake their way into office.

And he is human. Oh God, is he ever. He cannot keep a secret, would tell you about practically anything that was taking place within the corridors of power. He loved his job and he loves his wife, his family, his grandchildren, Ted Williams, the Red Sox, poker, slow horses, old fighters, great stories, sentiment, New England boiled dinners, any golf course and almost everyone he has ever come into contact with. Other than Ronald Reagan and Donald Regan, whom he figured for fakers, I never heard him badmouth a single person. Plus, he's the King of Favors, enjoys picking up the phone to help others.

And if all those whom he assisted stood single-file, the line would stretch from O'Neill's old house on Russell Street all the way to Seattle. It would not matter if you were a millionaire or a mill worker, the old man made the same effort for everyone.

He was shaped by the Depression and FDR. He thinks politics is about poeple and government is about caring for those who are unable to take care of themselves. Politicians today would regard him as quaint or old-fashioned because O'Neill has values that go beyond the next election.

Once, I saw him posing for a picture with this important Boston banker and the banker's son. A woman from O'Neill's district had worked for years for the bank but had been laid off because she was too old. As the House photographer asked everyone to smile, the speaker told the banker it would be a shame if this woman was dismissed because, "If she and I took a walk from Porter Square to Harvard Square some Saturday morning and people found out she lost her job, I bet you'd lose yourself a couple hundred accounts." She stayed.

He can keep you up all night with stories about James Michael Curley and Jack Kennedy, about losses at the track, the Super Bowl and the World Series, too. He remembers Ellis Kinder's earned run average and the expression on Carl Albert's face when O'Neill told him that Richard Nixon was going to be impeached and the votes were there to do the job. He is history and he is real, He is just a flat-out good guy, the greatest, because he has remained true to himself.

Years ago when Kenny O'Donnell died, the late Junior Carr, another old pal of O'Neill's said something about Kenny, who ran the White House under Kennedy, that absolutely must be said of Thomas P. O'Neill Jr. this morning:

STATEMENT ON BOAT TAX

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

Mr. CAMP. Mr. Speaker, last year, they called it tax fairness. It was a plan meant to soak the rich by slapping a luxury tax on pleasure boats. Well, it is not fair for boat manufacturers, and it is not fair for those losing jobs. Once again we have learned the hard way that higher taxes hurt working men and women by distorting the marketplace and driving customers away.

The people who are reaching for life preservers are blue-collar workers who used to build boats before taxes sank our domestic sales. Those who can afford boats buy elsewhere—where boat taxes have been lowered to attract American customers who used to do business here at home.

While we drive our manufacturers under, 19,000 boating industry jobs will be lost in 1 year alone, hurting families who want to work. And that's not fair.

Let us face it: Congress went overboard with this tax, and the only way we can keep our boating industry from sinking is to repeal it.

H.R. 7, THE BRADY BILL

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

Mr. MORAN. Mr. Speaker, as I stated yesterday, we have had computerized criminal records in Virginia since 1966 and it still took us more than 6 months to implement an instantaneous background check. The Office of Technology Assessment has recently concluded that it would take the FBI 5 to 10 years to develop a central criminal record file and only then could we begin to implement the nationwide system called for in the Staggers bill.

I support the Virginia instantaneous background check system and I strongly support the Attorney General's efforts to implement a nationwide background check system already provided for in the 1988 McCollum amendment. But I do not support an unrealistic unattainable bill that would once again keep this Congress from enacting reasonable gun control legislation.

The Brady bill is an important interim measure that would sunset once individual States and the Nation im-

plement an instantaneous background check like we have in Virginia.

I urge my colleagues to vote "no" on H.R. 1412 and "yes" to the Brady bill, H.R. 7.

BRADY BILL DESERVES SUPPORT

(Ms. MOLINARI asked and was given permission to address the House for 1 minute.)

Ms. MOLINARI. Mr. Speaker, I rise today in strong support of H.R. 7, the Brady bill. The House is expected to vote on this important and controversial issue within the next week.

Ironically, opponents of this bill claim that the Brady bill's prime flaw is that it does not mandate a background check. However, Mr. Speaker, it does allow for a background check, and realistically, it encourages a background check. It will, in the appropriate cases, stop the deadly sale of a handgun.

There is no magic with this bill, no cure-all, but the Brady bill offers hope, hope that has been realized in life, in States that have waiting periods, with cooperating border States.

Perhaps I am here today out of a parochial concern because I represent New York City. It was just realized that New York City in 1990 had over 2,245 homicides, making it the highest in the Nation. As violent crime continues to rage out of control, 96 percent of the crimes committed with the legally obtained handguns in New York were obtained from out of State. Short of establishing border guards, this importation will not stop.

We in New York are desperate for solutions, solutions that do not penalize citizens legitimately seeking a gun, solutions that will help citizens take a step in the right direction to curb the violence on our streets in America today. Not 5 or 10 years from now as the Staggers bills suggests.

I urge my colleagues to support the Brady bill when the House considers it next week. It is important toward ensuring neighbor security. It is essential toward saving a life.

TRADE AGREEMENT MEANS LOSS OF U.S. JOBS

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

Ms. KAPTUR. Mr. Speaker, yesterday the Bush administration released its response to congressional concerns regarding the proposal United States-Mexico Free-Trade Agreement going forward under the so-called "fast track." The President's letter is largely rhetorical. It has no guarantees that our congressional concerns will be incorporated in the body of the trade agreement itself. None of our specific concerns about adjustment policies in both nations, workers rights, and fair labor standards, the enforcement of Mexican labor and environmental laws, would be included as a part of this agreement.

Instead, the President said that he will try to focus on these concerns through promises of working closely with Mexico in parallel agreements, at best, memorandum of understanding, and good will efforts.

However, I ask, who will really enforce any agreement that we would be able to reach? Recently, at California State University, a study was done on Ohio-based firms that are currently operating in Mexico. For the record, I would like to show Ohio has already lost over 100,000 jobs to Mexico, where the average wage is between $5 and $10 a day. This trade agreement means a loss of jobs for our country, and someone ought to pay attention to that.

ULTIMATE POLITICAL WITCH HUNT

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

Mr. RIGGS. Mr. Speaker, I rise today because yesterday was day 50 of the President's 100-day challenge to this body to pass this comprehensive crime package, and the day after the FBI released their annual crime report indicating that violent crimes were up 10 percent over last year.

Also yesterday, the Washington Post ran an article headlined, "Probe of 1980 Reagan Campaign, House Democrats Study Allegations of Delay of Hostage Release."

□ 1150

Well, excuse me, but what is going on here? Reagan-bashing, which is becoming pretty popular around here, judging from the recent budget debate, is being taken to a new extreme. It seems that there are certain people who want to conduct a witch hunt aimed at pinning blame on the late CIA Director, William Casey, for negotiating a deal for the sale of arms to Iran in exchange for the immediate release of American hostages after the November 1980, election.

Well, Mr. Speaker, this is in fact the ultimate political witch hunt, since we all know that dead men tell no lies; but if the Democrats want to revisit the circumstances of the 1980 election in the hopes that it will give them an edge in next year's Presidential election, so be it, because there are some of us who recall doubt-digit unemployment, double-digit inflation, the stagnation, malaise, and despair that gripped this land in 1980.

But instead of the usual partisan rancor, let me suggest a better way. Let us put aside our differences and show the American people some true leadership, and specifically to my colleagues on the Judiciary Committee, let us get busy. Heed the President's 100-day challenge and give us an opportunity to debate and act on his tough crime package.

THE PLIGHT OF THE AMERICAN AUTOMOBILE INDUSTRY

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

Mr. SCHEUER. Mr. Speaker, the Michigan delegation to this House and the three great automobile companies invited Members of the House to visit Detroit last Thursday and Friday to see the perilous state of the industry. We did. We had enormous admiration for their product, and we were impressed by their statements of deep concern, backed up by the facts.

Just yesterday and today we read that the automobile industry had by far the worst quarter in terms of losses in their history.

Mr. Speaker, they account for one out of seven jobs in America and we have to take horrendously difficult and important steps to save the industry.

Every single major player in Detroit—Ford, General Motors, and Chrysler—has a Japanese partner, is in a joint venture with Japanese automobile makers to design and produce better cars. The one group that they are not involved in joint ventures with is with each other. They cannot pool their own talents. They cannot pool their own ability to raise capital, their own design talents, their own manufacturing talents.

They are down-scaling. They are closing plants. They are consolidating plants, but they are doing it within each firm and not industrywide to achieve maximum utilization of resources.

It is the antitrust law that prevents that. We have got to take the shackles off the automobile industry so that where there is already bitter intense competition from foreign car manufacturers in any given field, like the small cars, the medium cars, that the domestic automobile industry can do its best, consolidate resources and join forces and compete more successfully than they have been able to do so far.

AUTHORITATIVE STUDY AMENDMENT TO NASA AUTHORIZATION

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

Mr. ZIMMER. Mr. Speaker, today I will offer an amendment to the NASA authorization bill that will provide for a study of how we can best achieve the planned scientific objectives of space

station Freedom in the most cost-effective way.

A space station should not be an end unto itself. It can be justified only if the scientific research it enables is worth its price tag; that price tag is now estimated by NASA at $30 billion and by the GAO at $40 billion or more. For that kind of money we should be purchasing more than a status symbol in space. We ought to be purchasing the most cost-effective scientific research available.

This is not an antispace amendment, and antispace station amendment. It is simply a matter of fiscal accountability.

Given the radically reduced capabilities of the scaled down space station and the growing concern about its affordability, the time is right for the authoritative study my amendment will mandate.

IN SUPPORT OF THE FEDERAL FACILITIES COMPLIANCE ACT

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

Mr. BILBRAY. Mr. Speaker, the Federal Facilities Compliance Act of 1991 takes away the Federal Government's incentive to litigate rather than remediate the environmental calamities it has created at Federal facilities. As a member of the Armed Services Committee, I can tell you that much time is spent reviewing the operations and consequences of day-to-day activities at our Nation's Federal facilities.

Policymakers need to encourage the path to environmental restoration. The toxic legacy of the military constitutes the largest and most serious environmental threat this country has ever faced. Presently the Federal Government is operating at health and environmental standards well below the standards which private firms are mandated to comply with.

As a new decade begins, a national consensus exists on the need to provide all Americans with a clean, safe, and healthful environment. Virtually every State has within its borders federally owned or operated facilities with environmental violations and compliance problems. All States therefore share the complex problems associated with these facilities. All States are hopeful for swift solutions to these problems.

The Nation can ill afford to sacrifice the protection of the environment and public health to allow the Federal Government special status to pollute. Please cosponsor the Eckart-Schaefer Federal Facilities Compliance Act of 1991.

IN SUPPORT OF THE FEDERAL FACILITIES COMPLIANCE ACT

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

Mr. KLUG. Mr. Speaker, I rise today, as my colleague just before me, to ask your support for the Federal Facilities Compliance Act. If I can, let me give you an example from my home State of Wisconsin why this legislation is necessary.

In 1977, as part of an assessment of military facilities across the country, the U.S. Army indicated there might be problems on what was a prominent ammunition site in World War II. Ten years later, the Army finally got around to testing the facility and assured everyone in the neighborhood that the facility was fine and no pollution was on site.

Now several years later, we find ourselves with wells contaminated on nearby farms and homes. We also discover that the company which was hired by the Federal Government to do much of the assessment has now pleaded guilty to charges of filing fraudulent testing on that site itself, so the problem may be much worse than we ever expected it was; but now the State of Wisconsin, like States around the rest of the country, cannot do anything to force the Federal Government to clean up the site. It cannot even force the Federal Government to expedite the hiring of a new firm to test that site once again and cannot even force the Federal Government to pay the same kind of fines it can force private industry to do.

Mr. Speaker, the Federal Government should be a model for the cleanup of hazardous waste sites around the country, and instead we find it is a model for the way that sites should not be cleaned up. So I urge my colleagues to support the Federal Facilities Compliance Act, H.R. 1056.

ANOTHER PLEASURE TRIP AT TAXPAYERS' EXPENSE

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

Mr. APPLEGATE. Well, Mr. Speaker, the taxpayers got screwed again. The Vice President of the United States took a weekend golf trip to Augusta, GA, and the taxpayers got stuck with the bill, $27,000, and he went after his boss promised a full-scale investigation into taxpayer-financed travel. This was after his Chief of Staff, John Sununu, got caught taking ski trips at taxpayers' expense.

Mr. Speaker, what a bummer. These things should be looked into. Look, there are plenty of golf courses around Washington, DC, that if he wants to go golfing he can go and golf and if he does not get it free, it is only going to cost green fees and a golf cart, but not $27,000.

Hurry up, Mr. President, with your investigation. The taxpayers cannot afford any more delays.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to address their remarks to the Chair.

□ 1200

THE FEDERAL FACILITIES COMPLIANCE ACT

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

Mr. BILIRAKIS. Mr. Speaker, today, I join over 100 of my House colleagues in introducing the Federal Facilities Compliance Act. This bill clarifies that States have the authority to assess civil fines and penalties against Federal facilities for noncompliance with the Resource Conservation and Recovery Act. Last Congress, the legislation was overwhelmingly approved by the House.

During consideration of the bill, I offered an amendment, which was approved unanimously, that was designed to ensure that States use the fines collected against Federal facilities only for environmental projects or enforcement. My amendment simply required that when States collect fines from a Federal facility for violation of RCRA that those moneys must be used for environmentally related efforts.

I feel strongly that if tax dollars are used to pay environmental penalties it is only right that those moneys be used for further environmental purposes. I am pleased that this provision was included in this year's Federal Facilities Compliance Act and I plan to work with my colleagues for swift consideration and passage of the bill.

BAD NEWS FROM OUR NATION'S AUTO MAKERS

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

Mr. KENNEDY. Mr. Speaker, there is bad news from our Nation's auto makers. In just the first 90 days of this year, GM and Ford lost a combined total of $2 billion. The heartbeat of Detroit is weak, and it might well grow weaker. Some want to teach Detroit a lesson. So they buy their cars from the Germans and the Japanese. Their idea of fulfilling their patriotic duty is to tie a flag and a yellow ribbon to the antenna of their BMW. Then they will say, "I'll do what's best for me, and Detroit be damned."

Well, it is time that we set straight what our patriotic duty is as Americans and what it includes. It includes more. It includes buying good products made by the good and decent people of our country. It includes thinking, every time we buy a car or a television set or an article of clothing, about to whom we would like our dollars to go to, American families or people overseas. That does not mean that we should buy second-rate goods. But our Ford Tauruses and Jeep Cherokees are every bit as solid as the Honda Prelude or the Range Rover.

Mr. Speaker, we should resist the notion from Wall Street that all Detroit needs is a few quick plant closings. Being an American means more than exercising the right to buy a BMW and a pair of Vuarnet sunglasses.

Let us recommit ourselves to buying from our fellow Americans when they make a product as good as a foreign one. Let us eliminate the trade deficit without taxes, and let us look out for one another.

ENCOURAGING TRADE WITH NEW DEMOCRACIES OF EASTERN EUROPE

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

Mr. ZELIFF. Mr. Speaker, since the fall of the Berlin Wall and the end of the Warsaw Pact, several countries in Eastern Europe have reached out to the West and especially to the United States in the hope of joining our better economic and political systems. The United States, as the leader of democracy and free market economies, has to extend our welcome and make a stronger effort to incorporate these countries into a trade alliance. I have just returned from a private sector-sponsored trip to Poland and Czechoslovakia where I led a New Hampshire trade delegation seeking to establish ties to these newly emerged democracies in Eastern Europe. While there, we were able to sign most-favored-state treaties with both nations whereby they would open up opportunities for small businesses and corporations from New Hampshire. The governments in Poland and Czechoslovakia will make the effort to enable our businesses to market the goods and services that will modernize Eastern Europe at a more rapid rate. They have been trapped behind the Iron Curtain for almost 50 years and now that they are free they want to experience the benefits of liberty, democracy, and choice. As a country, we have an opportunity to make a concerted effort to provide these people with the education and technology resources that are needed to enable them to make the transition to a free market economy. I urge my fellow Members of Congress to open up your States economies and encourage trade with the new democracies of Eastern Europe particularly in Poland where much progress and sacrifice has already been made. This country needs our leadership now and we cannot desert them. As their economy becomes more successful, they can become the model of the free world. It is time that we stand up and be counted.

BRADY BILL SUPPORTED BY THOUSANDS OF POLICE OFFICERS

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

Mr. REED. Mr. Speaker, I recognize the second amendment right of all Americans to bear arms. However, a decent and orderly society requires reasonable restraints on firearms in order to truly make people free, free from the growing menace of random violence that now engulfs our society.

In Rhode Island we have a law that mandates a 7-day waiting period before the purchase of a handgun. Rhode Island's Brady bill has worked well and that is why the police chief from my hometown of Cranston asked me to support the Brady bill here in Congress.

Indeed, the most compelling testimony in support of the Brady bill comes from the thousands of police officers across the country who really are on the firing line.

If the vote on this issue were put to police officers, I have no doubt that they would vote overwhelmingly in favor of the Brady bill. For them this isn't political—it is quite literally a matter of life and death.

The Staggers alternative is not an alternative to the Brady bill. It is the legislative equivalent of firing blanks. If the Congress passes the Staggers bill we will make a lot of noise, but it will not mean anything.

The Staggers bill offers up an instant-check system that even the Attorney General has said would take years to develop. The instant check system is a myth. Those States that are supporters of the Staggers bill offer as an example—Florida, Delaware, and Virginia—all provide longer than 24 hours to perform the background check.

Forty States do not have completely automated criminal history record files. Three States don't have any records on computer. Some States do not require courts to report felony dispositions and even where the courts are required to report this information, it takes an average of 48 days.

The supporters of the Staggers bill speak of a person's right to purchase a gun. But under this legislation, anyone could buy a $10 gun dealers license and access confidential records. Those who support the Staggers bill are willing to overlook fundamental concerns about privacy to facilitate the sale of guns.

We need real gun control. I ask my colleagues to support the Brady bill.

WE SHOULD SUPPORT U.S. AUTO INDUSTRY.

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

Mrs. BENTLEY. Mr. Speaker, yesterday I called attention on this floor to the warehousing of automobiles by the Japanese auto industry in every available storage area in this country so that at the right time in our economy these cars could be dumped on the United States market.

Last week, 41 Members of this body visited the Big Three American plants in Detroit. We were all stunned by the revelation of the dire conditions of these important manufacturers.

This loss goes beyond what we called Detroit. The auto industry also includes 20,000 small suppliers to the industry which are going bankrupt at a rate of 1½ a day. We all must share the blame for this decline.

When Lee Iacocca, chairman of Chrysler, asked for Government relief from the Japanese, he was told by the administration the Japanese have a right to a portion of the United States market. But, Mr. Speaker, Japan does not allow the United States to have the slightest portion of its market. Yes, we all must share the blame for the decline.

A friendly and informal poll at National Airport VIP lot for Congress found that foreign cars outnumbered American cars by almost 20 to 1. The least we can do as lawmakers is to support the American auto industry, and the American people should not fall for the Japanese line that we should support their industry. Don't support the dumping program.

CONGRESS SHOULD PASS THE BRADY BILL

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

Mr. HOAGLAND. Mr. Speaker, I am proud of the swift action on the Brady bill by the full Committee on the Judiciary, and by the Crime and Criminal Justice Subcommittee. I understand that the bill should come to the floor for a vote next week.

We have debated the issue of acting to keep guns out of the hands of criminals and the mentally ill long enough. The Brady bill provides for a short waiting period prior to completing the sale of a handgun to allow law enforcement officials to check criminal and mental health records. Seven days. No more than the time most people wait

for approval on renting an apartment, or to pick up their dry cleaning.

Health and Human Services Secretary Louis Sullivan noted a telling statistic that should influence Congress to pass this bill rapidly—more teenage boys die from gunshots than from all natural causes combined. Between 1984 and 1988, the firearm death rate among teenagers increased by more than 40 percent. A total of 1,641 Americans age 15 to 19 years were victims of homicide by firearms in 1988 alone. Since the Brady bill was defeated in this House in 1988, 50,000 Americans have died from handguns.

Congress can and must act swiftly to enact this measure to help save lives. Last week Congress proved that it can move with all deliberate speed when it held hearings, introduced and passed a joint resolution to end a nationwide railway strike all within 1 day. Congress acted so quickly then because a prolonged nationwide railway strike could cripple our Nation's economy.

Congress should act just as quickly to help keep handguns away from those who cannot handle them responsibly—to prevent more Americans from being crippled, or killed, unnecessarily.

THE CIVIL RIGHTS BILL FOR 1991: A POLITICAL RATHER THAN A LEGISLATIVE SOLUTION

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

Mr. GUNDERSON. Mr. Speaker, this House will apparently very soon consider the civil rights legislation for 1991. I regret to inform my colleagues that I think both sides have decided they would rather have a political issue than a legislative solution to the debate.

But I also inform my colleagues that you are going to hear a lot of discussion about whether the bill is a quota bill and whether or not it is a bonanza for trial lawyers.

I will go so far as to suggest that H.R. 1, the Democrats' civil rights bill, is not a quota bill in and of itself. Unfortunately, however, the impact of H.R. 1 will be quotas.

□ 1210

Mr. Speaker, every business in America looking at that legislation will make the decision to hire by a numerical basis in order to protect themselves from potential litigation. If my colleagues on the other side of the aisle really want to eliminate the possibility of a lawyers' bonanza, I plead with them to bring a bill to the floor that will eliminate section 9, because section 9 of H.R. 1 says that in every case of civil rights ever filed after the passage of this bill, no consent decree can ever be entered into between the plaintiff and the defendant unless the trial lawyer certifies to the court that any reduction in his legal fees has been approved prior to that by himself. Think of that.

ENCOURAGING COLOMBIAN GOVERNMENT TO CONTINUE STRUGGLE WITH DRUG CARTEL

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

Mr. ALEXANDER. Mr. Speaker, it has been 7 years since the Colombian Minister of Justice, Rodrigo Laura Bonilla, was assassinated. At the time of his assassination, I was speaking in the National Palace with the President, Belisario Betancur. When the news of this assassination of the Minister of Justice came to the Palace, the President turned to me and said that his country was "a hostage to the drug cartel." The criminal organization that has the wealth and power of a nation.

Since that time, action has been taken by courageous Colombian officials of the Government to make war on the cartel. And there are signs of progress, but there are also signs of discouragement.

We would say to our friends in Colombia that they should keep up the war against the drug cartel; they should continue the struggle because the power of a free people is more powerful than the guns of the cartel.

We know that the price of freedom is high, but there is no greater gift to any nation than for its people to be free. We support the people of Colombia in their struggle for freedom.

THOUGHTS ABOUT ONGOING AGONY IN MIDDLE EAST

(Mr. DORNAN of California asked for permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, I rise this morning to pass on a few thoughts about the ongoing agony in the Middle East. But before I do, just a quick prologue.

A month and a day ago today, on April 1, I had my right hip removed and replaced. And I just wanted to say that I will do a special order about the wonders of modern American medical science. Even with all the problems we have with the cost of medical care and medical insurance, we are certainly lucky to be Americans in the end of the 20th century. What American medicine can do for us when everything is working right, is absolutely incredible.

But about the Middle East. I was lying there in my bed, a few days back, at home recuperating from surgery, and I saw something that made me think I was dreaming.

It was the national orchestra, it would be stretching it to call it a philharmonic, of Iraq at Saddam Hussein's—the world's greatest first degree mass murderer—birthday celebration. They were playing for him Frank Sinatra's big hit, "I did it my way." At the same time Iraq is asking the world permission to pump a billion dollars' worth of its oil, while 560 oil wells are still burning in Kuwait. It is simply unbelievable that he brags that he did it his way.

The world must rid itself of this killer.

INTRODUCTION OF RESOLUTION SUPPORTING FEDERAL EMPLOYEES WHO PLAYED ROLE IN PERSIAN GULF WAR

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

Mr. McMILLEN of Maryland. Mr. Speaker, we have lavished much praise on our men and women in uniform who valiantly served this Nation during the last year in the Persian Gulf. That praise is richly deserved and cannot be overstated. But there is another group of Americans who played an emormously important role in this war and that's those men and women of the civilian Federal work force that supplied vital support to our Persian Gulf efforts.

When President Bush sent the first troops to the desert on August 3 of last year, nearly every Federal agency had a job to perform in support of that deployment. Many of my constituents who live in suburban Maryland, yet work in the Federal Government here in Washington, burned the midnight oil in long hours, keeping the food lines supplied, transporting materials overseas, or helping out the families of those soldiers who were sent to the gulf.

Mr. Speaker, today a resolution will be introduced by members of the Federal Government Service Task Force which commends the performance of our civilian Federal employees in their role in the Persian Gulf war. As we wave our American flags to the troops as they march by us this Fourth of July, let us not forget the hundreds of thousands of Federal employees who also played a vital role in our victory in the Persian Gulf.

CONSEQUENCES OF CIVIL WAR IN ANGOLA

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

Mr. McCURDY. Mr. Speaker, the civil war in Angola has rarely been the focus of our Nation's attention. Angola is a distant country, and the war between the MPLA government and the UNITA resistance was often lost in the

murky politics of Soviet expansionism in the Third World.

But as chairman of the House Task Force on Angola, I am pleased to inform my colleagues that, after 16 years of bloody civil war, the Government of Angola and the UNITA resistance yesterday initialed a document which will bring peace and democracy to that war-torn country. The President of Angola and the President of UNITA, Jonas Savimbi, later this month will sign a formal cease-fire and peace agreement that includes provisions for free elections next year.

Mr. Speaker, the end of this conflict is of enormous consequence for the people of Angola. They have seen their country ruined by war and Socialist economics. They saw their independence from Portugal hijacked by the presence of 50,000 Cuban troops. They have been the victims of a senseless attempt to impose a one-part, Marxist system which, as we have seen, has failed everywhere it has been tried.

But with this agreement, the people of Angola will soon have the opportunity to determine their own destiny through free, multiparty elections. They will have a government that will be held accountable and responsible for its actions. The process of creating and consolidating democratic institutions and a market economy promises, as it has been in Eastern Europe, to be difficult. Moreover, in a democratic Angola, both the MPLA and UNITA will be forced to explain their conduct throughout the war. But there is reason to believe that Angola, given its potential wealth, can serve as a catalyst for those democrats elsewhere in Africa who are seeking to bring democracy to their countries.

Mr. Speaker, American resolve and the power of the democratic idea helped to make this agreement a reality. Now, as the MPLA, UNITA, and the people of Angola begin the process of rebuilding their country, I hope we will demonstrate similar resolve to assist them in that process.

BRADY BILL WILL HELP FIGHT CRIME

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

Mr. HUGHES. Mr. Speaker, next week, the Members of this body will have an opportunity to vote on H.R. 7, the so-called Brady bill, which will require a minimum 7-day waiting period for the purchase of a handgun.

Unlike many other anticrime proposals we've heard about which sound a lot tougher than they really are, the Brady bill is substantive legislation which can make a real difference in saving lives.

A 7-day waiting period is not going to restrict the ability or privilege of law-abiding citizens to purchase handguns.

It will merely give the police a reasonable opportunity to conduct a background check of prospective purchasers, to determine if they have a criminal or mental history or if they are otherwise disqualified from receiving a handgun.

Some 20 States already have waiting period laws in effect, including my home State of New Jersey, and we know from their experience that waiting periods are effective in preventing thousands of handgun sales each year to unqualified persons.

Mr. Speaker, I do not take a back seat to anyone when it comes to fighting crime.

The fact is, we can't have an effective, national anticrime strategy without addressing the problem of the easy access to handguns and the proliferation of handgun-related crime across our country.

If you're really serious about passing meaningful anticrime legislation, I hope you will join me in voting for the Brady bill and against the Staggers substitute, which would do nothing more than gut the bill.

A waiting period will not be a panacea, but it will keep some handguns out of the wrong hands and help save lives. That is surely worthwhile.

BASEBALL'S OLD GLORY

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

Mr. DURBIN. Mr. Speaker, I stand today to salute old glory, not our beloved flag, but baseball's old glory, Nolan Ryan. In an age when baseball has become a cash and carry business, one player reminds us that neither greed nor time can take its toll on greatness.

Last night, 44-year-old Nolan Ryan gave hope to all of us in our midforties and pitched the seventh no-hit game of his 25-year career. This ageless Texas pitcher is baseball's all-time strikeout king, has pitched three more no-hitters than anyone in the history of the game, and he is still pitching.

So add another star to our old red, white, and blue for baseball's old glory, Nolan Ryan.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION MULTIYEAR AUTHORIZATION ACT OF 1991

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 137 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 137

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1988) 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, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Science, Space and Technology now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, each section shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of section 302(f) of the Congressional Budget Act and clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1220

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] for purposes of debate only, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 137 is an open rule providing for the consideration of H.R. 1988, the National Aeronautics and Space Administration Multiyear Authorization Act of 1991. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Techology.

The rule also makes in order the Science, Space, and Technology Committee amendment in the nature of a substitute now printed in the bill as an original text for the purpose of amendment under the 5-minute rule. Each section in the substitute shall be considered as having been read.

In addition, the rule waives all points of order against the substitute for failure to comply with the provisions of section 302(f) of the Congressional

Budget Act. Mr. Speaker, this waiver is necessary because the substitute as drafted provides new authority in excess of the committee's appropriate section 302(b) allocations. The rule also waives all points of order against the substitute for failure to comply with clause 5(a) of rule XXI prohibiting appropriations in a legislative bill.

While these two waivers were necessary in order to bring the bill to the House floor today, I understand the chairman of the Committee on Science, Space, and Technology will be offering technical amendments to bring the bill in compliance with the Budget Act and House Rules. The section of the bill which requires waivers sets up a scholarship program for teaching degrees in the field of science, with funds from the trust fund established in the memory of the crew of the *Challenger*.

Finally, the rule provides for one motion to recommit, with or without instruction.

Mr. Speaker, H.R. 1988 provides multiyear authorizations for programs under the jurisdiction of the National Aeronautics and Space Administration [NASA] and related agencies. The bill also sets forth policy provisions and authorities in order to carry out the activities of the Civil Space Program.

I want to commend the gentleman from California, Chairman BROWN, and my colleagues on the Science and Space Committee, for the excellent job they have done in bringing this bill to the House floor. In particular, I want to express my support for the funds included for the National Aerospace Plane Program.

The bill authorizes NASA funds at a level of $72 million in fiscal year 1992, $120 million in fiscal year 1993, and $145 million in fiscal year 1994 for the national aerospace plane, a joint project with the Department of Defense. The National Aerospace Plane Program is developing technology to make possible the first flight of a hypersonic aircraft that can take off from a runway and fly into orbit in space.

I am proud to say that the office coordinating this project is located at Wright-Patterson Air Force Base in the Dayton, OH, area. Nearly 100 years ago, Dayton's Wright brothers ushered in the era of flight. Now, the national aerospace plane promises to be a leader in the development of the technology for the next century of flight.

Mr. Speaker, H.R. 1988 is the result of hearings and careful consultations. I am pleased that we have an open rule which received unanimous support in the House Rules Committee. I urge my colleagues to adopt it.

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

Mr. Speaker, this is an open rule, which I applaud very much. Incidentally, this is the earliest House consideration of a NASA authorization bill in several years. During the current fiscal crisis, the task of allocating national priorities for the space program has become all the more difficult. I wish to commend the gentleman from California [Mr. BROWN], the chairman, and the ranking minority member, the gentleman from Pennsylvania [Mr. WALKER], of the Committee on Science, Space, and Technology, for their work in crafting this legislation.

Mr. Speaker, in the past few years NASA has suffered a number of setbacks such as cost overruns in the space station and the malfunctioning of the Hubble space telescope. These problems have eroded confidence in the agency and have raised questions about its ability to pursue an aggressive space exploration program. However, we must also remember that our Nation's space program has been successful over the years. This open rule will allow us to examine the programs under NASA and to debate its future direction.

H.R. 1988 provides budget authority for NASA's space and aeronautics activities and for the space activities of the Department of Commerce, the National Space Council, and the Department of Transportation. The fiscal year 1992 authorization level is set at $15 billion, which is $488 million below the President's request. The administration, however, opposed enactment of the bill unless amended to more closely reflect its request.

The bill authorizes $2 billion for the space station Freedom in fiscal year 1992. This is the same amount requested by the administration. When completed, the space station will be a manned, orbiting outpost for conducting scientific activities. The $128.9 million increase over fiscal year 1991 will be provided upon the submission of a National Academy of Science report which is to include a restructuring plan for the space station. Emphasis has again been placed on the space station as the next logical step in expanding space exploration.

Mr. Speaker, this rule protects the rights of the minority by giving us an opportunity to offer a motion to recommit with or without instructions. I strongly support the rule, and I urge its adoption.

Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me also commend the Committee on Science, Space, and Technology for requesting an open rule on this important bill. I am sure we all offer our congratulations to our good friend, GEORGE BROWN, on his assuming the chairmanship of that committee, as well as our good friend, the gentleman from Pennsylvania [Mr. WALKER], the ranking Republican, for bringing this bill to us at this early date.

Mr. Speaker, H.R. 1988 makes 49 billion dollars' worth of authorizations for the National Aeronautics and Space Administration for the next 3 fiscal years. That is a lot of money, but this bill is fiscally responsible and it meets the challenge our country faces as the leader in space exploration.

I understand that there is a minor problem in the bill relating to a trust fund that provides support for fellowships or scholarships in the aeronautical and space sciences. However, Chairman BROWN assured the Rules Committee that he will offer an amendment that will bring this provision of the bill into conformity with the requirements of the deficit-reduction plan that is now in effect, that this House must abide by if we are going to try to get the fiscal house in order.

Mr. Speaker, John F. Kennedy, a great American, a great Democrat, said that outer space is the new ocean, and America must sail on it.

Just as America has been the leader in space exploration since the 1960's, this bill, I believe, as a fiscal conservative, will assure American leadership during the 1990's and beyond.

Mr. Speaker, let me just say I will be offering two amendments, as I did yesterday to the intelligence authorization bill. One deals with random drug testing of all employees of NASA. The other deals with prehire drug testing of all NASA employees under the same procedures that are presently in place for all Federal Justice Department employee applicants. I will not get into the debate on it now. We will do that during the regular time when the bill is under consideration.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of this rule, and I want to thank the gentleman from Ohio [Mr. HALL] for giving me this opportunity to use this time to address the issue of the space station.

Mr. Speaker, yesterday the Subcommittee on Governmental Activities and Transportation, which I chair, held an oversight hearing on the costs and justifications for NASA's space station project. As we begin deliberations over NASA's reauthorization, I want to share with Members some of the information brought to light at yesterday's hearing.

As a result of this hearing, I hope that Members of Congress will join me in a letter to NASA asking for an independent audit of the Space Station Program. I also believe it is very important to support the Zimmer amendment, which is coming before us today, that would require the National Academy of Sciences to report on whether the goals of the Space Station Program can be accomplished by alternative means at a lower cost to the taxpayer,

just so we know what it is we are doing here.

□ 1230

The Zimmer amendment is a fine one. I understand that Chairman BROWN will be accepting that amendment, and I am very pleased about that.

At yesterday's hearing the subcommittee ascertained that while NASA has offered an estimate for the cost of the space station of $30 billion, the true cost of the program over its lifetime, without inflation, will actually be between $118 billion and $180 billion. The NASA figure of $30 billion accounts only for some of the costs incurred to achieve permanent occupancy. In other words, for $30 billion what we will have is an empty garage in space with nothing happening within it or around it.

However, NASA's estimates that it would cost $40 billion, not $30 billion to achieve permanent occupancy, and my subcommittee staff comes up with an estimate of almost $52 billion. So, even for this initial phase, NASA cost estimates for the station do not include costs of the crew return vehicle, which is crucial. NASA admits that they did not include it, or full transportation costs for shuttle flights that will be needed to assemble and equip the station and the cost of the microgravity research and life sciences equipment that will be placed aboard the station.

Remember, the station is a 30-year program, so says NASA. Subcommittee staff calculate that the operations and transportation costs over the life of the program will result in a total 30-year cost of $180 billion, plus inflation.

GAO derived the lower estimate of $118 billion because GAO accounts only for the marginal costs, not the full costs of the shuttle flights as the Subcommittee had done. So again, there are astronomical differences, if you will, between NASA estimates and the more objective estimates of the GAO and my subcommittee.

Yesterday marked the first time the GAO's Comptroller General has testified on NASA. However, GAO has been critical of NASA cost reporting practices for years. Here are some examples.

In 1981 GAO said:

> NASA has underestimated the cost for some of its major projects. Generally the Congress does not routinely receive information on the total project cost or changes in cost, for all NASA projects.

In 1988 GAO said:

> NASA does not typically report the full cost of its projects to the Congress."

On March 1, 1991, GAO again said:

> Current reports on the cost of the space station do not include adequate information.

That is the GAO, the General Accounting Office, Congress's fiscal watchdog, and we should listen to them. I beleive that Members of Congress are entitled to know the full costs of the space station, as are the taxpayers. That is why I have asked NASA to cooperate with an independent audit to be performed by the National Academy of Public Administration, a congressionally chartered audit group with which NASA has cooperated in the past. Again, I hope Members will join me in a letter to NASA in support of this independent audit. When I asked Admiral Truly, let me just say, he did not seem particularly enthusiastic about the prospects. So I hope if we send him a letter he might move in our direction.

Also, again I hope today we will support the Zimmer amendment. In the days and months ahead we will recommend further steps from our subcommittee. Chairman CONYERS will be making a statement about this later. Given our duty to the taxpayers who sent us here, we can do no less.

Again, I thank the gentleman for yielding me this time.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me this time. I did want to make a couple of comments relative to what we just heard with regard to the cost of the space station.

First of all, in reading the Zimmer amendment, I think the committee may have no problem in accepting the amendment, because we do not see this as in any way impacting on the ability to go forward with space station Freedom. In fact, the amendment specifically says it will have no impact on proceeding ahead with space station Freedom, and we think, therefore, studying some of the technologies which are emerging as a result of the work we are doing probably is not outside the scope of what the committee thinks should be done.

With regard to some of the costs, I am anxiously looking forward to seeing the GAO study. GAO has a reputation, at least among some of us, of doing the work that committee chairman ask it to do rather then doing work which is completely accurate in its connotation.

We have asked the gentlewoman's subcommittee for a copy of the study. So far we have not been able to get it, so it would be very useful. In fact, Admiral Truly asked for a copy of the study so that when he came up to testify he would have something in hand and understand what it was, and he was turned down from having a copy of the study beforehand, which strikes me as being a little strange way to proceed, that you bring a guy into an adversary proceeding but you do not give him a copy of what he is testifying about before he comes in. That struck me particularly since it was given in the newspapers. I mean, Admiral Truly's best information about what was in the study had to come because it was leaked to the newspapers before the admiral had it.

Mrs. BOXER. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentlewoman from California.

Mrs. BOXER. I thank the gentleman for yielding.

Mr. Speaker, the GAO study is under the control of the GAO. We did not have a copy of the GAO study.

Mr. WALKER. The GAO did not give it to us either.

Mrs. BOXER. What I am suggesting is that they worked on their own timeframe, and it is their study. We now have it. It was made public at the hearing, and the subcommittee staff does not even agree with the GAO. We think the GAO is too conservative on the cost.

Mr. WALKER. The point being that if we are going to hold hearings, and we are going to bring people like Admiral Truly in, it would be useful for him to have the ability to look at what the conclusions are and maybe be able to come up and truly counter some of the figures, because in looking at least at the newspaper accounts, understanding I have not been able to get a copy of the study yet either, the newspaper accounts lead me to believe that GAO has used some kind of funny numbers here. I mean when we start talking about the outyear costs, and we project costs out into the year 2027, it is a little hard for us to understand what costs in the year 2027 are. We have a hard time here in the Congress figuring out what the costs of the budget are going to be for the next 6 months.

So when we start throwing around some of these funny numbers, it in fact leads one to some conclusions that maybe we do not have wholly accurate information before us.

To decide not to proceed ahead with technology based upon what it is going to cost to pay the crew to live aboard the station it seems to me is terrible foolishness. The fact is the space program in this country has paid back at a 9-to-1 ratio. Every investment dollar that we have made in the space program over the last two decades has paid back to the GNP at a 9-to-1 ratio. So, therefore, if the GAO study does not include in it some of the payback costs that are going to be from the technological development, it is in fact a study that also is lacking. And if we are going to project salary cost in the year 2027, we ought to be looking at payback cost by the year 2027 too, which would give an entirely different story.

If we take the $30 billion figure and figure that at 9 to 1, that is $180 billion or better, it is $270 billion payback that it has made. So in fact it has paid back far more than what the costs would be. But I do hear that is in the GAO study.

My understanding is that the GAO did not look at those kinds of issues because they were not instructed to look in that direction. That disappoints me.

The Zimmer amendment I think will be an improvement, and the committee understands that. But I certainly think that it is very, very important that we do proceed ahead with the space station without the interruption of more accountants and more people looking at it. We have had plenty of study now of the space station. We do not need a lot of delays. The fact is this Congress has delayed the space station now for a decade. Congress has done it, not the administration. This Congress has delayed the space station for a decade. We have piled up the costs as a result of those delays, and we are now paying the penalty of a station that will be less capable than it could have been because Congress could not get its act together and give us the kind of station originally proposed.

I thank the gentleman for yielding the time.

□ 1240

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Speaker, I would like to respond to some of the statements my friend, the gentleman from Pennsylvania, just made.

He talked about funny numbers. I think the funniest number is NASA's number. I mean, that is the really funny number, because they absolutely admitted that all you would get for that number is the construction of the station. That is it. In other words, an empty garage, and GAO and the subcommittee staff believe that, even that is underestimated.

No one is here today suggesting at all, and I guess the gentleman is reading something here that is not here, that we stop moving forward with the space station. No one is here suggesting that at all.

What the gentleman is suggesting is that a GAO audit is not a fair audit. I would take strong exception to that. The GAO interviewed many, many scientists and, as a matter of fact, the vast majority of those scientists believe that we could do far better without the space station. That happens to be the truth.

But, Admiral Truly said, "Let us not talk to the scientists. Let us just move forward." I think the Zimmer amendment is a good amendment. In addition I think we ought to have an audit so that we know what it is going to cost.

I hope the gentleman will join me in looking at an audit. I think it would help the taxpayers.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I cannot let the words of the gentlewoman from California [Mrs. BOXER] go unanswered.

I have served on the Science Committee for over 10 years, and I have heard an awful lot of scientists come before the committee, and basically the bottom line of all of their testimony is that, "If the program funds my program, I am for it, and if the program funds somebody else's program, I am against it." So you can get a whole lot of scientists coming and saying they are against the space station because they do not get any money out of it.

It is our job here in this Congress to balance out the priorities and to set what is an appropriate national priority. The time has come to do that with the space station.

Second, I agree with the gentleman from Pennsylvania [Mr. WALKER] relative to the GAO study. The GAO study attempts to include the operational costs of the space station over its useful life of 27 years past permanent manned capability. We do not add the operational costs of any other Government capital construction project into the equation when we decide whether or not to go ahead with funding it. For example, if we are asked to fund a $200,000 homeless shelter in San Francisco, the bill is $200,000. It does not include 30 years' worth of salaries and meals and medical care for the people who go into the homeless shelter over its useful life. We have never described the cost of a veterans' hospital, for example, as the sum of all the years' maintenance, salaries, and operating costs over the useful life of the building.

It seems dishonest to start using a different standard for the cost of constructing the space station than we do with other capital construction costs. The GAO answered the question that was put to them. We all know how to get GAO studies to fortify our own political positions, and that is to ask the GAO a question where the answer will come back with what we want to hear with all kinds of supporting data.

It is the same thing as putting a question on a postcard poll that we send to our constituents. Very few of us are going to put questions on those kinds of polls where we know our constituents will answer in a way different than we are going to vote on that issue, so the postcard poll is framed in the same way.

Let us be up front and let us be honest and let us level the playing field. Let us debate the space station on the merits, and on the merits and on the priorities, the downscope space station that was mandated as a result of an appropriation bill which I believe the gentlewoman from California voted for is what is before us today.

We ought to make up our minds and go ahead, because any further delay and any further clouding of the issue is just going to run up the cost more, and then there is nobody to blame but ourselves.

Mr. QUILLEN. Mr. Speaker, I urge the adoption of the resolution.

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

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 137 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1988.

□ 1244

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1988) 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, with Mr. MCCLOSKEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. BROWN] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1988, the multiyear authorization for the National Aeronautics and Space Administration. This bill is essential to maintaining a robust and vital Space and Aeronautics Program during an era of fiscal restraint.

I want to commend several of my colleagues on the Science, Space, and Technology Committee for their hard work in developing this legislation and for their efforts to bring this bill to the floor in a timely fashion. I want to recognize the gentleman from Texas [Mr. HALL], chairman of the Subcommittee on Space, and the gentleman from Wisconsin [Mr. SENSENBRENNER], ranking Republican of that subcommittee for their special leadership in crafting a balanced and visionary piece of legislation for the space program.

I also want to recognize the gentleman from North Carolina, [Mr. VALENTINE], chairman of the Subcommittee on Technology and Competitiveness

and the gentleman from Florida [Mr. LEWIS], ranking Republican of that subcommittee, for their work in developing the aeronautics portion of this bill.

Finally, and very importantly, I want to recognize the valuable contributions of my colleague, the gentleman from Pennsylvania [Mr. WALKER], ranking Republican of the committee and I want to commend him for his important role in bringing this bill to the floor today.

Mr. Chairman, over the past 30 years, the Space Program has had many successes, and also its share of setbacks. This year we have directly confronted one of the major questions that has arisen regarding the Space Program since the culmination of the Apollo period, that is, what should be the role of the Space Program in the 21st century?

At the close of last year, the public was justifiably concerned over a variety of reports of technical problems with the space telescope, the space station, and the space shuttle. At the request of the Vice President, a blue ribbon panel of recognized experts was convened to examine the goals and management of the Space Program and to recommend a future course of action that would guide us into the next century. The report of the advisory committee on the future of the U.S. Space Program has provided an important reference point for our work on the NASA bill this year.

Most importantly, the advisory committee recommended that we establish some long term budget stability for the Space Program. This recommendation recognized the special nature of high risk, high cost scientific research and development programs in which annual budget uncertainties and shifting priorities provided a very difficult working environment.

The advisory committee recommended, based on the past several years of congressional appropriations, that we establish a commitment of a 10-percent annual real growth until we reach a level of about half what we provided during the Apollo Program in terms of percent GNP. I believe that this is a prudent and reasonable growth but one which will become increasingly difficult to accommodate in this budget environment.

The bill which we have brought to the floor today does not provide this recommended growth. In fact it is only about half of this recommended growth. We took great pains to identify every conceivable area in which funding could be deferred or eliminated. We reduced the President's request by over $488 million. We did this because we recognized that the Nation's budgetary deficit situation is probably the worst that we have ever seen.

H.R. 1988 therefore contains what I consider to be the minimum we should provide for the Space Program in fiscal year 1992. We have taken this approach in identifying the minimum budget requirements in view of the fact that the Appropriations Subcommittees will be acting under enormous pressure this year to reduce the budget and it is important that we find a consensus on agency budget needs. Any further overall reductions to the NASA request would, I believe, be counterproductive and more costly in the long run. We would still hope to achieve the Augustine Commission's recommended growth rates, and its goal of a steady State budget of about 0.4 percent of GNP—½ of the 1970 Apollo peak budget—at some reasonable time in the future.

Mr. Chairman, I would like to address one other issue that has been central to the debate over the Space Program this year. That is, can we afford the space station and is it still worth the investment that we are planning? Our decision on space station this year has benefited from a variety of inputs and sources of new thinking.

First, the advisory committee on the future of the U.S. Space Program has verified once again that the station is the linchpin for all of our future plans in space—it is absolutely essential if we plan to maintain our world leadership position in space.

Second, NASA has been directed to reduce the size and scope of the station and they have made a very admirable start. The cost of the station has been reduced by some $8 billion from its previous estimate.

Third, we have examined two reports—one from the National Research Council and one from the President's Science Adviser—which suggest that we need to do a better job of equipping the station to meet scientific needs, particularly in the life sciences.

Our authorization for the space station meets the President's request for a 6- to 7-percent increase over last year. However, we have coupled our request with a requirement to look further at the scientific uses of the station and to independently review the cost estimates.

Mr. Chairman, it is important to keep in mind that permanent habitation of space is a concept still in its infancy. We do not have all the answers yet. Although our memories are sometimes selective, history tells us that such pioneering efforts are always beset by problems. In the 1800's we built railroads in all the wrong places—yet rail travel became crucial to our economic development. Our first automobiles were not Cadillacs. They were Model T's with many features that now seem ridiculous.

The point is that, with any pioneering effort, we must learn how to do things. They do not come naturally and they do not now seem obvious. The station is the first step in this process and we can certainly expect to make mistakes—in cost, technical design, judgment, and in every conceivable way. Yet this first step is crucial, without it we will never take another step. We must continue to strongly support the station in this bill and in the appropriations bill.

Mr. Chairman, I would like to briefly summarize some of the important featues of H.R. 1988.

The bill provides $14.938 billion for the Space and Aeronautics Program and represents a reduction from the President's request for $488 million.

The bill provides slightly over 20 percent of the overall budget for science in accordance with the recommendations of the advisory committee on the future of the U.S. Space Program.

The bill provides over 3 percent of the overall budget for advanced space technology, a healthy increase over the fiscal year 1991 level of 2.5 percent. Again, this increase is in accordance with the recommendations of the advisory committee on the future of the U.S. Space Program.

One area in which we were not able to fully follow the recommendations of the advisory committee was in providing funds for a new launch system. Although this may be a valid program, specific plans and budgets for a new launch system have not yet been developed and we have deferred a decision on this until next year.

For the space station, the bill provides $2.029 billion reflecting the overall request level. However, we have held $129 million of this amount back until a full review of the restructured space station is carried out by the National Research Council. We would like to have a clearer concept of the potential to serve the needs of the science community and the ability of the station to evolve past its initial phase.

The bill reduces the level of funding for the Earth observing system in view of the ongoing technical review that is now being carried out on its scope and approach. We have provided increased funding for the Earth probes in order to gain quicker results, albeit not as scientifically comprehensive, if the larger Earth observing system cannot be funded.

The bill includes several questions to address the long range role of Landsat in the global change program. We have included funding for the purchase of Landsat data by NASA and we have also included some funding for the procurement of long lead parts for a follow on to Landsat 6. We would like for the administration to make a timely decision on this issue and such long lead parts may materially assist in ensuring that there is no gap in Landsat coverage.

We have provided full funding for the Advanced Solid Rocket Motor Program and rectified a shortfall in the budget request for this program.

The bill contains a new initiative for a program of component technology development to assist the commercial expendable launch vehicle industry and help it to keep pace with foreign competitors.

The bill establishes a NASA endeavor teacher trust fund to provide fellowships for students entering the educational field.

The bill provides funding for other civilian agencies having a role in the Space Program including the Department of Transportation Office of Commercial Space Transportation, the Department of Commerce Office of Space Commerce, and the National Space Council.

I would like to submit for the RECORD a copy of the cost estimate provided by the Congressional Budget Office which was not available at the time we filed the report on H.R. 1988.

Mr. Chairman, this concludes my statement on the NASA multiyear authorization bill. I would like to reemphasize that the authorizing committee has had to make some difficult decisions to develop a bill that best serves our national interest and one that reflects the budget realities that Congress must live within. It is our hope to begin the process of forging a consensus on overall priorities and funding levels for the Space and Aeronautics Program. We will look forward to working with our colleagues on the Appropriations Committee and our counterparts in the other body in the months ahead.

Mr. Chairman, I urge the support of all my colleagues for the legislation which I believe to be a prudent and responsible plan to support continued U.S. space development.

The cost estimate follows:

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 30, 1991.

Hon. GEORGE E. BROWN, Jr.,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 1988, the National Aeronautics and Space Administration Multiyear Authorization Act of 1991. The enactment of H.R. 1988 would create new direct spending authority. Nevertheless, CBO estimates that there would be no outlays associated with the new authority for the time period covered by this cost estimate and that pay-as-you-go scoring would be zero for each year.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

1. Bill Number: H.R. 1988.

2. Bill Title: National Aeronautics and Space Administration Multiyear Authorization Act of 1991.

3. Bill Status: As ordered reported by the House Committee on Science, Space, and Technology on April 25, 1991.

4. Bill Purpose: H.R. 1988 would authorize appropriations for 1992 through 1994 to the National Aeronautics and Space Administration (NASA), and for 1992 to the Office of Space Commerce in the Department of Commerce, the Office of Commercial Space Transportation (OCST) in the Department of Transportation, and the National Space Council in the Executive Office of the President.

5. Estimated cost to the Federal Government

[By fiscal year, in millions of dollars]

	1991	1992	1993	1994	1995	1996
Direct Spending:						
Teacher fellowship trust fund	(1)	(1)	(1)	(1)	(1)	(1)
Estimated budget authority	.....	.....	.....	.....	.....	.....
Estimated outlays	.....	.....	.....	.....	.....	.....
Authorization of Appropriations:						
NASA	.....	14,938	10,774	11,022	.....	.....
OCST	.....	5	.....	.....	.....	.....
Office of Space Commerce	.....	(1)	.....	.....	.....	.....
National Space Council	.....	1	.....	.....	.....	.....
Total authorization	.....	14,945	10,774	11,022	.....	.....
Estimated outlays	.....	9,399	11,021	11,124	4,313	884

[1] Less than $500,000.

The costs of this bill would be in budget functions 250, 370, 400, and 800.

The fiscal year 1991 appropriation for NASA is $14.0 billion, and the President has requested $15.7 billion for fiscal year 1992. Including outlays from prior year appropriations, total outlays for NASA would be $14.4 billion in 1992 if the full amount authorized were appropriated.

BASIS OF ESTIMATE

The bill establishes the NASA Endeavor Teacher Fellowship Trust Fund out of donations currently held in the NASA Gifts and Donations Trust Fund. Unlike the current fund, the new investment trust fund would accrue interest, which would be used to make fellowship awards in the NASA Endeavor Teacher Fellowship Program. By establishing a new investment trust fund and providing authority to NASA to spend the interest, the bill would create new direct spending budget authority in the amount of the interest earnings, around $20,000 per year. NASA already has the authority to spend the principal amount in the fund, but no interest can be credited under current law. CBO estimates that outlays over the 1991–1996 period would not be affected by the bill, though additional spending would be possible in later years because of this provision.

For this estimate, we have assumed that the full amounts authorized would be appropriated for fiscal years 1992, 1993, and 1994. The estimated outlays are based on historical spending patterns. Detailed estimates for NASA programs are shown in the table below.

The bill would provide authorizations for 1992 through 1994 for research and development programs (except for the space station), for space flight, control, and data communications programs, and for the Office of the Inspector General. NASA's other programs—the space station, construction of facilities, and research and program management—would be authorized for 1992 only.

AUTHORIZATIONS FOR NASA PROGRAMS PROVIDED BY H.R. 1988

[By fiscal year, in millions of dollars]

	1992	1993	1994	1995	1996
Research and Development:					
Authorization level	6,505	5,158	5,462	.....	.....
Estimated outlays	3,428	5,203	5,440	2,556	497
Space Flight Control and Data Communications:					
Authorization level	5,566	5,601	5,545	.....	.....
Estimated outlays	3,852	5,223	5,560	1,712	366
Construction of Facilities:					
Authorization level	430	.....	.....	.....	.....
Estimated outlays	43	215	108	43	22
Research and Program Management:					
Authorization level	2,422	.....	.....	.....	.....
Estimated outlays	2,059	363	.....	.....	.....
Office of the Inspector General:					
Authorization level	15	15	16	.....	.....
Estimated outlays	12	15	16	2	.....
Total, NASA Authorizations:					
Authorization level	14,938	10,774	11,022	.....	.....
Estimated outlays	9,394	11,019	11,124	4,313	884

6. Pay-as-you-go Considerations: The Budget Enforcement Act of 1990 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. While the enactment of H.R. 1988 would create new direct spending authority, CBO estimates that there will be no outlays associated with the new authority for the time period covered by this cost estimate.

7. Estimated cost to State and local governments: None.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: David Hull (226–2860).

11. Estimate approved by: C. G. Nuckols, (for James L. Blum, Assistant Director for Budget Analysis.)

CONGRESSIONAL BUDGET OFFICE ESTIMATE[1]

The applicable cost estimate of this act for all purposes of sections 252 and 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be as follows:

[By fiscal year, in millions of dollars]

	1991	1992	1993	1994	1995
Change in outlays	0	0	0	0	0
Change in receipts	(2)	(2)	(2)	(2)	(2)

[1] An estimate of H.R. 1988 as ordered reported by the House Committee on Science, Space, and Technology on April 25, 1991. This estimate was transmitted by the Congressional Budget Office on April 30, 1991.

[2] Not applicable.

□ 1250

Mr. WALKER. Mr. Chairman, I yield myself such time as I may consume. First of all, I did want to recognize the fact that this is the first bill the Committee on Science, Space, and Technology has brought to the floor under the leadership of my colleague, the gentleman from California [Mr. BROWN]. It is indeed, I think, a tribute to his leadership that we are on the floor so early with one of the major pieces of legislation that our committee works on. It was his goal at the beginning to make certain that this committee was fully into the process of authorization so that as appropriations follow on, that we will have provided some guidance. So I certainly do congratulate the gentleman for the leadership that has been shown by the fact that we are on the floor today with an important piece of legislation.

I also want to join in thanking the gentleman from Texas [Mr. HALL], the

chairman of the subcommittee, for the work that he and his ranking Republican member, the gentleman from Wisconsin [Mr. SENSENBRENNER] did in preparing this bill and moving it expeditiously so that we could get it before the full committee and onto the floor. Also, I join the chairman in thanking the chairman, the gentleman from North Carolina [Mr. VALENTINE] and the gentleman from Florida [Mr. LEWIS] for the work they did on the aeronautics section of the bill.

It is a good bill, and one that I am pleased to be able to support on the floor today. As I stated at the committee markup of the bill, I would have preferred to be here today with a bill that authorizes NASA at the President's full request. I realize the budget and appropriations realities are something that we have to face, and I believe that the difficult choices the committee has made can be supported and should be fully funded by the Committee on Appropriations.

In particular, I am pleased that we are fully funding Space Station Freedom at the requested level of $2,029,000,000, the minimum amount required to build a bare-bones station undergoing an excruciating scrub that reduced costs by almost $7 billion, but at the time has reduced its capabilities.

H.R. 1988 contains language allocating $30 million for generic propulsion technologies and $20 million for the development of other launch technologies, including single stage to orbit vehicles. Since there has been no mission identified for the new launch system, it makes more sense to devote our resources to developing alternative technologies that will be useful when our launch needs for the next few decades are clear. This language does not preclude NASA from conducting research on the new space transportation main engine, but simply suggests that the agency explore other technologies as well, such as the promising new concept of smaller but more frequent space trips using single stage or orbit vehicles.

The committee also welcomes and fully endorses the administration's strong support for national aerospace plane. The objective is to develop and then demonstrate the technology required to permit the Nation to develop reusable, single stage to orbit vehicles with air breathing propulsion and horizontal takeoff and landing. This will make any destination, here on Earth or in near space, minutes away. OSTP, NASA, and DOD testimony confirmed that the program is a top national priority, with both civilian and military applications, and calls for full funding through phase 3 in which two prototype vehicles will be manufactured and flown, with the first flight in 1997. The administration approved a joint teaming arrangement with all the major contractors currently working on the project last year.

During the markup the committee elected to restore funding with offsets in 1992 for the advanced x ray astrophysics facility, one of the four great observatories to prove and investigate the mysteries of the universe. This is a complex project, but we on the committee will continue to closely monitor the project.

Concern has been expressed about the $75 million cut to the Earth Observing System Program. I emphasize that this cut has been made not with prejudice, but with prudence, pending the completion of the upcoming technical review, and that we are committed to a strong and viable EOS Program.

Finally, the chairman, the gentleman from California [Mr. BROWN], has agreed to accept two amendments assuring the development of solar dynamic power capability and restoring the President's request for exploration activities at almost full levels. With that agreement, I am very happy to support the legislation.

Mr. BROWN. Mr. Chairman, I yield the balance of my time to the distinguished chairman of the subcommittee, the gentleman from Texas [Mr. HALL], who will manage the time for our side.

Again, I want to commend him for the splendid work that he has done as chairman of the subcommittee.

Mr. HALL of Texas. Mr. Chairman, I will have a list of the Members who will seek time in the order that they appear, and I will yield to them the time requested, as far as the time goes.

Mr. Chairman, let me just say to this body and to the chairman of our committee, the gentleman from California [Mr. BROWN] and to the ranking minority, that it has been a great pleasure to work with these men and women, and NASA Multiyear Authorization Act of 1991.

I think it is a good bill. It is the first year I have had the privilege of chairing the Subcommittee on Space Science and Applications with the initial responsibility for drafting this legislation. In this capacity, it has been very easy to work under the able leadership of the full committee chairman, the gentleman from California [Mr. BROWN] and to labor side by side with my friend from Pennsylvania [Mr. WALKER] and with the gentleman from Wisconsin [Mr. SENSENBRENNER], the ranking member on the subcommittee.

Actually, we have had total cooperation from all Members, including our meetings with Vice President QUAYLE, with our counterpart in the other body, Mr. GORE.

Mr. Chairman, all Members have personal desires and wishes for this program. We hope to accommodate all those wishes. My personal wish is that we have some success in the medical aspect of space. A small but very important step, I think, similar to the Scuds, when the Patriots knocked them out, a light came on in the minds of all Americans, that that is where our tax money has gone, and it is protecting the Treasury here and Desert Storm. We are proud. That is the type of thing that this committee and this chairman and the chairman of the full committee has tried to evoke from the Space Program.

A lot of work has gone into the legislation. To date, we have a total of about 9 days of hearings at which we took verbal testimony from 29 witnesses and written testimony from many more. In crafting the legislation we have really and truly tried to balance many competing needs.

□ 1300

The most compelling of these needs, I think, has been to come to grips with the overall budget situation that will have to be faced by the Congress and to anticipate the duty of other committees who have to make some tough decisions, just as we have made them.

Mr. Chairman, this year shows all the signs of being yet another in a continuing series of tough budget years. So recognizing this fact, we have attempted to craft a bill that reflects fiscal reality. This authorization bill does cut funding from almost every element of the President's budget request for NASA, and I must say it was not easy, because it was a very reasonable NASA request.

For fiscal year 1992, we are recommending cuts that total $488 million, as the committee chairman, the gentleman from California [Mr. BROWN] has reported. In subsequent years, Mr. Chairman, we have recommended even greater cuts, specifically $629 million in cuts for fiscal year 1993, and a little over a billion dollars in cuts for fiscal year 1994.

The point of this, Mr. Chairman, is that we have been meticulous in our scrutiny of the NASA budget request. I think in every instance when we discovered areas where activities could be reduced or deferred without doing any serious harm to the core mission of the Space Program, we made cuts to bring about these reductions and deferrals. Likewise, whenever we discovered areas where ongoing activities could be done more efficiently and thus produce savings, we made cuts, assuming that those savings would be realized.

So actually, let me just sum up, this bill reflects the flip side of this important coin as well, funding authorization is provided for all key areas of the NASA program. This includes authorization for each of the following: the space station, science and research, environment, education, and the continued use of the space shuttle to help realize the many research, foreign policy, and national image, goals of the administration and certainly of the Congress.

Mr. Chairman, it has been estimated by economists that every dollar that has been invested in the civil space program of the United States has provided benefits to our economy ranging between $7 and $14, and that is quite a return.

So clearly, NASA and the activities that it pursues have been a good investment in the past and I hope they will continue to be so in the future.

However, as I indicated earlier and as has been indicated earlier, fiscal realities demand that these activities be kept in balance with the other financial needs of the country.

I think H.R. 1988 strikes this balance and does so very well.

Accordingly, Mr. Chairman, I urge all my colleagues to give this chairman their support to the passage of this important piece of legislation.

Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I thank the chairman of the subcommittee and the chairman, the gentleman from California [Mr. BROWN] for arranging for me to have this short time to speak on this very important legislation.

I rise to express my strong support for this legislation. My remarks will be directed mainly toward the aeronautics and transatmospheric authorizations in the bill which were the responsibility of our Subcommittee on Technology and Competitiveness.

I need not remind this body of the size of the aeronautical industry that reaches into every home in America and of the $25 billion favorable trade balance that our international leadership produces. Our air transport carries twice the U.S. population annually in the domestic system. Aviation employs a million American workers.

We believe the aeronautical R&D appropriation for fiscal year 1992 of $591 million to be absolutely essential as well as the $72 million for transatmospheric research, which is the national aerospace plane. Continued R&D in these areas is essential to the maintenance of our trade balances and leadership in the future.

Our transonic and supersonic research provides civil and military equipment manufacturers with the design tools so essential to the vitality of our civil and military operations that are the envy of the world. The many parts of aviation that joined to make Desert Shield and Desert Storm a showcase of American technology were no accident. This success is a result of the years of Congress' dedication to aeronautical excellence through our support of research leading to new technologies.

The National Aerospace Plane Program is designed to make sure that we do not deprive the future of the tools to keep this American advantage. Without the widespread scope of technology being developed in the NASP Program, we would make a gift of that future to our overseas competitors. In fact, the investment of the Government and industry in NASP technologies has already been returned in the marketplace.

Some of the most productive investments in the U.S. Congress for the benefit of industry and trade have been those for aeronautical research and technology.

Mr. Chairman, I am pleased to have had some small part in the development of this legislation. I would like to conclude my remarks by expressing my sincere appreciation to the ranking member of our subcommittee, the distinguished gentleman from Florida [Mr. LEWIS] and my thanks to other members of our subcommittee. We have approached this proposition not as Democrats or Republicans, but as Americans.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], the very distinguished ranking Republican member of the Subcommittee on Space Science and Applications.

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of H.R. 1988, the National Aeronautics and Space Administration Multiyear Authorization Act of 1991.

The chairmen of the Subcommittee on Space and the Committee on Science, Space, and Technology are to be commended for taking a hard look at what can realistically be accomplished by NASA during the current fiscal crisis, and bringing before the House an authorization bill that reaches for the sky while keeping our feet firmly on the ground.

Mr. Chairman, while at the same time the committee has prudently and thoughtfully reduced the President's request by $488 million, I wish to emphasize that full funding for space station Freedom is an essential focus of NASA's near- and long-term goals.

H.R. 1988 fully authorizes the space station. In other words, we authorize the space station configuration that we in this House took an active part designing. This space station is a political compromise in many ways, but it should not be a political science project.

The time has come for Congress to stop wringing its hands and scratching its head over just how big or how bold this essential first step into the future should be. The issue is whether to step or not. For too long, our colleagues have mistaken the space station for a destination and not the destiny it represents. Space station Freedom is not an end-point, it is only a beginning.

The committee is under no illusions as to what space station Freedom will accomplish. Each of us has, from time to time, been oversold on the station's planned capabilities. And the anger that comes with such disappointment is understandable.

We are getting less than we were promised. Crew size has been reduced from 8 to 4, and the modules have been reduced from 40 feet long to about 27 feet long. But space station Freedom is not, nor was it ever intended to be, the orbital version of the Waldorf Astoria.

A space station is serious business. The most overlooked capacity of space station Freedom is that it is to be a permanently manned station. It is being built in the 1990's to serve into the next century.

The presence of Americans in space, working with European, Canadian, and Japanese scientists, is of supreme international consequence. For us to conceive of a new world order—one in which the rule of law governs above all else—demands that the keepers of such a new world order remain leaders in each succeeding frontier of human conquest.

Indeed, the Soviets have the Mir space station. While we intend to fully pursue avenues of cooperation with the Soviets on Mir, that cooperation will not result in the necessary foundation for a long-term future in space. Of all things the United States can take to space, the most important are the values by which we live on Earth.

There can be no substitute for our values, Mr. Chairman. I submit to my colleagues that a permanent human presence in outer space—a presence that is worthy of our species—depends immeasurably on space station Freedom and the international cooperation it represents.

Mr. Chairman, another dimension to space station Freedom must also come before us today. That is the overall future of our Space Program. The future of the U.S. Space Program was the very subject examined in depth by the Presidential committee headed by Mr. Norman Augustine. We have used the report of that committee as a framework for setting priorities. We have not, however, used it as a blueprint.

In a serious look at NASA, one cannot escape the importance of space station Freedom in terms of planning for NASA's future programs and capabilities. The Augustine Committee identifies the space station as part of an exploration initiative needing further definition. I take issue with such an assertion if it leads to a delay in the Space Station Program.

The fact is, NASA's ability to conduct continuous manned space flight depends on two things: a compelling reason—and thereby adequate funding—to do it, and an appropriate place for such activities. As alluded to earlier, America has sufficient compelling reason to pursue a manned space program; space station Freedom provides us the place.

In concluding, Mr. Chairman, I believe the actions of our committee will not only give America a space station it can afford, we have done so without sacrificing NASA's flight rate or its important science and educational pursuits. In fact, science funding is at a record-high level for the agency and represents a full 20 percent of NASA's budget.

I would like to commend the gentleman from California, chairman of the Committee on Science, Space, and Technology, and the gentleman from Texas, chairman of the Subcommittee on Space, for bringing this matter to the floor promptly. I urge my colleagues to support H.R. 1988, the NASA Multiyear Authorization Act of 1991.

□ 1310

Mr. WALKER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. LEWIS], the ranking Republican of the Subcommittee on Transportation, Aviation, and Materials.

Mr. LEWIS of Florida. Mr. Chairman, I rise in strong support of the NASA Multiyear Authorization Act of 1991, H.R. 1988. The aeronautics portions of this bill reflects a bipartisan effort that passed the Technology and Competitiveness Subcommittee unanimously.

I want to thank Subcommittee Chairman VALENTINE for his hard work in forging the bipartisan legislation on the aeronautics portion of H.R. 1988. I also want to thank Chairman BROWN and Ranking Member WALKER for their leadership and support in bringing this legislation before the House in such a timely fashion.

The NASA aeronautics research section has one of the world's best high performance computing programs underway and a preeminent long-term aviation safety program. Many of the advances in aviation technology, such as nondestructive testing of aging aircraft, are the result of NASA's research.

It is widely known that the largest positive balance of trade in any U.S. business sector is in aeronautics. In 1990, for example, the positive balance of trade is estimated to be $25 billion. Credit of the aeronautical technology advantage is due, to a large part, to the long-term, high-risk research program at NASA.

Another important program is the national aerospace plane [NASP]. The project, conducted jointly with the Air Force has made major advances in management with the innovative teaming of contractors, materials in new heat resistant carbon-carbon products, propulsion with advanced computers and wind tunnel tests and on and on.

NASP type research programs will insure U.S. technology leadership into the next century.

H.R. 1988 also contains two other initiatives to help our Nation remain in front in space. The first will allow for the improvement of our Nation's commercial space infrastructure. This is an important step toward making the United States competitive in commercial space.

I am pleased to work with my committee colleague, the gentleman from Florida [Mr. BACCHUS], on this issue.

The second initiative, which I had the honor of cosponsoring with Chairman BROWN, will earmark funds for the Endeavour Teacher Fellowship Program. This program will provide fellowships to individuals who pursue teaching careers in math and science.

I urge my colleagues to support H.R. 1988.

Mr. HALL of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. BACCHUS] who represents the Cape Kennedy area and does that very well.

Mr. BACCHUS. I thank the chairman for yielding.

Mr. Chairman, I did go to grade school in Texas, and I know the gentleman from Texas [Mr. HALL] appreciates that. But I am from Florida.

Mr. Chairman, I rise today to speak in very strong support of H.R. 1988, the NASA authorization bill. I want to especially congratulate the gentleman from California, Chairman BROWN, the gentleman from Texas, Mr. HALL, for their excellence and their dispatch and their leadership in our committee and subcommittee. We are all very proud of how hard we have worked and what we have accomplished.

Ideally I would be spending even more on space, science, and exploration than we are authorizing in this budget, and even more than the President recommended. The benefits of an aggressive space program are significant.

U.S. achievement in space has advanced American technology in many, many areas, improved our Nation's competitive position in the world marketplace. The future is in space. The future is where America must be.

Space and aerospace are among the very few important areas in which we continue clearly to lead the world; we must continue to lead.

Likewise space-related technology has been applied to a vast array of products and procedures in our domestic economy, creating a better life for all Americans.

Nine dollars have been returned to our gross national product for every $1 we have invested in space. There are literally thousands of spinoffs and commercial products from investments in space exploration. Among them, rechargeable, programmable pacemakers, low-temperature lasers for cardiac surgery, cleanroom technology for hospitals, programmable implants for diabetics, lightweight fireproof fabrics for firefighters, microminiaturized electronic products, many, many more ranging from Velcro to communications satellites.

A critical part of our space program is Space Station Freedom.

For the past decade Congress has ensnared NASA in a catch-22 situation with its schizophrenia over the space station. When NASA presents us with a space station that can do all the scientific research that we want, some in this chamber say it is too expensive. When NASA presents us, in contrast, with a space station we can afford, some say it does not do enough, it does not do enough research.

We see evidence of this tendency once more today.

I believe that the restructured space station NASA has put forward is a good-faith effort to be both affordable and scientifically productive. Like many others, I wish we could do more science sooner aboard the station. We do all we can afford in the near term.

But the restructured station also allows for incremental expansion that I believe will eventually produce the opportunities to fully conduct life sciences and microgravity research.

As the chairman has said today, the space station is absolutely essential to maintaining our international leadership in space.

That is the issue.

We must build this station if we are serious about maintaining American leadership in space and if we are serious about moving on to the next phase of space exploration, mission from planet Earth, that will take us back to the Moon and on to Mars. There is simply no other way to conduct the necessary life sciences research that will provide data on the impact on human beings of long-term exposure to a zero-gravity environment. The choice we face on the station is clear: Do we want the United States to remain the international leader in space exploration, or do we want to let the Europeans, the Japanese and the Russians take that lead? I want us to be first, and that is why I support the space station and the entire NASA authorization bill.

Mr. Chairman, one good thing that has always characterized the space program is bipartisanship. I am happy to see today that once more Republicans and Democrats alike are standing up for the space program. But I would like to say something to my colleagues on the Democratic side, in conclusion: How can we say that we support a competitive America if we do not support significant advances in science and space?

Mr. WALKER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PACKARD] who has been a leader in many space-related efforts.

Mr. PACKARD. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, I want to stand here primarily to thank the chairman and

ranking minority members of both the full committee and subcommittee which have jurisdiction over this important piece of legislation.

□ 1320

Their efforts have produced a bill which is bipartisan and well balanced. We have pulled together as a committee to bring this bill in at a level below the President's request. Given the present fiscal constraints, I think the committee has worked diligently to trim the budget and I hope that these reductions will not have an unduly negative impact on the NASA Program.

I would like to take this opportunity to thank the chairman of the Space Subcommittee who, during the subcommittee markup on this bill, altered the cuts in the commercial use of space category so that they would not be near as deep as orginally planned. The commercial space industry is still an infant industry and as such it desperately needs the commitment of Congress and the administration to promote and facilitate its global competitiveness.

The space transportation needs of the Nation have become fierce. An aggressive, competitive U.S. commercial launch industry must be encouraged for not only U.S. Government procurement of launch services, but also procurement of launch services by foreign customers.

While I am an enthusiastic supporter of the commercialization of space, I also support the exploration and development of space. I understand that an amendment to be offered by Mr. WALKER will bring the funding for exploration back up to the President's request. I fully support this effort because I believe that human exploration of space remains the cornerstone of the entire Space Program. It inspires the imagination of the citizens of this Nation; it enhances our position internationally, and it empowers America's long-range economic superiority.

The space station manifests this desire to expand human presence in space. It represents a unique opportunity to pursue a spirit of cooperation in space exploration with our international partners.

In conclusion, Mr. Chairman, I support this authorization bill which embraces the goals that will take this Nation's Space Program into the 21st century. I thank the chairman of the committee for his leadership in developing a consensus of support for the bill and for bringing it to the floor in a very timely manner.

Mr. HALL of Texas. Mr. Chairman, I yield 3½ minutes to the gentlewoman from Ohio [Ms. OAKAR].

(Ms. OAKAR asked and was given permission to revise and extend her remarks.)

Ms. OAKAR. Mr. Chairman, I rise in strong support of H.R. 1988, the NASA authorization bill before us today.

I want to commend Chairman BROWN for his steadfast efforts to bring this bill to the floor. I also want to congratulate the ranking minority member, Mr. WALKER, for his work on this bill. It is also important to recognize the contributions of the chairman of the Subcommittee on Space, Mr. RALPH HALL for his hard work on this measure. Together, you and the committee have done a great job in furthering the cause of knowledge through the space and aeronautics research conducted by the National Aeronautics and Space Administration.

The bill before us today authorizes NASA Programs through fiscal year 1994. This multiyear authorization approach is an important method for authorizing complex projects involving technically demanding science and technology development projects. A total of $14.9 billion is authorized for NASA Programs for 1992. More specifically, I am pleased to see that the bill authorizes $6.5 billion for research and development for fiscal year 1992, and $5.6 billion for space flight operations including the Space Shuttle Program. This is important work for the continued leadership of our Nation in the area of space science and human exploration.

Mr. Chairman, last year was a challenging year for NASA. During the first part of 1990, several problems seemed to crop up all at once. However, NASA responded quickly and responsibly by participating in the formation of the so-called Augustine Commission which suggested several ways in which to improve NASA operations. I am pleased to see that NASA has followed up the suggestions of the Augustine Commission with such enthusiasm and good intent by implementing the Augustine Commission's recommendations. We must all keep in mind that NASA's responsible actions should serve as a model for other parts of our Government that may run into temporary difficulties. As a result of NASA's diligence and dedication to quality, I am certain NASA's program will produce results even more impressive than in its glorious past.

One area of NASA operations in which I am particularly interested is the space station Freedom. The solar power generation system which will provide electricity for the space station is being designed and produced at the NASA Lewis research facility celebrating its 50th year located in my hometown of Cleveland, OH. The space station is one of the most crucial projects in NASA's inventory of programs. The redesigned space station will provide an important space-based laboratory for micro-gravity experiments that can't be conducted on Earth. These experiments will produce new materials and compounds which will provide new products for U.S. industries. This, in turn, will allow U.S. companies to compete more effectively against other nation's industries.

In addition, the space station will support human habitation of durations much longer than we can currently accommodate. Extended time in space will allow NASA to conduct extensive research into the human body. Through this research, we will gain new and important insights into how the human body will adapt and adjust to the weightlessness of space. For example, NASA scientists and medical doctors need to learn more about the loss of calcium in human bones and other potentially debilitating problems produced by prolonged exposure to space. This is critical knowledge for when we eventually send people to the Moon or to Mars. However, much closer to Earth, I am confident the space station human experiments will contribute to finding a cure for osteoporosis or other health care problems which afflict us during our Earth-bound lives.

NASA projects have always produced spinoff technologies which have greatly benefitted our quality of life and our economy. We all have heard about the enormous contributions the Apollo project made to our computer, communications and material science industries and technologies. But many other NASA spinoffs are not as well known. For example, NASA is also concerned about the environment and is working on its Mission to Planet Earth which utilizes space-based remote sensing satellites to examine the potential greenhouse effect, the loss of stratospheric ozone and the destruction of the rain forest. In addition, NASA has pioneered the use of thermal imaging systems for remote sensing satellites which can also be used by medical doctors to detect uneven heat dissipation through the human skin which pinpoints areas of poor circulation in the human body. Another spinoff is the photovoltaic solar power systems which power not only sophisticated satellites, but also buoys dropped off by the coast guard to mark shipping lanes in the oceans, the Great Lakes and other waterways.

In general, it is clear that NASA and the programs it manages is critical to the continued scientific and economic well-being of our Nation. We must continue to invest in the programs which will keep our economy strong and which will improve the quality of our lives. The science and technology programs of NASA are one of the best examples I can imagine which accomplish these goals. However, it is important to remember that we cannot drop our guard and allow funding for these critical programs to languish. If we do, our international competitors will not be far behind. As a result, today's bill must be endorsed by all Members.

Mr. Chairman, I urge all Members to strongly support H.R. 1988, the NASA authorization legislation.

Mr. WALKER. Mr. Chairman, I yield the balance of our time, for purposes of yielding to others, to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I have enjoyed working with my three chairmen, the gentleman from California [Mr. BROWN], the gentleman from Texas [Mr. HALL], and the gentleman from North Carolina [Mr. VALENTINE] in preparing this bill, and I appreciate the leadership that they provided on that side of the aisle, as well as the leadership on our side of the aisle, in putting together a good piece of legislation.

Mr. Chairman, this bill contains, among other things, as we have heard, the authorization for the NASA portion of the National Aerospace Plane Program. That is NASP. This bill funds the NASP at its full level requested by the administration, and I applaud this.

For those of my colleagues who do not know what the National Aerospace Plane Program is: The United States for several years has been involved in a major research project which will result in a craft that will be able to take off from a runway like a regular airplane and fly into low Earth orbit, literally fly into outer space without the need of these disposable rockets and the very expensive process that we have relied on in these last 4 decades. This will dramatically bring down the cost of utilizing space. It is literally the next step in space exploration utilization, and it will also permit the United States to build a craft that could take passengers and cargo anyplace in the world in less than an hour. It will keep America on the cutting edge of aerospace technology.

Mr. Chairman, I take this opportunity to note that the administration strongly supports the NASA aerospace plane, and in testimony this year before the Technology and Competitiveness Subcommittee we have also heard witnesses from the Department of Defense, as well as the President's science adviser, and also witnesses from the Air Force, who unanimously support the national aerospace plane and state that it is a top priority, and that it has both civil and military application and that it should be built and flown.

Mr. Chairman, I am in full agreement with the experts from the Air Force and the Department of Defense witnesses, as well as the other witnesses that we heard, that the United States should build an experimental craft, the X-30, and move forth with a national aerospace program.

□ 1330

Mr. Chairman, this program has already developed new materials that will keep other airplanes and other aircraft that American manufacturers build competitive in the world marketplace in the years ahead. The National Aerospace Plane Program is perhaps one of the most exciting programs in the budget. I wholeheartedly support it, and I would like to express my appreciation for the support it has received from the leadership of this committee.

Mr. HALL of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, this is a proud day for the Committee on Science, Space, and Technology, because we have before us a bill, H.R. 1988, which is truly bipartisan legislation, with strong bipartisan support.

Not only that, it is a balanced bill. As has been said before, authorizations for all the NASA Programs in this bill are very well balanced.

It has been a long time since we have seen this type of legislation before this body, and I, too, wish to join other Members who have spoken to commend the chairman of the committee, the gentleman from California [Mr. BROWN] and ranking minority member, the gentleman from Pennsylvania [Mr. WALKER], and also the gentleman from Wisconsin [Mr. SENSENBRENNER]. And in particular I wish to take time to commend the gentleman from Texas [Mr. HALL], the subcommittee chairman.

This is his first NASA bill, and his work in leading the subcommittee to this place where we have this type of legislation is to be commended. He has shown that his leadership in providing this balance of this legislation is to be commended by all.

I wish to say that it has been a long time, too, that we have had that leadership in the subcommittee.

Today it appears that the lightning rod focusing on this legislation has to do with something that is most important or the most important part of this bill, as far as the future of this country in space, and that lightning rod is on the space station.

I say to those nay-sayers that they do not have the foresight that is needed for the future of space for this country and for our participation in the International Space Program.

There were nay-sayers back at the time of 1492, when Christopher Columbus wanted to move to find a new trade route overseas through the Indies to India, a lot of nay-sayers. He scattered all over, and he finally found someone who would provide a way. And lo and behold, here we are.

Are the nay-sayers today also afraid of the future? There is no other way to do the life sciences and microgravity research that needs to be done for the future. So I say to those nay-sayers, do not fear the future. Look forward to all of the knowledge yet to be known because of what we are going to learn from the operation of the space station and other space programs in the future.

I rise in strong support, Mr. Chairman, of H.R. 1988 and again commend our leadership for this legislation.

Mr. SENSENBRENNER. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Chairman, it is a great privilege to have been appointed to serve on the Space Subcommittee of the Science, Space, and Technology Committee, and to serve under Chairman BROWN and Chairman HALL and with the two ranking minority members, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Wisconsin [Mr. SENSENBRENNER].

I have learned a lot in my 4 months on that committee about science, space, and technology, and a lot about how this institution works. And I am very grateful for the experience.

I am delighted that this committee has gotten ahead of the curve and is performing its appropriate function in setting policy on space matters for the Federal Government. And I believe that it is absolutely essential for this Nation to pursue vigorously our exploration of space and our research in space.

This is a bill that promotes those objectives. It is a good bill, and I voted for its passage in subcommittee and in the full committee. I intend to vote for it on the floor today.

I will be proposing an amendment which I believe will make a good bill even better, and that amendment would call for an assessment of how best to conduct the research currently planned for the space station.

It will be an evaluation of all our options for conducting space-based research, and it will confirm whether the space station as currently conceived is the best and most cost-effective approach.

One important aspect of this study is to identify ways in which we can complement and supplement the scientific research that is going on, that is going to be going on aboard the space station. It will not require any new hardware be developed, but only the use of existing hardware, which would be identified and would make it possible for us to get our space science research off the dime before the space station becomes fully manned at the turn of the century.

Mr. Chairman, this amendment, which I will discuss at greater length when the appropriate time comes, I believe is a constructive complement to this legislation that is before us today. I believe it will enhance our ability to use the taxpayers' dollars most effectively to achieve the research that we can accomplish in space, and that is

why I hope when the time comes that Members from both side of the aisle, those who are very much in favor of the space station and those who may be skeptical of the space station, will be able to support this legislation.

The CHAIRMAN. The Chair will state the gentleman from Texas [Mr. HALL] has 3½ minutes remaining.

Mr. HALL of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support of this bill, H.R. 1988, the National Aeronautics and Space Administration Multiyear Authorization Act of 1991.

America's civil space program is of vital interest to our country as we start looking toward the 21st century and the role we will play in it. Utilizing our scarce resources to continue the manned exploration of space is a worthy pursuit. There is no substitute for the presence of humans in space as we continue to expand our knowledge of the universe.

The NASA Authorization Act reported by committee is an excellent bill that fully supports our goals in space. We will continue our manned exploration of space by the vigorous continuation of the shuttle program and will maintain a balanced civil space science program which is funded at a very healthy level.

I am particularly pleased that the Space Station Freedom Program is fully funded for this fiscal year. The space station is the flagship of our civil space program and achieving its permanent manned capability by the end of this decade will help ensure this Nation's continued leadership in space. The space station is an important first step toward our returning to the Moon and the human exploration of Mars. We will gain invaluable information and experience relating to the needs and requirements of lengthy manned visits to space. The space station as currently structured may be expanded in scope in the future to help further these goals.

The space station will also provide us with scientific and research opportunities not available on Earth. This facility will allow unparalleled microgravity and life science research for a variety of users.

The space station is truly an international project. Our partners include the European Space Agency, Japan, and Canada. All of these partners have reviewed the restructure of the station and support it. International involvement on a project of this magnitude reflects our commitment to cooperation among nations, especially in the important areas of exploration and scientific research.

The advanced solid rocket motor is being developed to replace the redesigned solid rocket motor. The ASRM will improve safety and reliability of the present system and increase the payload capacity of the space shuttle by about 12,000 pounds. The ASRM is presently scheduled to support deployment of space station Freedom in late 1996. I support the ASRM Program and feel that its development and utilization as presently scheduled is vital to our timely deployment of space station Freedom.

The administration's fiscal year 1992 budget request severely reduced the funding level of the ASRM. This request would have delayed significantly the ability of ASRM to support the deployment of the space station. I am pleased that our bill has authorized full funding for the ASRM Program and that these safer, more reliable and more powerful motors will stay on target to support the space station in 1996.

The third of the four great observatories, the Advanced X-Ray Astrophysics Facility, is fully supported by this authorization bill, although it is less than the administration's request. Our support for all of these valuable science projects should be maintained in the future.

I am a new member of the Science, Space, and Technology Committee and its Space Subcommittee. I would like to thank both Chairman BROWN and Chairman HALL for their full and continuing support for our civil space programs, especially in this time of severe budgetary constraint. Their leadership in championing the space initiatives so vital to this country has led to a meaningful and important bill that will help fund and direct the space program into the 21st century. I look forward to continuing to work with them in the coming years.

I strongly urge my colleagues to support this authorization bill.

The CHAIRMAN. The Chair will state that the gentleman from Wisconsin [Mr. SENSENBRENNER] has 10 minutes remaining.

Mr. SENSENBRENNER. Mr. Chairman, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Chairman, I yield one minute to the gentleman from Idaho [Mr. STALLINGS].

Mr. STALLINGS. Mr. Chairman, I rise to speak in strong support of H.R. 1988, the NASA reauthorization bill. This is an extremely important piece of legislation and deserves our full support.

The Science, Space, and Technology Committee has worked hard to put together a bill and bring it to the floor today. As a member of the Space Subcommittee, I want to commend the committee for its leadership and vision in crafting this legislation. This has truly been a bipartisan effort.

Earlier this year, the committee held several hearings on the future of the U.S. space program. A special Advisory Committee, chaired by Norman Augustine, outlined several concerns and recommendations for the space program.

I believe that this bill is responsive to the issues raised by the Augustine panel. Furthermore, it represents a balanced set of funding priorities and recognizes the difficult budget environment facing the Nation.

This bill does not provide all of the money the President asked for. In fact, the legislation contains $488 million less than the administration request.

Our space program is at a critical crossroads. The country must prepare for a new decade of challenge and leadership. As Congress is faced with many difficult decisions, it is essential that we provide sufficient financial support of NASA which allows the space program to proceed in a stable budget environment.

Even through I do not have any NASA facilities in my district, I serve on the Space Subcommittee because of my interest in and concern for the future of our space program.

The space program touches our lives in many different ways. It has enhanced our quality of life, improved our technological competitiveness, and produced many important scientific benefits.

I urge my colleagues to support passage of this important legislation.

□ 1340

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, as a strong supporter of the President's commitment to the exploration of space, I want to take this opportunity to comment on a pending decision by NASA regarding the Space Station Freedom [SSF] Program Management Office in Reston, VA.

The Reston office was established upon recommendations made in 1986 by an independent panel chaired by former Apollo Program Director Gen. Samuel Phillips in the wake of the shuttle *Challenger* accident. The panel recommended that the program office be removed from the NASA centers in order to avoid inter-center rivalry and assure independent systems engineering capability. The recommendation was subsequently affirmed by an independent panel chaired by L.J. Ross in October 1986 and a 1987 report to the White House by the National Research Council.

Under the current management team at Reston, the program has finally achieved progress and stability. Substantial progress by the Reston office was noted by NASA Administrator Richard Truly, who commented that "1990 marked the most productive year in the history of the Space Station Freedom Program."

Despite the recent record of the Reston team, some at NASA are considering relocating the program office. Such a move at this point would prove costly and endanger the success of the entire Space Station Freedom Program. From a budgetary and production schedule perspective, moving the office could result in significant delays in the Space

Station Program. And this delay would occur during the crucial development period where costs to the program are estimated to average $200 million per month. In addition there would be signficant employee-related expenses including severance pay and employee replacement and retraining costs. Other costs of a move would be employee relocation allowances; equipment relocation costs, potential construction costs at the new location; lease and other contract penalties; additional travel expenditures to headquarters in the future; as well as incidental costs.

The uncertainty caused by a move would also affect the participation of our international partners in Canada, Japan, and Europe. My understanding is that these countries may reconsider their involvement if there are additional delays, and it seems as though that would occur with a move

Most importantly, I am concerned about the effects of relocation on employees and their families. A move would cripple morale at the Reston office. Many of the employees would not relocate. NASA has a dedicated and productive work force that can make the difference between the success and failure of the space program. They are involved in community service groups, have joined places of worship, and have children enrolled in local schools. And given the current state of the economy and northern Virginia's sluggish real estate market, a move would exert tremendous pressure on these families.

For these and many other reasons, I am hopeful that NASA will conclude that the best course for the Space Station Freedom Program office is the one that ensures stability and continued performance—allowing the Reston team to continue their work developing the space station Freedom. This is a decision that involves hundreds of millions of dollars, and the very success of the Space Station Program, so it is one that many in Congress will be watching very closely.

I rise in support of the H.R. 1988 to provide NASA with funding needed to continue this Nation's space program including space station Freedom.

Mr. HALL of Texas. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise today in strong support of H.R. 1988, the NASA 1991 multiyear authorization bill. I congratulate my colleagues Mr. BROWN of California and Mr. HALL of Texas for their hard work on this legislation.

Mr. Chairman, space exploration has served as a vehicle for investment in technology, bolstered our economy, enhanced our world competitiveness, and improved our national security.

It is no coincidence that the growth and expansion of our Nation's high-technology industries have paralleled the years of NASA's greatest activity and accomplishment.

I believe that Congress must continue to support our civilian space program if that program is to reach its full potential.

The duty of Congress, as drafters of the Nation's space policy, is to establish a realistic, long-term plan that will benefit the American people.

I believe there is simply no substitute for making tough choices about our space program and then moving ahead to make those choices work in our national interest.

A cohesive space program that recognizes the imperatives of competing with Europe, Japan, the Soviet Union, and others is in the fundamental economic interests of the United States.

The truth is that our space program is not a luxury.

In the days of the Apollo Program, the drive to explore space and reach the Moon was partly a result of the space race between the United States and the Soviet Union.

Today, the space race is one of economic and scientific competition—and not one with geopolitical or even military overtones.

The Augustine Commission report released earlier this year has afforded us a golden opportunity to crystalize public attention and support behind a reinvigorated space program.

Mr. Chairman, this bill represents a very serious attempt to reflect the recommendations in the Augustine report. This bill allows for growth and provides funding for a restructured space station that is in line with fiscal realities.

The bill targets more money for life sciences and puts higher priority on space science to rebuild our ailing space infrastructure, much of which is 30 years old. The bill also supports the mission to planet Earth and the mission from planet Earth, but it keeps its support to a level of growth that is realistic given current fiscal constraints.

Mr. Chairman, no matter where our space efforts are focused—toward Earth, toward our solar system, or toward the universe beyond—we must never forget that the ultimate goals of the space program must be to improve the human condition.

And perhaps it is this point which needs the most reinforcement.

Our improved quality of medicine, manufacturing, education, communications, and so much more just through space-related technological advances easily erases any doubts about the benefits of the space program.

How can we even consider short-changing future generations of Americans by ignoring the vast opportunities of space exploration?

The answer, Mr. Chairman, is I don't believe we can.

Mr. HALL of Texas. Mr. Chairman, might I inquire as to how much time we have remaining?

The CHAIRMAN. The gentleman from Texas [Mr. HALL] has 30 seconds remaining and the gentleman from Wisconsin [Mr. SENSENBRENNER] has 10 minutes remaining.

Mr. HALL of Texas. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I rise in support of H.R. 1988, the NASA Multiyear Authorization Act of 1991.

As NASA begins its important work on global climate change research and the Earth-observing system, it is important to note that this legislation before us today recognizes the critical role of our Landsat satellites in that effort.

Mr. Chairman, the Landsat Program was originally established in NASA in the early 1970's as a research and development program. After launching three satellites, the Government's basic R&D work at NASA was completed and the program was deemed operational.

In 1979, the National Oceanic and Atmospheric Administration was given the responsibility for the operation and eventual transfer of Landsat to the private sector.

Mr. Chairman, land remote-sensing satellites have been used to provide information on: Oil and mineral deposits, hydrological patterns, vegetation patterns for agricultural applications and forest management, wildlife habitat analysis, coastal zone management, global climate change research, environmental monitoring, and information on other renewable and nonrenewable resources.

In recent years, Landsat data has also been increasingly useful in the defense and intelligence communities.

In fact, civilian land remote-sensing photographs have played an important role in the Persian Gulf in recent months.

Landsat will continue to play an important role in monitoring the environmental impact of the terrible oil fires that continue to blight the region.

Mr. Chairman, hearings held by the Committee on Science, Space, and Technology have demonstrated that a continued Landsat Program—involving a strong commitment to Landsat 6 and 7—is important to the Nation in a number of ways, not the least of which are national security and technology competitiveness.

I would like to commend the chairman of the committee, the gentleman from California, for including $5 million in this legislation for long lead-time parts for Landsat 7. This money is critical if we are to preserve the continuity of Landsat data so critical to global climate change research.

Mr. Chairman, I urge my colleagues to support the Landsat Program and to vote for H.R. 1988.

Ms. HORN. Mr. Speaker, today we are voting on a bill which will determine the direction of our Nation's space program, not only for the next few years, but for the next decade or more.

Although this bill authorizes most NASA programs for fiscal years 1992, 1993, and 1994, due to the long lead times for space programs it also sets the course of NASA projects for years to come. Any goal we wish to accomplish in space in this decade must be addressed this year or in the next few years. Large projects for the early years of the next century must also be started soon.

This bill, although not perfect, sets modest and reasonable goals in space within a fiscally constrained environment. It balances the need for a dynamic space program, and its technological, scientific, and national prestige benefits, with the necessity to focus on some Earth-based problems such as global climate change and life sciences research.

In addition, it contains modest funding for planetary exploration in the form of unmanned probes. These probes provide a relatively low cost method of obtaining new and fundamental scientific data on the solar system. This data can help us determine not only how the other planets evolve and change, but also how planetary processes affect Earth. This bill also continues the manned space program through the shuttle and the space station, while providing that some money not be spent on the space station until studies reviewing this program have been completed.

In conclusion, while this bill does not propose to do everything that NASA could do, nor everything we would like to do if the money were available, it represents a good compromise of priorities within the constraints under which the committee was forced to work. It has my support and I urge my colleagues to give it their support.

Mr. McMILLEN of Maryland. Mr. Chairman, I commend the leadership of the Science Committee for the expeditious way in which they have worked to bring the NASA multiyear authorization to the House floor. I believe that this is the earliest date that we have scheduled a floor vote on the NASA bill since I entered Congress in 1987. Timely consideration of this bill will allow us to establish important spending priorities for the $14.9 billion budget of this Federal executive agency. Money has been allotted for the continuation of such critical programs as Landsat, EOS, and space station. Importantly, because of its multiyear time horizon, HR 1988 establishes spending patterns for projects with long lead times and long time lines. This type of forward planning is sure to save many dollars in development and implementation costs.

One program that I was especially happy to see fully funded was the Landsat Program. Administered by NOAA in conjunction with the private sector, NASA has been given the responsibility of developing and refining the next generation of remote sensing satellite technology. This bill before us today includes $5 million for work needed for the follow-on satellite to Landsat 6, the mission that is currently planned for launch in 1992.

Landsat imagery data has proven to be a great asset to scientists and planners. Most recently, during the Persian Gulf conflict, remote sensing data of Persian Gulf topography helped military strategists to plan our troop movements and to understand the enemy's. Plans are underway for Landsat data to be used to complement data culled from the EOS mission, the Earth observation system. The EOS system will be composed of large platforms that circle the Earth, monitoring ecological changes. Further, there is talk that Landsat data will be used in the U.S. Global Climate Change Program, the comprehensive American effort to ascertain the extent of global warming trends worldwide.

Landsat is just one example of state-of-the-art NASA technology that serves a variety of purposes, and serves man by providing information and knowledge to aid us in improving our world. No better rationale than this exist to justify the money we spend each year on NASA projects. Mr. Chairman, I look forward to today's floor action and urge the adoption of H.R. 1988.

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

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 1988

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 Aeronautics and Space Administration Multiyear Authorization Act of 1991".

Mr. BROWN. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2. FINDINGS.

Congress finds that—

(1) the report of the Advisory Committee on the Future of the United States Space Program has provided a framework within which a consensus on the goals of the space program can be developed;

(2) a balanced civil space science program should be funded at a level of at least 20 percent of the aggregate amount in the budget of the National Aeronautics and Space Administration for "research and development" and "space flight, control, and data communications";

(3) development of an adequate data base for life sciences in space will be greatly enhanced through closer scientific cooperation with the Soviet Union, including active use of manned Soviet space stations;

(4) the space program can make substantial contributions to health-related research and should be an integral part of the Nation's health research and development program;

(5) Landsat data and the continuation of the Landsat system beyond Landsat 6 are essential to the Mission to Planet Earth and other long-term environmental research programs;

(6) increased use of defense-related remote sensing data and data technology by civilian agencies and the scientific community can benefit national environmental study and monitoring programs;

(7) the generation of trained scientists and engineers through educational initiatives and academic research programs outside of the National Aeronautics and Space Administration is essential to carrying out a long-term Space Exploration Initiative;

(8) policies which restrict the use of foreign launch capabilities for United States Government satellites should apply only where adequate United States launch capabilities exist;

(9) the strengthening and expansion of the Nation's space transportation infrastructure, including the enhancement of launch sites and launch site support facilities, is essential to support the full range of the Nation's space-related activities;

(10) the aeronautical program contributes to the Nation's technological competitive advantage, and it has been a key factor in maintaining preeminence in aviation over many decades; and

(11) the National Aero Space Plane program can have benefits to the military and civilian aviation programs from the new and innovative technologies developed in propulsion systems, aerodynamics, and control systems that could be enormous, especially for high-speed aeronautical and space flight.

SEC. 3. POLICY.

It is the policy of the United States that—

(1) the Administrator of the National Aeronautics and Space Administration, in planning for national programs in environmental study and human space flight and exploration, should ensure the resiliency of the space infrastructure;

(2) a stable and balanced program of civil space science should be planned to minimize future year funding requirements in order to accommodate a steady stream of new initiatives;

(3) any new launch system undertaken or jointly undertaken by the National Aeronautics and Space Administration should be based on defined mission and program requirements or national policies established by Congress;

(4) in fulfilling the mission of the National Aeronautics and Space Administration to improve the usefulness, performance, speed, safety, and efficiency of space vehicles, the Administrator should establish a program of research and development to enhance the competitiveness and cost effectiveness of commercial expendable launch vehicles; and

(5) the National Aeronautics and Space Administration should promote and support efforts to advance scientific understanding by conducting or otherwise providing for research on environmental problems, including global change, ozone depletion, acid precipitation, deforestation, and smog.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the National Aeronautics and Space Administration the following amounts:

(1) For "research and development", for the following programs:

(A) United States International Space Station Freedom, $1,900,000,000 for fiscal year 1992, of which $25,000,000 shall be for the development of an Assured Crew Return Vehicle, with an additional $128,900,000 authorized upon the submission of a report 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 an independent engineering review of the Space Station restructuring by the Aeronautics and

Space Engineering Board of the National Research Council.

(B) Space transportation capability development, $679,800,000 for fiscal year 1992, $799,800,000 for fiscal year 1993, and $847,400,000 for fiscal year 1994. Of such amounts authorized for fiscal year 1992, $30,000,000 shall be made available for propulsion technology development, and $20,000,000 shall be made available for technology development of other launch technologies, including single stage to orbit vehicles.

(C) Physics and astronomy, $1,096,600,000 for fiscal year 1992, of which $6,000,000 shall be made available for carrying out scientific programs which have otherwise been eliminated from the Space Station, $1,321,400,000 for fiscal year 1993, and $1,308,500,000 for fiscal year 1994.

(D) Life sciences, $183,900,000 for fiscal year 1992, $224,000,000 for fiscal year 1993, and $246,100,000 for fiscal year 1994.

(E) Planetary exploration, $299,300,000 for fiscal year 1992, $251,900,000 for fiscal year 1993, and $263,400,000 for fiscal year 1994.

(F) Earth science and applications—

(i) $725,600,000 for fiscal year 1992, of which—

(I) $5,000,000 shall be made available only for the purchase of Landsat data for global change research;

(II) $5,000,000 shall be made available for the purchase of long-lead parts for a follow-on to Landsat 6; and

(III) $1,000,000 shall be made available for remote sensing data conversion; and

(ii) $830,000,000 for fiscal year 1993; and

(iii) $950,500,000 for fiscal year 1994.

(G) Materials processing in space, $115,800,000 for fiscal year 1992, $201,400,000 for fiscal year 1993, and $233,600,000 for fiscal year 1994.

(H) Communications, $39,400,000 for fiscal year 1992, $34,700,000 for fiscal year 1993, and $31,100,000 for fiscal year 1994.

(I) Information systems, $42,000,000 for fiscal year 1992.

(J) Technology utilization, $27,000,000 for fiscal year 1992, $29,700,000 for fiscal year 1993, and $33,000,000 for fiscal year 1994.

(K) Commercial use of space, $107,000,000 for fiscal year 1992, $138,200,000 for fiscal year 1993, and $134,400,000 for fiscal year 1994.

(L) Aeronautical research and technology, $591,200,000 for fiscal year 1992, $670,500,000 for fiscal year 1993, and $716,000,000 for fiscal year 1994.

(M) Transatmospheric research and technology, $72,000,000 for fiscal year 1992, $120,000,000 for fiscal year 1993, and $145,000,000 for fiscal year 1994.

(N) Space research and technology, $314,800,000 for fiscal year 1992, $321,700,000 for fiscal year 1993, and $317,200,000 for fiscal year 1994.

(O) Exploration activities, $61,000,000 for fiscal year 1992, $88,000,000 for fiscal year 1993, and $102,400,000 for fiscal year 1994.

(P) Safety, reliability, and quality assurance, $33,600,000 for fiscal year 1992, $32,500,000 for fiscal year 1993, and $34,000,000 for fiscal year 1994.

(Q) University Space Science and Technology Academic Program, $64,600,000 for fiscal year 1992, $70,500,000 for fiscal year 1993, and $74,500,000 for fiscal year 1994.

(R) Tracking and data advanced systems, $22,000,000 for fiscal year 1992, $23,200,000 for fiscal year 1993, and $24,600,000 for fiscal year 1994.

(2) For "space flight, control, and data communications" for the following programs:

(A) Space Shuttle Production and Operational Capability, $1,358,900,000 for fiscal year 1992, of which $375,000,000 shall be made available for the Advanced Solid Rocket Motor program, $1,277,000,000 for fiscal year 1993, and $1,210,500,000 for fiscal year 1994.

(B) Space Shuttle Operations, $2,970,600,000 for fiscal year 1992, $2,968,800,000 for fiscal year 1993, and $2,897,200,000 for fiscal year 1994.

(C) Launch Services, $315,900,000 for fiscal year 1992, $289,000,000 for fiscal year 1993, and $359,800,000 for fiscal year 1994. Of such amounts, $10,000,000 in fiscal year 1992, $30,000,000 in fiscal year 1993, and $50,000,000 in fiscal year 1994 shall be made available for carrying out a program of component technology development, validation, and demonstration directed at commercial launch vehicle competitiveness.

(D) Space and ground networks, communications, and data systems, $920,873,000 for fiscal year 1992, $1,066,000,000 for fiscal year 1993, and $1,077,500,000 for fiscal year 1994.

(3) For "construction of facilities", including land acquisition, for fiscal year 1992 as follows:

(A) Construction of Space Station Processing Facility, Kennedy Space Center, $35,000,000.

(B) Modification for Earthquake Protection, Downey/Palmdale, CA, Johnson Space Center, $4,400,000.

(C) Modifications for Safe Haven, Vehicle Assembly Building, High-Bay 2, Kennedy Space Center, $7,500,000.

(D) Rehabilitation of Crawlerway, Kennedy Space Center, $3,000,000.

(E) Restoration of Shuttle Landing Facility Shoulders, Kennedy Space Center, $4,000,000.

(F) Restoration of the High Pressure Gas Facility, Stennis Space Center, $6,500,000.

(G) Construction of Addition for Flight Training and Operations, Johnson Space Center, $13,000,000.

(H) Construction of Advanced Solid Rocket Motor Program Facilities (various locations), $100,000,000.

(I) Modernization of Industrial Area Chilled Water System, Kennedy Space Center, $4,000,000.

(J) Rehabilitation and Expansion of Communications Duct Banks, Kennedy Space Center, $1,400,000.

(K) Replace 15 KV Load Break Switches, Kennedy Space Center, $1,300,000.

(L) Repair Site Water System, White Sands Test Facility, $1,300,000.

(M) Replace Central Plant Chillers and Boiler, Johnson Space Center, $5,700,000.

(N) Modifications to X-Ray Calibration Facility (XRCF), Marshall Space Flight Center, $5,200,000.

(O) Restoration and Modernization of High Voltage Distribution System, Goddard Space Flight Center, $7,000,000.

(P) Construction of Earth Observing System Data Information System Facility, Goddard Space Flight Center, $17,000,000.

(Q) Modernization of Main Electrical Substation, Jet Propulsion Laboratory, $5,500,000.

(R) Restoration of Utilities, Wallops Flight Facility, $3,500,000.

(S) Construction of Data Interface Facility, White Sands Test Facility, $4,000,000.

(T) Rehabilitation of Tracking and Data Relay Satellite System (TDRSS) Ground Terminal, White Sands Test Facility, $5,700,000.

(U) Repair of facilities at various locations, not to exceed $1,000,000 per project, $31,700,000.

(V) Rehabilitation and modification of facilities at various locations, not to exceed $1,000,000 per project, $34,800,000.

(W) Minor construction of new facilities and additions to existing facilities at various locations, not to exceed $750,000 per project, $12,900,000.

(X) Environmental compliance and restoration, $36,000,000.

(Y) Facility planning and design, not otherwise provided for, $34,000,000.

(Z) Repair and modernization of the 12-foot Pressure Wind Tunnel, Ames Research Center, $25,000,000.

(AA) Upgrade of Outdoor Aerodynamic Research Facility, Ames Research Center, $3,300,000.

(BB) Modernization of 16-foot Transonic Tunnel, Langley Research Center, $3,400,000.

(CC) Modifications to the High Pressure Air System, Langley Research Center, $11,700,000.

(DD) Rehabilitation of Central Air System, Lewis Research Center, $5,600,000.

(EE) Rehabilitation of Icing Research Tunnel, Lewis Research Center, $2,600,000.

Notwithstanding the amounts authorized in subparagraphs (A) through (EE), the total amount authorized by this paragraph shall not exceed $430,300,000.

(4) For "research and program management", $2,422,300,000 for fiscal year 1992.

(5) For "Inspector General", $14,600,000 for fiscal year 1992, $15,300,000 for fiscal year 1993, and $15,700,000 for fiscal year 1994.

(b) LIMITATIONS.—(1)(A) Notwithstanding paragraph (4), appropriations authorized under this section for "research and development" and "space flight, control, and data communications" may be used—

(i) for any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the National Aeronautics and Space Administration for the performance of research and development contracts; and

(ii) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conducting of scientific research, for purchase or construction of additional research facilities.

Title to facilities described in clause (ii) 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.

(B) None of the appropriations authorized under this section for "research and development" and "space flight, control, and data communications" may be used in accordance with this paragraph for the construction of any facility, the estimated cost of which, including collateral equipment, exceeds $750,000, unless the Administrator 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.

(2) Appropriations authorized under this section for "research and development", for "space flight, control, and data communications", or for "construction of facilities" may remain available until expended. Appropriations authorized under this section for "research and program management" for maintenance and operation of facilities, and for other services, shall remain available through the next fiscal year after the fiscal year for which such amount is appropriated.

(3) Not to exceed $35,000 of appropriations authorized under this section for "research and program management" may be used for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator, and the Administrator's determination shall be final and conclusive upon the accounting officers of the Government.

(4)(A) Except as provided in paragraph (1)(A), appropriations authorized under this section for "research and development", "space flight, control, and data communications", or "research and program management" may be used for the

construction of new facilities and additions to, or repair, rehabilitation, or modification of existing facilities, but only if the cost of each such project, including collateral equipment, does not exceed $200,000.

(B) Except as provided in paragraph (1)(A), appropriations authorized under this section for "research and development" or "space flight, control, and data communications" may be used for unforeseen programmatic facility project needs, but only if the cost of each such project need, including collateral equipment, does not exceed $750,000.

(C) Appropriations authorized under this section for "research and program management" may be used for repair, rehabilitation, or modification of existing facilities controlled by the General Services Administration, but only if the cost of each such project, including collateral equipment, does not exceed $500,000.

SEC. 5. CONSTRUCTION OF FACILITIES REPROGRAMMING.

Appropriations authorized under section 4(a)(3)(A) through (EE)—

(1) may be varied upward 10 percent, in the discretion of the Administrator or the Administrator's designee; or

(2) 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 particular circumstances, may be varied upward 25 percent to meet unusual cost variations.

The total amount of appropriations authorized under section 4(a)(3)(A) through (EE) shall not be increased as a result of actions taken under paragraphs (1) and (2) of this section.

SEC. 6. SPECIAL REPROGRAMMING AUTHORITY FOR CONSTRUCTION OF FACILITIES.

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 one-half of 1 percent of the funds appropriated pursuant to section 4(a)(1) or (2) 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 4(a)(3) 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.

SEC. 7. CONSIDERATION BY COMMITTEES.

Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests of the Administrator as originally made to either the Committee on Science, Space, and Technology of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate;

(2) 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 section 4(a)(1), (2), and (4); and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented by the Administrator 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 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. The National Aeronautics and Space Administration shall keep the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate fully and currently informed with respect to all activities and responsibilities within the jurisdiction of those committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either committee relating to any such activity or responsibility.

SEC. 8. SMALL BUSINESS INNOVATION RESEARCH PROGRAM.

The Administrator may utilize up to 5 percent of the funds provided for the Small Business Innovation Research Program pursuant to section 4(f) of the Small Business Innovation Development Act of 1982, for program management and promotional activities.

SEC. 9. OFFICE OF FACILITIES MAINTENANCE.

The Administrator shall create an Office of Facilities Maintenance, which shall have complete authority to plan and direct facilities maintenance management for all National Aeronautics and Space Administration sites.

SEC. 10. COMMERCIAL SPACE LAUNCH ACT AMENDMENT.

Section 24 of the Commercial Space Launch Act (49 U.S.C. App. 2623) is amended by adding at the end thereof the following: "There are authorized to be appropriated to the Secretary to carry out this Act $5,104,000 and such additional sums as may be necessary, not to exceed $20,000,000, to ensure the resiliency of the Nation's space infrastructure, for fiscal year 1992.".

SEC. 11. NATIONAL SPACE COUNCIL AUTHORIZATION.

(a) There are authorized to be appropriated to carry out the activities of the National Space Council established by section 501 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 (42 U.S.C. 2471), $1,491,000 for fiscal year 1992, of which not more than $1,000 shall be available for official reception and representation expenses. The National Space Council shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

(b) It is the sense of Congress that the National Space Council, in coordination with the Committee on Earth and Environmental Sciences, should, by October 1, 1991, establish policy recommendations for carrying out the President's commitment to maintaining the continuity of Landsat data, including plans and programs for a successor to Landsat 6, organizational options and recommendations for acquiring Landsat data for global change research, national security, environmental management, and other governmental purposes, and options and recommendations for encouraging the use of Landsat data by commercial firms and development of the commercial market for such data.

SEC. 12. OFFICE OF SPACE COMMERCE AUTHORIZATION.

There are authorized to be appropriated to the Secretary of Commerce for the Office of Space Commerce $491,000 for fiscal year 1992.

SEC. 13. AMENDMENT OF PUBLIC LAW 100-147.

Section 107(a) of the National Aeronautics and Space Administration Authorization Act of 1988 (P.L. 100-147) is amended—

(1) by inserting ", in both then year and constant dollars," after "estimated cost";

(2) by inserting "assembly (including related costs);" after "construction of facilities;"; and

(3) by adding at the end the following new sentence: "Each such plan shall also include the estimated cost, in both then year and constant dollars, of operations for at least the first full year of steady operations of the space station.".

SEC. 14. MULTIYEAR CONTRACTING.

Along with submission to Congress of the National Aeronautics and Space Administration fiscal year 1993 budget request, the Administrator shall—

(1) present a study which assesses the usefulness of granting similar authority as under section 2306(h) of title 10, United States Code, to the National Aeronautics and Space Administration; and

(2) recommend no less than 5 candidate programs to be considered by Congress for multiyear contracting.

SEC. 15. BUY AMERICA PROVISIONS.

(a) RESTRICTIONS ON CONTRACT AWARDS.—No contract or subcontract made with funds authorized under this Act may be awarded for the procurement of an article, material, or supply produced or manufactured in a foreign country whose government unfairly maintains in government procurement a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to subsection (g)(1)(A) of section 305 of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(A)). Any such determination shall be made in accordance with such section 305.

(b) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or an inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract from the National Aeronautics and Space Administration, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(c) BUY AMERICAN REQUIREMENT.—(1) The Administrator is authorized to award to a domestic firm a contract for the purchase of goods that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(A) the final product of the domestic firm will be completely assembled in the United States;

(B) when completely assembled, more than 50 percent of the final product of the domestic firm will be domestically produced; and

(C) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent.

(2) This subsection shall not apply to the extent to which—

(A) in the opinion of the Administrator, after taking into consideration international obligations and trade relations, such applicability would not be in the public interest;

(B) in the opinion of the Administrator, after consultation with the Secretary of Defense, compelling national security considerations require otherwise; or

(C) the President determines that such an award would be in violation of the General Agreement on Tariffs and Trade or an international agreement to which the United States is a party.

(3) This subsection shall apply only to contracts made for which—

(A) amounts are authorized by this Act to be made available; and

(B) solicitations for bids are issued after the date of enactment of this Act.

(4) The Administrator, before January 1, 1993, shall report to the Congress on contracts covered under this subsection—

(A) entered into with foreign firms pursuant to a determination made under paragraph (2) of this subsection; and

(B) awarded to domestic firms pursuant to paragraph (1) of this subsection, in fiscal years 1991 and 1992.

(5) For the purposes of this subsection—

(A) the term "domestic firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States; and

(B) the term "foreign firm" means a business entity not described in subparagraph (A).

SEC. 16. QUALITY ASSURANCE PERSONNEL.

(a) EXCLUSION OF NASA PERSONNEL.—A person providing articles to the National Aeronautics and Space Administration under a contract entered into after the date of enactment of this Act may not exclude National Aeronautics and Space Administration quality assurance personnel from work sites except as provided in a contract provision described in subsection (b).

(b) CONTRACT PROVISIONS.—The National Aeronautics and Space Administration shall not enter into any contract which permits the exclusion of National Aeronautics and Space Administration quality assurance personnel from work sites unless the Administrator has submitted a copy of the provision permitting such exclusion to the Congress at least 60 days before entering into such contract.

SEC. 17. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ENDEAVOR TEACHER FELLOWSHIP TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States, in tribute to the dedicated crew of the Space Shuttle Challenger, a trust fund to be known as the "National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund" (hereafter in this section referred to as the "Trust Fund"). The Trust Fund shall consist of gifts and donations accepted by the National Aeronautics and Space Administration pursuant to section 208 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476b), as well as other amounts which may from time to time, at the discretion of the Administrator, be transferred from the National Aeronautics and Space Administration Gifts and Donations Trust Fund.

(b) INVESTMENT OF TRUST FUND.—The Administrator shall direct the Secretary of the Treasury to invest and reinvest funds in the Trust Fund in public debt securities with maturities suitable for the needs of the Trust Fund, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Interest earned shall be credited to the Trust Fund.

(c) PURPOSE.—Income accruing from the Trust Fund principal shall be used to create the National Aeronautics and Space Administration Endeavor Teacher Fellowship Program. Such program shall award fellowships to selected United States nationals who are undergraduate students pursuing a course of study leading to certified teaching degrees in elementary education or in secondary education in mathematics, science, or technology disciplines. Awards shall be made pursuant to standards established for the fellowship program by the Administrator.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN. Mr. Chairman, I have some pro forma amendments, but I will defer them for a moment and allow the gentleman from New Jersey [Mr. TORRICELLI] to offer an amendment.

AMENDMENT OFFERED BY MR. TORRICELLI

Mr. TORRICELLI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TORRICELLI: Page 3 Lines 16 through 19, strike paragraph (8), and insert in lieu thereof, the following paragraph:

(8) the United States should maintain the current policies which prohibit the use of foreign launch capabilities for United States Government satellites, and require a waiver from the President to exempt a launch from this policy. Such exemptions should only be granted upon a Presidential finding that the following two conditions are met: (i) the needed launch capabilities do not exist in the United States and United States industry would not be harmed, and (ii) program benefits would accrue. Where foreign launchers are used, their use should be conditional on reciprocity from the foreign government in willingness to use United States launchers;

Add the following new paragraph (9):

(9) the United States should attain the capability to launch medium-sized payloads in the 10,000- to 15,000-pound range into polar orbit from the West Coast;

Redesignate subsequent paragraphs accordingly.

Mr. TORRICELLI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TORRICELLI. Mr. Chairman, after the tragic loss of the *Challenger*, this Congress led in making a decision that we would restore in the United States a commercial launching capability. A variety of American corporations invested millions of dollars to create that capability, to allow private industry to participate in exploring the unknown and in making the exploration and use of space commercially viable. They followed our leadership.

Mr. Chairman, an important component of their private judgment was that the work of putting U.S. Government satellites into orbit would be reserved for American corporations. Indeed, that has been the policy since that day. It was recently affirmed by the U.S. Trade Representative.

Mr. Chairman, when the Europeans suggested that we begin to negotiate opening up business to allow other countries to bid on doing work for the U.S. Government, the administration affirmed our view, that while we want free, fair, and open trade on the questions of private launches, the issue of U.S. Government satellities is not on the table. That has been the Bush administration's view, as it was that of the Reagan administration before it.

Mr. Chairman, the amendment that I offer today is consistent with this view and consistent with existing policy. It would remove provisions which would have individual heads of agencies have the power to contract with foreign firms to launch U.S. Government satellities, and instead would reserve that for private American companies, unless the President were to certify that an American capability did not exist, that the domestic industry would not be harmed, and that that country who would do work for us will give us reciprocity in trade. If those conditions are not met, then current law would continue and U.S. Government satellites would be launched by U.S. firms.

Mr. Chairman, this is, in my judgment, good national security. We should not be designing U.S. Government satellities consistent with foreign launch capabilities and should not be placing them in the hands of others.

It is good trade policy, because indeed, recognizing that only American private firms are privately funded, and others are subsidized by their governments, only the reserve of this area of the industry for American companies will allow them to raise the capital and be competitive internationally.

Mostly, it is consistent. We made a judgment. We asked stockholders, board members, and corporations to invest, and they did.

Mr. Chairman, the future in space, the future of launch capabilities, belongs to free enterprise. They accepted our invitation. But if we are to change the rules now, it will be an invitation for American companies to leave this business. If they do, and unless this Congress is prepared to reverse its decision and have the U.S. Government provide that capability, there would be enormous consequences for America's access to space.

Mr. Chairman, I urge Members to accept this amendment, and hope we can do so without division, so that it is clear that American policy remains. We will negotiate with anyone. We want free, fair, open trade in private business, but this one section of the business remains off the table.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. TORRICELLI. I would be happy to yield to the gentleman from Wisconsin.

□ 1350

Mr. SENSENBRENNER. I thank the gentleman from New Jersey for yielding. Let me associate myself with his remarks relative to the trade and waiver issue. This is supported by the administration. The U.S. Trade Representative thinks this is an improvement in the legislation and will help strengthen her hand in these negotiations.

I do have one question, however. In a copy of the amendment that is at the minority table, there is an additional paragraph 9 which says that the United States should attain the capability to launch medium-sized payloads in the 10,000- to 15,000-pound range into polar orbit from the west coast. Is that language still in the gentleman's amendment?

Mr. TORRICELLI. It is.

Mr. SENSENBRENNER. Would the gentleman please enlighten the committee on whether he anticipates the money to fund obtaining this capability should come out of the NASA budget or the Department of Defense budget?

Mr. TORRICELLI. In my judgment, since it is a facility which is used extensively by the Defense Department, and this would have advantages for the Defense Department, I would hope they would have the sense of responsibility and the good judgment to contribute to this effort.

Mr. SENSENBRENNER. I concur with the gentleman's sentiments. I thank the gentleman for yielding.

Mr. TORRICELLI. I thank the gentleman for his support and hope as well that representatives of European governments now negotiating with the United States will understand the sense of common purpose we have had here, that we do hope they allow free-fair competition in this business of nongovernment.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

Mr. Chairman, when this subject matter came up before the full committee the gentleman had an amendment that went to the same subject but in a little different form. I have had an opportunity to review the new amendment and I think it does contribute at this point to moving in the direction that the Nation should go.

My concern at the full committee was that we were perhaps coming up with an absolute ban on the use of foreign launchers for U.S. satellites. That would be something that I think could have ramifications downstream that would be detrimental.

In this particular case what the gentleman has done is outlined a policy that I think is in line with where we have been and where the domestic industry needs to go. So I think that this is a good amendment and one that is supportable.

I might also say with regard to the new paragraph that is being added with regard to launches into polar orbit from the west coast, it is also my understanding that the cost of that facility can probably be recovered in a few flights, based upon the ability to do commercial loads, and that the cost recovery on that will be fairly quick. So that is another reason for Defense to go ahead, give us the capability and probably be able to attain repayment in a fairly short timeframe.

With that, I yield back the balance of my time.

Mr. HALL of Texas. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

Mr. Chairman, I would like to ask the gentleman from New Jersey, to be sure that I understand it, he supports the policy of the administration for the requirement that the President approve if we exempt a launch, but the gentleman from New Jersey sets out some guidelines?

Mr. TORRICELLI. Mr. Chairman, will the gentleman yield?

Mr. HALL of Texas. I yield to the gentleman from New Jersey.

Mr. TORRICELLI. Mr. Chairman, I would respond to the gentleman from Texas that we do. We wanted to make clear that this is consistent with current policy, that the President has the authority to waive this if it is in the national interest to do so. But of course, we want him to be able to cite this will not harm the domestic industry, and indeed that the nation which would receive this contract would give a reciprocal right of our own companies to bid on their government work.

Mr. HALL of Texas. We thank the gentleman for working with the committee. We think the requirements are compatible with the committee report language and the intent of the original finding, and we have no objection to the amendment.

Mr. TORRICELLI. I thank the gentleman for his cooperation and his leadership.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. TORRICELLI].

The amendment was agreed to.

Mr. WOLPE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 1988, the NASA Multiyear Authorization Act of 1991.

Mr. Chairman, I commend the work that the gentleman from California [Mr. BROWN] and the gentleman from Texas [Mr. HALL] have done in bringing the NASA bill before us today. Despite the fact that the State of Michigan has no NASA facilities or large aerospace contractors, I am a strong supporter of NASA's programs, for the simple reason that NASA's work has been, and continues to be, good for the country as a whole. At the same time, because of the constrained budgetary climate, this Congress must begin to do a better job of ensuring that the $14 or $15 billion in taxpayers' dollars that are spent on NASA programs are contributing their proportionate share to the scientific, technological, and educational development of this country.

I have concerns in two specific areas. First, NASA programs—particularly the largest programs—must be forced to pass a test of scientific credibility. I continue to doubt whether the space station passes that test, and I will support the amendment of the gentleman from New Jersey [Mr. ZIMMER] to assess alternative designs for meeting the scientific goals of the Space Station Program. The reason for imposing a scientific relevance test on all such large projects as the station is obvious, and was succinctly stated in the recently released report of the Office of Technology Assessment of "Federally Funded Research": "Not all [science megaprojects] may be supportable without eroding funding for the science base."

My second general concern about the NASA budget relates to the issues of whether appropriated funds are well spent and whether the agency's management systems are under control. The Augustine Commission and others have documented the fact that NASA has had a poor record in these areas over the past decade. In an environment of $300-$400 billion annual budget deficits, we simply do not have the luxury of supporting programs that lack effective cost controls, contractors who perform shoddy work, or spokespersons who consistently provide the Congress with unrealistically low cost estimates.

As chairman of the Investigations and Oversight Subcommittee of the Science, Space, and Technology Committee, I look forward to working closely with the gentleman from Texas [Mr. HALL] during this Congress to strengthen cost account ability throughout NASA.

Mr. Chairman, although I support the bill before us today, we must be mindful that these same NASA programs will be reviewed again on the floor within the next 2 months as part of the HUD/independent agencies appropriations bill. The HUD/IA bill includes a wide variety of programs in a large number of agencies—effectively pitting space programs against pressing national needs for veterans, for housing and urban development, and for the environment. We will need to review these space programs again at that time to reassess our priorities. If we are not confident that NASA's programs are scientifically strong and financially credible, then they will not survive intact in an appropriations process which pits space against these other pressing national needs.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I am pleased to yield to my distinguished chairman.

Mr. BROWN of California. Mr. Chairman, let me thank the gentleman for yielding, and let me also thank him for his comments. I think some people, as in my own case, who are very much identified as supporters of the space program, might feel that the gen-

tleman was applying an unduly objective scrutiny to the NASA programs. I merely want to indicate that I feel that the views that the gentleman from Michigan has expressed are sound. He comes to his position as chairman of the oversight committee with a keen analytical view, and as he has already indicated, he has no vested interest for his State or district in these programs. He is acting only on behalf of the national interest.

I want to commend the gentleman from Michigan for that. I think that the knowledge that the gentleman from Michigan is expressing this point of view, that he as chairman of the oversight committee can act on these points of view, should give some reassurance to all Members that this program is going to be conducted in the soundest possible way for the benefit of the people of this country.

Mr. WOLPE. I thank the gentleman for his comments and I simply want to reaffirm that I want NASA to succeed. I am convinced that the more careful the scrutiny, the greater will be public confidence in the agency and its credibility. Taxpayers must be assured that tax dollars are being well spent. That is the ultimate goal.

Mr. ROEMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would first like to commend the Science, Space, and Technology Committee for the outstanding work that they have done in putting this legislation together. The gentleman from Texas [Mr. HALL], the gentleman from Wisconsin [Mr. SENSENBRENNER], and the gentleman from Pennsylvania [Mr. WALKER] have done a fantastic job. Our chairman, the gentleman from California [Mr. BROWN], is one of the best leaders this committee has ever had. I am lucky as a freshman to be on this committee. His leadership is thoughtful, thorough, and considerate. We are lucky to have him.

□ 1400

Mr. Chairman, I must rise today in very reluctant opposition to the NASA reauthorization bill before us today. I cannot in good conscience support a measure that rapidly increases spending at this time on our space program while the programs for our children such as Head Start are going begging. Seven out of 10 children in my district are begging for Head Start.

Mr. Chairman, I do no oppose the space program. It is important for us to be doing. The discoveries made by scientists of NASA will benefit mankind for centuries to come, but if we do not start concentrating our limited resources on our children, soon there will be no astronauts, soon there will be no technicians or professors to teach them.

Mr. Chairman, it is extraordinarily frustrating to be a freshman Member of this body trying to represent the folks back home in Indiana while being bound and gagged by a budget agreement passed before I ever had a vote here. Many of us would like to see some of the increase given to NASA allocated to the budget for education, not to throw money at the education problem, but to support some of the President's ideas for reform and creative new schools. But this budget agreement simply will not allow it.

Mr. Chairman, I find myself in the unenviable position of opposing a bill that I would prefer to support. But, Mr. Chairman, as long as teachers in my district are getting pink-slipped, as long as child nutrition programs are being cut back, as long as tens of thousands of American children do not receive necessary measles and mumps inoculations, as long as Head Start does not reach children who need it and qualify for it, as long as deserving youth are denied the opportunity to attend college in our country, I am going to stand in opposition to spending these amounts of money for NASA.

Mr. Chairman, we were talking about a $30 billion program for the space station, and $80 to $100 billion in the long run. Clearly, reforming education is our best investment in our work force, in our future, in our competitiveness, and it should be, ladies and gentlemen, our highest priority.

Mr. Chairman, to conclude, as we build the pipeline to space, we need to focus on our education pipeline that creates a fountain of talented and productive workers. Right now, Mr. Chairman, the pipeline is cracked and leaking. It is leaking and drowning our children, their aspirations, and our international competitiveness.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I listened carefully to the remarks that the gentleman just made.

I think it is well to point out that NASA is one of the principal contributors in the Federal Government to the educational programs of this country. Many, many millions of dollars are spent by NASA to assure quality education is going on.

The time I spend in the classroom tells me that one of the things that young students are most excited by is our space program. One of the ways in which you can get them interested in science and technology and in pursuing goals for the future is to interest them in the space program.

The Challenger Center that has been developed over the last several years that is building centers across the country involves NASA in helping young students understand the potentials that are there for them in space and gives them the opportunity to work hands-on with technology. It is one of the most exciting concepts we have supported, in part with private and foundation money, but in part with the cooperation of NASA and the agency.

I think to suggest that somehow there is money that can be transferred out of NASA programs into education programs in a way that would benefit the students more than some of what is now going on is to suggest something which cannot and should not be done. We, I think, have a great role to play with the space program in education. I think we are moving in the right direction.

I would also suggest to the gentleman that if we want to invest in the future and we want to ensure, as those children come through the education system and they have the opportunity to go to work, that the best way to assure that the jobs of the future are going to be there for those kids is to invest in the NASA programs.

As has been mentioned a couple of times in debate today, NASA pays back to the GNP $9 for every $1 invested in it. That is a figure which assures that we are going to produce the jobs, the high-tech jobs, of the future that these children will need to have in order to assure a national economy.

So I think the gentleman expresses a concern that many Americans have, but I think that it is wrong to express that concern with regard to this budget. This budget is, in fact, very, very cognizant of the need to develop educational issues and very much in line with establishing the future goals that students have to be deeply involved in.

Mr. HALL of Texas. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Texas.

Mr. HALL of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think it is also fair to point out not only that this program in its entirety is very cost-effective but that we have, under the academic programs, increased it from $55 to $64 million, which is a $9 million increase, and that that does go for outreach programs, educational programs, and certainly in support of the people who the gentleman very seriously and thoughtfully and conscientiously wants to support. He is supporting it when he votes for this bill.

Mr. WALKER. I might follow up on that, that among other things that NASA does in education are the teacher resource centers which are funded in this bill, the women and minority internships which are funded in this bill, the graduate student research program which is funded in this bill, research projects that involve students, and one that got a lot of attention a few months back was when we took tomato seeds into space, and we literally involved thousands of elementary schools in that particular project. We have, I think, inspired many young students to look toward science, and then we

have, of course, the Teacher-in-Space Program, which is ongoing despite the fact of the tragedy of *Challenger* where we lost Christa McAuliffe. We have, in fact, used the teacher-in-space people as spokesmen across this country for science and space issues, and so there is a lot that is going on within this agency that helps in our educational enterprises.

Mr. HALL of Texas. If the gentleman will yield further, probably as the gentleman knows, the academic programs with an excess of a 20-percent increase is a substantial increase.

Mr. WALKER. I thank the gentleman for that.

AMENDMENTS OFFERED BY MR. BROWN

Mr. BROWN. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. BROWN: Page 5, beginning on line 22, strike all through Page 6, line 9, and insert in lieu thereof the following:

(A) United States International Space Station Freedom, $1,900,000,000 for fiscal year 1992, of which $25,000,000 shall be for the development of an Assured Crew Return Vehicle, with an additional $128,900,000 authorized upon the submission of a report 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 an independent engineering review of the Space Station restructuring by the Aeronautics and Space Engineering Board of the National Research Council. The Administrator is further directed—

(i) to immediately submit the report required under section 103(a)(1)(A)(ii) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate; and

(ii) to expend the entire $10,000,000 appropriated for solar dynamic power research under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1991 for that purpose.

On page 9, line 3, strike "$61,000,000" and insert in lieu thereof "$66,500,000".

On page 10, line 2, strike "$2,970,600,000" and insert in lieu thereof "$2,965,100,000".

Page 20, lines 9 through 15, amend section 8 to read as follows:

SEC. 8. SMALL BUSINESS INNOVATION RESEARCH PROGRAM.

The Administrator may utilize up to 1 percent of the funds provided for the Small Business Innovation Research Program in fiscal year 1992, pursuant to section 4(f) of the Small Business Innovation Development Act of 1982, for program management.

Page 27, line 24, strike "Program. Such program shall" and insert in lieu thereof "Program, to the extent provided in advance in appropriation Acts. The Administrator is authorized to use such funds to".

Mr. BROWN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc, considered as read, and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN. Mr. Chairman, these are technical amendments which have been discussed by the leadership on both sides. I can explain them very briefly.

The amendments to sections 8 and 17 make our bill comply with the rules of the House and to address the concerns of other committees. Section 8 provides that a small portion of the funds set aside for the Small Business Innovation Research Program be allowed for management of the program. The amendment here would reduce the amount that is in the bill from 5 percent to 1 percent, which is our estimate of what actually might be needed.

Section 17 establishes a small trust fund using gifts and donations that were received by NASA following the *Challenger* accident. Because this section, as written, provides direct spending authority to NASA in the amount of $20,000, it is technically in violation of section 302(f). The committee amendment would make such expenditures subject to advanced appropriations and would cure that defect.

The other two amendments are amendments reached by agreement between myself and the gentleman from Pennsylvania [Mr. WALKER] pertaining to certain proposals that were discussed in the committee markup. I want to commend the gentleman from Pennsylvania [Mr. WALKER] for his cooperation and willingness to address the concerns raised during the markup.

Mr. Chairman, I urge support of all of these amendments.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I certainly want to rise in support of the amendments and say to the chairman that I appreciate his cooperation in working out a couple of items there.

In one case what we are doing is coming back to close to full funding for the SCI Program which is a high priority of the administration, and also his cooperation in working on the solar dynamic work which the gentleman from Arizona [Mr. RHODES] has worked so closely with me on. I think that we have a good amendment here, and I am very happy to support it.

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. BROWN].

The amendments were agreed to.

□ 1410

Mr. KYL. Mr. Chairman, I move to strike the last word.

As I said, I would like to engage with the gentleman from Pennsylvania [Mr. WALKER] in a colloquy with respect to the committee's decision to defer the development of the multifunction electronic display system, known as MEDS.

MEDS function is part of the assured shuttle availability. The committee has reduced NASA's request for the MEDS Program from $14.8 million to $4.8 million. MEDS is informally known as the glass cockpit. It would replace the existing shuttle cockpits with electronic displays such as the flat panel displays developed for commercial and military aircraft.

MEDS will increase shuttle reliability and flight safety and reduce operating costs.

I would ask my colleague if it is the intent of the committee that the MEDS Program be discontinued?

Mr. WALKER. If the gentleman will yield, I say to the gentleman that it would not, no.

Mr. KYL. I further ask my colleague, was the decision to reduce MEDS funding reached because the program had technical problems?

Mr. WALKER. If the gentleman will continue to yield, no, the decision was based primarily on fiscal restraints.

Mr. KYL. If other funding sources are identified in conference with the Senate, would the gentleman consider restoring the MEDS Program?

Mr. WALKER. If the gentleman will continue to yield, yes, we will see what we can do in conference.

Mr. KYL. Mr. Chairman, I appreciate that very much, Mr. WALKER. I believe the MEDS Program deserves a very high priority in the assured shuttle availability program and I look forward to working with the gentleman, the chairman and others to pursue this issue with the Senate.

Mr. Chairman, I yield to my colleague from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I appreciate the gentleman taking the time to raise this issue and agree it needs further consideration.

I ask unanimous consent to include my written statement at this point in the RECORD and yield back the balance of my time.

Multifunctional electronic display system [MEDS] funding is part of assured shuttle availability, which was requested at $122.3 million for 1992. H.R. 1988 calls for a $10 million reduction to the MEDS Program stating it is not a flight safety issue.

MEDS is a solution to the increasing number of failures associated with the existing electromechanical flight instruments.

Industry's ability to support the existing shuttle cockpit has been diminished due to both parts and technical skills obsolescence.

MEDS will incorporate state-of-the-art technology such as flat panel displays developed for commercial and military airframes, and is a technical solution that can be supported by industry well into the 21st century.

The MEDS development/integration schedule has been defined as a 5-year program.

Hardware maintenance will be a serious problem within 5 years as: The failure rates are already higher than predicted due to aging of instruments, repair time and repair costs are increasing, and parts and skills obsolescence prevents access to future spare parts and repairs.

I believe the House language deferring MEDS development should be reconsidered prior to enactment, so that NASA can use its own discretion to decide on how best to assure shuttle availability.

Mr. KYL. Mr. Chairman, I yield to my friend, the gentleman from Arizona [Mr. RHODES].

Mr. RHODES. Mr. Chairman, I simply want to say that I share with Members the concern about the MEDS Program. I think it is extremely important for shuttle availability and the advancement of that concept.

I certainly hope that something can be worked out in conference that would permit this program to go forward.

AMENDMENT OFFERED BY MR. ZIMMER

Mr. ZIMMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZIMMER: Page 28, after line 5, insert the following new section:

SEC. 18. SPACE-BASED RESEARCH ASSESSMENT.

(a) NATIONAL ACADEMY OF SCIENCES CONTRACT.—The Administrator shall, to the extent provided in advance in appropriations Acts, enter into a contract with the National Academy of Sciences for the conduct of the assessments described in this section.

(b) RESEARCH OPPORTUNITIES ASSESSMENT.—The contract entered into under subsection (a) shall provide for an assessment of methods for maximizing, based on a variety of prospective funding levels, the quantity and quality of opportunities for space-based life sciences and microgravity research on existing and proposed space vehicles and platforms. Such assessment shall focus on the 5-year period after the date of enactment of this Act, and on each of the two subsequent 5-year periods. Such assessment shall address opportunities in connection with domestic or foreign space vehicles and platforms, whether publicly or privately funded.

(c) SPACE INFRASTRUCTURE ASSESSMENT.—The contract entered into under subsection (a) shall also provide for an assessment of methods of establishing a space-based life sciences and microgravity research infrastructure, based on a variety of prospective funding levels, using existing and proposed space vehicles and platforms, or other space vehicles and platforms constructed specifically for such purposes. Such assessment shall address the transferability of systems developed for use on the Space Station Freedom to such alternative or complementary space vehicles and platforms. Such assessment shall also address opportunities in connection with domestic or foreign space vehicles and platforms, whether publicly or privately funded.

(d) REPORT TO CONGRESS.—The Administrator shall, by June 30, 1992, submit to Congress a report containing the results of the assessments conducted under this section.

(e) SPACE STATION FREEDOM ACTIVITIES.—Nothing in this section shall be construed to prevent otherwise authorized activities with respect to the Space Station Freedom from going forward.

Mr. ZIMMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HALL of Texas. Mr. Chairman, I move to strike the requisite number of words. We do not accept this amendment because we have any doubts about the space program. Probably the amendment will be accepted because the gentleman from New Jersey has been very conscientious, has worked hard, as has both majority and minority.

I have some real deep feelings I think I must express about it because this will be reconsidered, I am sure, when it hits conference and when it hits the other body. Actually, there is an alternative to the amendment, and that is, we could simply write a letter to the Office of Technology Assessment, and ask them to provide the committee with an updating of the study they made in 1985. I know the gentleman is aware of that, and aware that this does cost some money. We are not just sure what it costs because I have not seen any figures other than several hundred thousand dollars.

I think with the assurance of the gentleman that he will continue to work with Members, and that though it goes into a contract with the National Academy of Sciences, that it will not be relegated only to the Space Studies Board who issued an unfavorable study for a manned study and manned continuation of that thrust.

With that, and with our thanks to the entire committee, I think we accept this, and we accept the amendment and ask it be adopted.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words. I just want to point out to the gentleman from Texas, it has done a couple of things about this amendment. So there can be no doubt. I rise as a firm supporter of space station, and I do not have a problem with the amendment in its present form. Let me give Members a couple of reasons why.

First of all, any Member who reads through this amendment will now understand that this amendment is drafted in a way in what we are basically doing is studying upgraded technologies and seeing whether or not there are any of them that have more adaptability for our space future. This is a good amendment from that standpoint. We also ought to be looking at what science is giving the United States in terms of developing alternatives for the future. That is what this amendment now says.

I see no problem with that at all as a supporter of space station. The other thing that I think is very important to understand about this amendment is something that the gentleman from New Jersey referred to, but needs to be reemphasized, I think.

□ 1420

New language in this bill, section (e) says specifically:

(e) SPACE STATION FREEDOM ACTIVITIES.—Nothing in this section shall be construed to prevent otherwise authorized activities with respect to the Space Station Freedom from going forward.

In other words, this is not a delay amendment whatsoever. This is simply a study to find out in many ways how you can have complementary activities of the station going forward; so this amendment does not anticipate any changes to space station Freedom. It does not anticipate any changes to the schedule, so therefore I think is totally acceptable.

Mr. SCHUMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not going to offer an amendment because the committee has obviated the need for that.

I want to recognize the excellent leadership of Chairman BROWN and Chairman HALL and the ranking members in bringing this NASA authorization before us today.

No bill can be all things to all people, but I think most of us can agree that this legislation is well crafted and a thorough response to the challenge our Nation faces in space.

I would like to recognize the outstanding contributions of the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Wisconsin [Mr. SENSENBRENNER] and their committees have made to this legislation.

When Congress convened in January, I introduced the NASA Quality Assurance in Contracting Reform Act, which addressed two concerns I had about NASA. These concerns were focused on the Agency's contracting procedures and some of the glaring problems that plagued it. I am pleased that one of the reforms that I proposed, which I will describe in a moment, has been incorporated into the NASA authorization bill we are considering, and I want to thank Chairman BROWN and Chairman HALL for assisting me on this matter.

The Hubble telescope disaster revealed that NASA's quality control procedures had a major flaw. Under NASA's current system, contractors can ban with impunity NASA's quality control inspectors from work sites, can simply tell the NASA inspectors to get off the lot. That is exactly what happened with the Hubble telescope while that was under construction at the eventual cost of billions of taxpayers' dollars.

The quality control language in the original proposal, now incorporated in H.R. 1988, will bring this practice to an end. If the provision is signed into law, NASA's quality control personnel will have unlimited access to the work sites of companies building products for NASA to ensure that debacles like the Hubble incident will not happen again.

Yesterday Chairman BROWN and I introduced legislation which incorporated the second of the two reforms originally proposed in H.R. 672, reform of NASA liability policy.

I am gratified that the chairman has again demonstrated tremendous leadership on this issue and hope that the House will soon have an opportunity to consider this important legislation.

I have often been a critic of NASA, that is no secret, because I believe that the enormous amounts of money we are spending on projects like the space station might be better spent on other things, but I rise today, however, to support the passage of the authorization bill under consideration, because it takes a first important step toward the elimination of the acquisition problems which have plagued NASA for decades, and again I want to thank both chairmen and both ranking members for their help on this issue.

Mr. PENNY. Mr. Chairman, the amendment offered by my colleague, Mr. ZIMMER, is a lesson in common sense.

Recent reports from the GAO as well as the Committee on Science, Space, and Technology have made it very clear that the Space Station Program is in need of further review.

Despite calls from those who say we need to get the ball rolling now, increased costs, combined with three structural changes and decreased capabilities, puts into question the purpose and cost of this program.

We face serious budget constraints, and therefore cannot afford to dish out billions of dollars to any program which has not been completely researched or tested. The taxpayers need to know their money is going for a program which is both worthwhile and well researched.

Mr. Chairman, we would not invest in a house that had no floor plan. We would not take a trip on a plane which had no flight plan. So why should we appropriate billions of tax dollars to a program that has not clearly demonstrated its objectives in design or mission? Simple common sense tells us we shouldn't.

The Zimmer amendment institutes an objective study about the purpose of and alternatives to the space station.

We should not ask American taxpayers to fork over upward of $40 billion without first conducting a thorough study of options which may cost less.

Support the Zimmer amendment.

Mr. WOLPE. Mr. Chairman, I rise in support of the amendment.

In recent weeks, both the National Academy of Sciences' Space Studies Board and the President's Office of Science and Technology Policy have questioned the scientific justification for space station Freedom. Personally, I am skeptical about supporting any large-scale project when its primary users are not satisfied with the investment being made on their behalf.

The first goal of our Space Station Program should be the advancement of life sciences, so that we may make a knowledgable decision on the ability of humans to work in space for extended periods of time. A secondary goal is the establishment of leadership in microgravity research. NASA claims that space station Freedom is the best means available for achieving these goals. Unfortunately, after $4 billion of expenditures and a plethora of studies, we still have no way of assessing the credibility of NASA's claims.

The reason for this uncertainty is simple. We have never had a comprehensive comparison of alternative designs based on actual mission requirements. Only in the past few weeks, as a result of studies by the Augustine Commission and others, have we had a clear idea of the rationale for a space station. If the requirements have changed, then the design should change as well. Unfortunately, the current redesign simply scales down a space station originally designed for multiple functions. Since the time of that original design, Earth observation capability has been removed. Spacecraft servicing capability has been removed. Microgravity processing facilities have been removed. What is left is life sciences—by default, not by design.

Is Freedom the answer to our current requirements for space science? Is it the best use of the resources we intend to make available? With the information we have in hand, no one can say. If the Space Studies Board is correct in its conclusion that this space station does not do the job, what will?

The study mandated by this amendment will allow us to answer this question, and to answer it in a timely manner. I know that the argument will be made that the results of this study will come too late to affect the space station debate. I strongly disagree. To date we have spent less than 15 percent of the total funding needed to complete the space station. When the report mandated by this amendment is available, we will have spent only 20 percent of the total funding necessary for completion. If the Academy study produces cost-effective alternatives for conducting the essential missions of the space station, we should debate those alternatives next year on the floor and make the appropriate decision on space station development.

An informed decision by the Congress will require knowledge of the spectrum of opportunities available to us and the cost and schedule for each. An informed decision requires a "yes" vote on the Zimmer amendment.

Mr. CONYERS. Mr. Chairman, the Committee on Government Operations has had an ongoing interest in NASA programs. The committee has reviewed and continues to review issues relating to NASA's procurement, planning, and reporting practices. In furtherance of these activities, the Subcommittee on Government Activities and Transportation requested that the U.S. General Accounting Office conduct a review to determine the costs, feasibility, and justification of the Space Station Freedom Program.

Yesterday, the Subcommittee on Government Activities and Transportation, chaired by Representative BARBARA BOXER, held a hearing that, for the first time, brought to light the full costs of the Space Station Program. Both the subcommittee and GAO have found that Congress has not been apprised of the full costs of this 30-year program.

NASA claims that it will cost $30 billion to bring the station to permanently manned capability in 1999. In fact GAO puts the cost at $40 billion, and the subcommittee puts the cost at $51 billion. Looking at the 30-year life of the program, GAO puts the total cost at $118 billion and the subcommittee puts the total cost at $180 billion. Thus far, NASA has successfully avoided the question of the total cost to be incurred by the taxpayers for this project.

Serious questions were raised at yesterday's hearing as to whether the space station is essential for the scientific research for which it ostensibly is intended. Indeed, many of the Nation's most renowned scientists have gone on the record to say the space station's scientific capabilities have little merit in relation to the cost. Given these questions, as well as the extraordinary costs, I urge you to support the Zimmer amendment.

The Zimmer amendment calls upon the National Academy of Sciences to identify existing spacecraft to carry out projects intended for the space station and identify cost-effective alternatives to the space station design. Given a budget deficit that is choking off badly needed investment in our people, the Zimmer amendment is a sensible and prudent measure. I urge my colleagues to support the Zimmer amendment.

Mr. SWETT. Mr. Chairman, I rise in support of the amendment to H.R. 1988 offered by my colleague from New Jersey.

Mr. Chairman, I am an architect by training, and architects are taught to be process oriented, to keep our minds open to new ideas. Architects frequently have to advise clients about all the options available to them since sometimes, there is no perfect option and the client has to make a decision based upon the pros and cons of every possibility available. Likewise, budget constraints often require greater creativity in problem solving, not less. So I am always skeptical when somebody tells me that no options are available that are worth examining.

It was quite a surprise, then, when I arrived in Congress and participated in my first hearing about NASA. We are about to spend billions of dollars on a space station, and nobody to my knowledge has taken the time to lay out all our options in this project. Nobody has taken the time to assess each possibility's advantages and disadvantages. I am not saying that the current plan is not the best. But NASA has yet to convince me it is.

Mr. Chairman, in these tight budgetary times, we should be particularly supportive of this amendment. Probably every Member of this body has been frustrated by seeing programs that they care about not getting the funding they deserve. I certainly have had that experience. But this is a time for us to be responsible, and I can't believe that in this climate we are about to write a blank check to NASA when less expensive, better options might exist.

Mr. Chairman, I believe my questions can be resoved easily, without much expense and

through a basic process that will lay out our options. In the building industry, we call this process value engineering, but it is just a sophisticated and systematic way of making a list that explores the pros and cons of every possibility. It is unbelievable to me that this simple process, a process I urge my 8-year-old daughter to follow when she is trying to find the solution to a problem, just hasn't been done. This amendment will not kill the space station program. This amendment does not even delay the progress of the Space Station Program. If anything, it will make for a better program. My experience in architecture has taught me that it always helps to look at additional possibilities, even if the process ultimately convinces me to go with my original plan. And we might well decide to continue on our current path. But let's get the facts before us first.

Mr. Chairman, I believe this is a responsible, reasonable amendment and I sincerely hope it passes. The amendment will not increase the budget at all, in fact it might produce significant savings. In short, the process of value engineering is a necessity in these times when we need to be tightening our belts.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. ZIMMER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: At the end of the bill, insert the following new section:

SEC. 18. DRUG TESTING.

(a) FINDINGS.—The Congress finds that—

(1) the illegal sale, possession and use of drugs pose a pervasive and substantial threat to the social, educational, and economic health of the United States;

(2) the impact of drug abuse is reflected in the criminal violence that it causes and in the disintegration of families, schools, neighborhoods, and workplace safety and efficiency;

(3) the effects of rampant illegal drug trafficking are amply illustrated by national crime statistics and prosecutions across the United States of persons at all economic and social levels, including prominent government leaders;

(4) the chronic problem of drug abuse has contributed to declining productivity levels, escalating health care costs, and the increasing inability of domestic industry to compete in the world market; and

(5) reasonable suspicion exists that the mission of the government to preserve the public health and safety, protect the national security, and maintain an effective drug interdiction program for the United States is being subverted by the prossession, sale, and use of drugs by Federal personnel at all levels of government.

(6) RANDOM DRUG TESTING.—The Administrator of the National Aeronautics and Space Administration shall require random drug testing of officers and employees of the National Aeronautics and Space Administration.

(c) DEFINITIONS.—For the purposes of this section—

(1) the term "drug" or "drugs" means any controlled substance as defined by the Controlled Substances Act; and

(2) the term "employee" means an employee of the National Aeronautics and Space Administration.

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SOLOMON. Mr. Chairman, at the outset let me just say what I said in the Rules Committee when Chairman BROWN and Subcommittee Chairman HALL, along with ranking member WALKER, came before our committee. I had admiration and commendation for Chairman BROWN as the new chairman for the job he has done and for the entire committee.

Mr. Chairman, I do have two amendments, one dealing with random drug testing for current present employees of NASA, which is the same amendment that I have offered to all authorizing bills, just yesterday with the CIA.

The other amendment which deals with drug testing of applicants for jobs with NASA, today I am calling that amendment up right now. That is amendment No. 1.

Mr. Chairman, yesterday when the House passed my amendment requiring random drug testing for CIA employees, I called attention to the fact that statistics released by the FBI earlier this week showed that violent crime was up across the United States by 10 percent, and much of violent crime is certainly drug related, and that violent crime is now spreading into our suburban areas.

A Rand Corp. study entitled, "Money From Crime: A Study of the Economics of Drug Dealing in Washington, DC" showed that 78 percent of the cocaine purchased in the District of Columbia is actually used in the suburbs around this great Capitol of ours.

It comes as no surprise that the Justice Department has stated that drug trafficking and the murders associated with it are quickly spreading like cancer throughout the suburban areas across this country.

Much of the legislation that I have introduced has taken the approach that we absolutely no longer can view casual drug users as innocent victims of this problem. They have a very large bearing on the illegal drug market and they must be held accountable in this deadly and ever-increasing violent crime.

If we condition Federal privileges to remaining drug free, we can begin to send the message to illegal drug users that they are no longer immune and that we are no longer going to tolerate the illegal drug use.

In the last Congress I introduced legislation to condition the privilege of driving with the responsibility of remaining drug free. That measure was included in the fiscal year 1991 Department of Transportation appropriations bill, and it became law.

My amendment today continues to condition Federal benefits to the responsibility of remaining drug free by requiring that an applicant to NASA must be drug tested as a condition of being hired for their positions. In other words, taking a drug test is a condition of employment. It is a part of your duty.

As you may be aware, the courts have already upheld testing applicants in the Justice Department across the board, not just safety and sensitivity, but across the board. This is why I intend to offer this amendment to every authorization bill during this Congress and we must continue to show that we are serious about dealing with this problem. The courts have upheld this proposal and I would like to urge your support today so that we can begin a campaign of user accountability so that we can prove once and for all that we are committed to ending this violent and tragic plague.

Mr. BROWN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me say that I have discussed the amendment of the gentleman from New York, and I am in a peculiar situation. In my previous humble role as a mere Member of this House and this committee, for ideological reasons having to do with civil rights and the Constitution, I would have bitterly opposed his amendment; but in my new more exalted position I find remarkable merit in the gentleman's amendment.

Mr. Chairman, as far as our side is concerned, I am going to be willing to accept it. It does pose certain problems of which the gentleman is aware and I will not belabor those, but I think the mood in the House and in the Congress in general is to take active steps against the menace of the drug problem. I know and respect the position that the gentleman from New York [Mr. SOLOMON] takes with regard to that. As I say, from our standpoint, we will be willing to accept the amendment.

Mr. HALL of Texas. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I am happy to yield to the gentleman from Texas.

Mr. HALL of Texas. Mr. Chairman, as the gentleman has also pointed out on other occasions and as the gentleman well knows, NASA already has a drug testing program for critical personnel. I think what the gentleman is agreeing to is that the constitutionality of preemployment and random drug testing is an important subject and one that probably needs a test case. I think that is the thrust of the gentleman's

amendment. For that reason, Mr. Chairman, with that understanding we do accept it.

□ 1430

For that reason it is my understanding we do accept it.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I simply rise to say from the minority side we accept the gentleman's amendment, as well.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: At the end of the bill add the following new section:

SEC. 18. DRUG TESTING REQUIRED AS A CONDITION OF NEW EMPLOYMENT WITH THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) PREEMPLOYMENT TESTING.—No person may be hired by the National Aeronautics and Space Administration unless that person undergoes preemployment drug testing in accordance with this section.

(b) REGULATIONS.—The Administrator of the National Aeronautics and Space Administration shall issue regulations to carry out subsection (a). Such regulations shall be issued not later than 90 days after the date of the enactment of this Act.

(c) DEFINITION.—As used in this section, the term "preemployment drug testing" means testing before employment for the use of a controlled substance (as such term is defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6))).

(d) EFFECTIVE DATE.—This section applies with respect to the hiring of employees by the National Aeronautics and Space Administration after the date on which regulations are first issued under subsection (b).

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SOLOMON. Mr. Chairman, illegal drug use is our No. 1 domestic problem. And as long as there is a market for illegal drugs, there will be those who wish to profit from them.

That is why I believe we must continue to shift our focus in the war against drugs to include casual drug users. Demand plays an important role in the drug business and the days of viewing casual drug users as victims are over. Illegal drug users come from all walks of life and at some point make the very conscious decision of whether or not to use drugs.

They are a contributing factor to the drug problem and must be held accountable.

Mr. Chairman, if we condition Federal benefits to the responsibility of remaining drug free, we are sending the message to the so-called casual drug users that we are going to hold them accountable for their actions.

The amendment I am offering today is similar to the amendment I offered to the fiscal year 1990 NASA reauthorization bill which was adopted in the House. It requires random drug testing of all NASA employees.

Random drug testing is not a new concept and it works. For proof of that just look at what happened in our military when random drug testing was put into effect. In 1982, 27 percent of our entire U.S. Armed Forces were on drugs by their own admission. Yet, by 1988, after the implementation of random drug testing programs, drug use in the military dropped to 4.5 percent. That's an 82-percent reduction.

Illegal drug use is seriously impairing America's work force, resulting in the loss of billions of dollars and thousands of lives each year.

The Federal Government has an obligation and a compelling interest as the Nation's largest employer to set an example for the private sector by maintaining a drug-free workplace.

As you know, the courts have ruled that it is within the bounds of constitutionality to drug test sensitive and security-related positions. As a result of these rulings some would argue that random testing is unconstitutional. This is not true. Under no circumstances have the courts ruled out drug testing in nonsensitive positions.

My amendment has been drafted by the American law division of the Congressional Research Service to withstand a court challenge and I strongly feel it should be used as a test case.

Just ask yourself, can we afford to have engineers and scientists working on the space shuttle using cocaine? Can we afford to have any personnel involved with our space program using illegal drugs? Can we afford to continue to allow casual drug users to walk away from this problem scot-free?

I think you know the answers to these questions. And now, more than ever, the United States cannot back down from its commitment to put an end to this terrible crisis.

Mr. Chairman, if we could reduce illegal drug use by Federal employees by 82 percent—if we could reduce illegal drug use by employees of State and local governments by 82 percent—and then, if we could reduce illegal drug use throughout private sector employment by 82 percent, drug use would be reduced to a minimum and the demand for illegal drugs would disappear.

Mr. BROWN. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from California.

Mr. BROWN. I thank the gentleman for yielding.

Mr. Chairman, in the interest of time I would stipulate that we accept the second amendment offered by the gentleman from New York [Mr. SOLOMON] as well as the first.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, the same here; we accept the amendment.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman from California and the gentleman from Pennsylvania, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to very briefly say a word or two about the NASA authorization and to rise in support of it and commend the chairman, the gentleman from California [Mr. BROWN], and the ranking member, the gentleman from Pennsylvania [Mr. WALKER], and all the members of the committee for the work they have done on it. I think most of us recognize that this represents a transitional period for the space program in the United States, in this decade, this last decade of the 20th century.

I am excited about the opportunities, the challenges that are presented by the new space initiatives, many of which are discussed and included in this authorization. With a $15.3 billion NASA authorization, an increase of 10 percent over the fiscal year 1991, I think we can see the prospect for some new and exciting programs. Many of them are in the area of science and research, and many of them are ones that have come about as a result of the work of the Augustine Commission, a commission report which I strongly support.

However, there are some other programs that do not get authorized here, some that I think are of high priority.

One that particularly concerns me is the new launch system, or the NLS, as it is called. Clearly, our current launch system is an ancient one. NLS will provide an opportunity for significant long-term benefits for the commercial launch industry. I think, very clearly, incentives have to be provided to encourage additional privatization of our space industry.

I know the chairman has worked very hard on this issue. It is not possible for NASA to do what has to be done, given the limitations we have in our budget. If we are going to maintain a lead in space as we have done in years past, we are going to have to involve the private sector and private capital. The NLS, the new launch system, is an integral part of this move toward increased commercialization. Tight budgets are going to be reflected in the NASA budgets in the future. As a member of the Committee on Appropriations, I am well aware of the constraints that we are going to be operating under when we get the 302(b) allo-

cation from the Committee on the Budget.

That is going to mean less resources to do some of these programs. We have to have increased space commercialization so that Government resources are not tied up in projects which can be and should be carried on by the private sector.

The increased commercialization means that NASA can focus on those programs which it must do, those basic science and research programs which only Government and Government alone can best do. I hope that as we go forward with this program in this last decade of the 20th century, that we will have greater emphasis on commercialization and that both appropriations and authorizing committees will give attention to that.

The CHAIRMAN. Are there other amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McNULTY) having assumed the chair, Mr. McCLOSKEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1988) 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, pursuant to House Resolution 137, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the quesiton is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 361, nays 36, not voting 34, as follows:

[Roll No. 76]

YEAS—361

Abercrombie
Alexander
Allard
Anderson
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clement
Clinger
Coble
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeLauro
DeLay
Derrick
Dickinson
Dicks
Dingell
Dixon
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Franks (CT)
Frost
Gallegly
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murtha
Nagle
Natcher
Nichols
Nowak
Oakar
Olin
Ortiz
Orton
Owens (UT)
Packard
Pallone
Parker
Patterson
Paxon
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Rowland
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stearns
Stenholm
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Upton
Valentine
Vander Jagt
Vento
Volkmer
Walker
Walsh
Waxman
Weber
Weldon
Wheat
Whitten
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—36

Andrews (ME)
Beilenson
Conyers
DeFazio
Dellums
Donnelly
Duncan
Durbin
Frank (MA)
Hancock
Hayes (IL)
Hertel
Jacobs
Johnston
Luken
Miller (CA)
Neal (MA)
Neal (NC)
Nussle
Obey
Owens (NY)
Payne (NJ)
Penny
Quillen
Roemer
Roukema
Russo
Savage
Sikorski
Studds
Stump
Unsoeld
Visclosky
Weiss
Williams
Yates

NOT VOTING—34

Ackerman
Boxer
Clay
Coleman (MO)
Dymally
Edwards (OK)
Gallo
Gingrich
Gray
Holloway
Hopkins
Houghton
Hubbard
Ireland
Lehman (FL)
Levine (CA)
Mazzoli
Michel
Miller (OH)
Murphy
Myers
Oberstar
Oxley
Panetta
Rose
Roybal
Shaw
Stark
Stokes
Thomas (WY)
Udall
Vucanovich
Washington
Waters

□ 1459

The Clerk announced the following pair:

On this vote:

Mr. Lehman of Florida for, with Mrs. Boxer against.

Messrs. STUDDS, SIKORSKI, and HAYES of Illinois changed their vote from "yea" to "nay."

Messrs. SHARP, CAMPBELL of California, and HOAGLAND, and Mrs. COLLINS of Michigan changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1500

GENERAL LEAVE

Mr. BROWN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 1988, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent for rollcall vote No. 76, concerning final passage of H.R. 1988, National Aeronautics and Space Administration [NASA] authorization. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 173

Mr. OLIN. Mr. Speaker, I ask unanimous consent that the name of the gentlewoman from New York [Mrs. LOWEY] be removed as a cosponsor of H.R. 173.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. SOLOMON. Mr. Speaker, I ask for this time to engage in a colloquy with the majority leader as to the schedule for next week.

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

Mr. SOLOMON. I am happy to yield to the gentleman from Missouri.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

Votes are finished for today. On Monday, May 6, the House will meet at noon, but there will be no legislative business.

On Tuesday, May 7, the House will meet at noon to consider three bills under suspension, but recorded votes on suspensions will be postponed until Wednesday, May 8, 1991.

Mr. Speaker, the three bills to be considered on Tuesday are:

H.R. 479, to amend the National Trail System Act to designate the California National Historic Trail and Pony Express National Historic Trail as components of the National Trails System

H.R. 1143, to authorize a study of nationally significant places in American labor history; and

H.R. 904, to direct the Secretary of the Interior to prepare a national historic landmark theme study on African-American History.

On Wednesday, May 8, the House will meet at 2 p.m. The House will meet at 11 a.m. on Thursday, and possibly Friday. We will be taking up again the votes, if there are votes, on the suspensions from Wednesday, and then H.R. 7, the Brady Handgun Violence Prevention Act, subject to a rule. Then we will possibly take up a House resolution providing supplemental appropriations for Kurdish refugees and other purposes, subject to a rule.

Conference reports may be brought up at any time. Any further program would be announced later.

Mr. SOLOMON. If I could continue to yield to the majority leader, I would just note that the votes that are going to be laid over from suspensions on Tuesday until Wednesday, will those votes possibly come before the debate on the Brady bill, or after?

Mr. GEPHARDT. If the gentleman will continue to yield, the votes will be before.

Mr. SOLOMON. They definitely will come before. Can the majority leader enlighten us as to the potential scheduling for the civil rights legislation?

Mr. GEPHARDT. No decision has been made. We are hoping and thinking it may come the next week, but we are not sure at this point.

Mr. SOLOMON. There is also the budget out there. Is there any idea when we might go to conference with the Senate?

Mr. GEPHARDT. We will be consulting with the gentleman and the leadership on the other side, and will be trying to find the best time to do that. It may be next week, maybe on Thursday.

Mr. SOLOMON. Many Members on our side and yours have seen the tentative schedule calling for a possible session on Friday. Could the gentleman enlighten us as to how likely that might be?

Mr. GEPHARDT. The only reason that we would have a meeting on Friday and votes would be if the Kurdish refugee supplemental is not able to be processed here on Wednesday or Thursday. We hope it can be. But, if for some reason it cannot be, and it is important to get it done next week, we would ask Members to stay on Friday to do that. Again, we are hoping to finish business on Thursday.

Mr. SOLOMON. Mr. Speaker, I certainly thank the majority leader. I would just call the attention of Members to the special order that is going to be held for our good friend, the gentleman from Arizona [Mr. UDALL], this evening. It will be appreciated if Members would stick around for it.

ADJOURNMENT TO MONDAY, MAY 6, 1991

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12 noon on Monday, May 6, 1991.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

EMERGENCY MEDICAL SERVICES WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 109) designating the week beginning May 12, 1991, as "Emergency Medical Services Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so to yield to the gentleman from New York [Mr. MANTON], the chief sponsor of this legislation.

Mr. MANTON. Mr. Speaker, I rise today in support of House Joint Resolution 109, legislation I introduced to designate the week beginning May 12, 1991, and the week beginning May 10, 1992, as Emergency Medical Services Week. I want to thank the gentleman from Ohio [Mr. SAWYER], chairman of the Subcommittee on Census and Population for his support of House Joint Resolution 109 and his help in bringing this legislation to the floor.

Since its inception in 1986, Emergency Medical Services Week has afforded the public with an important opportunity to learn about the lifesaving benefits of emergency medical care. The American Hospital Association estimates there were 92 million emergency department visits last year. However, while demand for emergency medical services is increasing, our Nation's health care system is facing great challenges. Increasing costs have forced many rural and urban hospitals and trauma centers across the Nation to close. Also, many emergency departments are having difficulty recruiting and retaining health care professionals. Despite these problems, recent advances in emergency medical tech-

nologies are enabling EMS providers to save more lives than ever before. Therefore it is appropriate for Congress to recognize them for their important contributions to society.

Mr. Speaker, this resolution has the strong support of many national health care organizations including the American College of Emergency Medical Physicians, the International Association of Firechiefs, the National Association of Emergency Medical Technicians, the American Ambulance Association, the Association of Air Medical Services, the Emergency Nurses Association, the National Association of State EMS Directors and the National Council of State EMS Training Coordinators.

Mr. Speaker, every year during Emergency Medical Services Week these groups and communities around the Nation sponsor special events designed to increase awareness and promote prevention of medical emergencies. Emergency Medical Services Week programming has included a variety of health safety topics such as instruction in CPR, alcohol and drug abuse prevention and treatment, child safety, bicycle safety, and school-based educational programs in emergency medicine.

Again, I want to thank Chairman SAWYER for his help in bringing this resolution to the floor and I urge its immediate passage.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 109

Whereas the members of emergency medical services teams devote their lives to saving the lives of others;

Whereas emergency medical services teams consist of emergency physicians, nurses, emergency medical technicians, paramedics, educators, and administrators;

Whereas the people of the United States benefit daily from the knowledge and skill of these trained individuals;

Whereas advances in emergency medical care increase the number of lives saved every year;

Whereas the professional organizations of providers of emergency medical services promote research to improve emergency medical care;

Whereas the members of emergency medical services teams work together to improve and adapt their skills as new methods of emergency treatment are developed;

Whereas the members of emergency medical services teams encourage national standardization of training and testing of emergency medical personnel and reciprocal recognition of training and credentials by the States;

Whereas the designation of Emergency Medical Services Week will serve to educate the people of the United States about accident prevention and what to do when confronted with a medical emergency; and

Whereas it is appropriate to recognize the value and the accomplishments of emergency medical services teams by designating Emergency Medical Services Week: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 12, 1991, is designated as "Emergency Medical Services Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAWYER: Page 2, line 3, strike out "the week beginning May 12, 1991" and insert in lieu thereof "each of the weeks beginning May 12, 1991, and May 10, 1992".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. SAWYER].

There was no objection.

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. SAWYER

Mr. SAWYER. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. SAWYER: Amend the title so as to read: "Designating each of the weeks beginning May 12, 1991, and May 10, 1992, as 'Emergency Medical Services Week'."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

NATIONAL PHYSICAL FITNESS AND SPORTS MONTH

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 120) to designate May 1991 as "National Physical Fitness and Sports Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

□ 1510

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so to acknowledge the work of the gentleman from California [Mr. LEWIS], who is the chief sponsor of this joint resolution.

Mr. Speaker, further reserving the right to object, I yield to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, let me just say that for those of us who have worked long and hard in the vineyards of national physical fitness, it has been with a great deal of pride and pleasure that we have seen the attention that has been shown by the administration, starting with the President and Mrs. Bush this week, along with the work that Arnold Schwarzenegger has done to bring forward to the young people in our school system the importance of national physical fitness.

Mr. RIDGE. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ANDREWS of New Jersey). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 120

Whereas the number of adults in the United States who regularly participate in physical exercise and sports has increased rapidly, particularly since the 1970's;

Whereas there is much awareness of the importance of daily physical exercise for adolescents and children in the United States, regardless of their physical capabilities or limitations;

Whereas the level of physical activity of senior citizens in the United States has increased, thereby enhancing their enjoyment and quality of life;

Whereas physical activity is recognized as an important part of the daily life of all people of the United States;

Whereas physical activity is vital to good health and is a rich source of pleasure and personal satisfaction;

Whereas physical fitness and sports programs strengthen the body and refresh the spirit; and

Whereas it is essential that physical fitness and sports programs are available in the schools, at the workplace, and during leisure time, so that all people of the United States can enjoy the benefits of physical fitness and sports: Now, therfore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 1991 is designated as "National Physical Fitness and Sports Month", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe the month with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INFANT MORTALITY AWARENESS DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 194) designating May 12, 1991, as "Infant Mortality Awareness Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so certainly to support this effort.

Mr. Speaker, continuing my reservation of objection, I wish to acknowledge the good work of my colleague, the gentleman from Alabama [Mr. HARRIS], and I yield to the gentleman from Alabama, who is the chief sponsor of this joint resolution.

Mr. HARRIS. Mr. Speaker, as chief sponsor of House Joint Resolution 194, I am pleased to be given this opportunity to address the House.

House Joint Resolution 194 designated May 12, 1991 as "Infant Mortality Awareness Day." This designation is part of my efforts to educate more Americans about our Nation's deplorable infant mortality rate. In the past year, our national rate of infant mortality has improved. According to the preliminary data prepared by the National Commission on Infant Mortality, there were 9.1 deaths per 1,000 live births in 1990 and 9.7 deaths per 1,000 live births in 1989. It is my hope that this year, our Nation will continue this steady progress.

I am, however, mindful that each death of a child represents not only a personal tragedy for a family, but also the loss of the potential achievement of that individual for our Nation. No one wants their child to die. Early, regularly scheduled prenatal care is one of the easiest methods to lower the incidence of infant mortality. It is always better to encourage pregnant women to seek prenatal care, than to care for prematurely born infants in a hospital setting.

In my home State, Alabama, we have one of the highest infant mortality rates in our country. In fact, during the past 5 years, the rate in Alabama has exceeded that of many Third World nations. It is my hope that this measure will encourage more individuals in my State and elsewhere to dedicate themselves to saving infants and their mothers. In a nation of such immense wealth, it is disturbing that so many babies continue to die needlessly.

I also want to take this opportunity to express my sincere gratitude to several Members of Congress who contributed to the success of this project. Chairman SAWYER of the Subcommittee on Census and Population was instrumental in obtaining expedited review of the legislation. Congressman J. ROY ROWLAND and MICHAEL BILIRAKIS, cochairmen of the Task Force on Infant Mortality in the Sun Belt Caucus, dedicated personal time to this effort. With their help, the goal of more than 218 cosponsors was achieved within several legislative days. I would also like to thank the staff of the Sun Belt Caucus for their assistance.

It is my hope that passage of this measure will remind us all of what must be done to ensure the birth of healthy babies to healthy mothers. During this year's Mother's Day, I hope more people will be mindful of how important the birth of healthy babies should be to all of us.

Mr. RIDGE. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

HOUR OF MEETING ON WEDNESDAY, MAY 8, 1991

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, May 7, 1991, it adjourn to meet at noon on Wednesday, May 8, 1991.

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

There was no objection.

Mr. RIDGE. Mr. Speaker, continuing my reservation of objection, I would like to acknowledge the good work of our friend and colleague, the gentleman from Florida [Mr. BILIRAKIS], on this resolution.

Mr. Speaker, I yield to the gentleman from Florida.

Mr. BILIRAKIS. Mr. Speaker, I appreciate the gentleman from Pennsylvania [Mr. RIDGE] yielding to me, and of course the gentleman from Ohio [Mr. SAWYER] is always right there any time we have needed him regarding these resolutions, and of course I thank the gentleman from Alabama [Mr. HARRIS] for introducing this piece of legislation.

Mr. Speaker, I am pleased to join my colleagues in supporting House Joint Resolution 194 which would designate May 12, Mother Day, as Infant Mortality Awareness Day. Since 1989, I have served as the co-chairman of the Congressional Sun Belt Caucus Task Force on Infant Mortality and just recently, I became a member of the Select Committee on Children, Youth and Families. I am actively involved with both because I am personally committed to lowering our Nation's dismal infant mortality statistics.

In my home State of Florida, the infant mortality rate is disturbingly high. During 1987, almost 11 infants died before their first birthday out of every 1,000 babies born. In fact, the Sun Belt region has the highest infant mortality rate in the Nation. I feel it is the duty of Congress to raise public awareness and encourage solutions at all levels of government: Federal, State and local.

We can begin by making prenatal and nutrition services accessible to all pregnant women. Some are intimidated by the numerous forms they are required to fill out or the many offices they must visit. I believe centralizing these services through programs such as one-stop shopping would be the answer for those pregnant women desiring assistance but not knowing where to begin.

Unfortunately, there are expectant mothers who do not seek out these services: women addicted to drugs, who abuse alcohol or those who do not understand the importance of prenatal and postnatal care. How do we solve this problem?

That is a difficult question to answer. I feel women need to understand the importance of adequate health care, not only to them, but to the health of their babies. In the past month, I have read two editorials that suggest infant mortality is not a result of malnutrition but is caused, instead, by behavior patterns. There is an element of truth to that statement, but I continue to believe that programs like the WIC Program have been quite successful in enhancing the lives of many children.

Unfortunately, our Government can put all the money it can into programs designed specifically for pregnant women but unless women want these services, we will not be successful. Once again, how do we solve this problem? I believe the first step is education: educating all persons, but especially our young people about the dangers of smoking, excessive alcohol use, and drug abuse. And it is not the sole responsibility of the school system, churches, families, and local leaders need to become involved as well.

If we could encourage these women, through education, to utilize these programs, not only will we have healthier babies but we will also have healthier mothers. Mother's day is an appropriate time to reflect on our Nation's infant mortality rate. Hopefully, discussion of this bill will send a message to all Americans on the importance of this issue to Members of Congress.

Mr. RIDGE. Mr. Speaker, continuing my reservation of objection, I yield to my colleague and friend, the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE. Mr. Speaker, I rise today in support of House Joint Resolution 194, which will recognize Mother's Day, May 12, as National Infant Mortality Awareness Day. I, along with other members of the Congressional Sun Belt Caucus Task Force on Infant Mortality, hope this day will heighten the awareness of this pressing health issue, one which we can and must do something about.

I commend our colleague CLAUDE HARRIS for his leadership in authoring this resolution.

In the South infant mortality rates are especially high. In my home State of North Carolina, for example, almost 13 of every 1,000 babies die before their first birthday. This is why I and other members of the task force have taken this opportunity to join together to ask our colleagues and the citizens of this Nation to use this Mother's Day to reflect upon the tragedy which infant mortality represents and to help us in our effort to ensure our babies a healthier start in life.

The Congress took a significant step toward improving the health of newborns in this country with the passage of the Healthy Birth Act last year. This legislation, sponsored by Representative ROY ROWLAND, cochairman of the Task Force on Infant Mortality, has increased the access to health care services of low-income pregnant women and their children. In addition, Chairman JAMIE WHITTEN and other members of the House Appropriations Committee worked with us last year to expand child nutrition and WIC supplemental food programs. We also increased Medicaid coverage for pregnant women and children and revitalized the National Health Service Corps to get doctors into underserved areas.

As the 102d Congress got underway, the administration proposed to cut maternal and child health programs by $34 million to finance a new infant mortality initiative serving only 10 urban areas across this Nation. Infant mortality is a national problem, not a problem specific to the big cities, a fact we well know in the South. Therefore, I was especially pleased to see my colleagues agree to a $26 million increase in funding for Federal maternal and child health programs as a part of the House budget resolution which passed a few weeks ago. Also in this package, we agreed to triple the President's budget proposal for the WIC Supplemental Food Program, which has increased the birthweights of its participants by more than 50 percent and has saved this country millions of dollars each year in Medicaid costs.

The maternal and child health block grants, WIC, and other programs have played a significant role in improving the health of our children, but unfortunately, despite increases in support, these programs are still not operating at their full potential. The Maternal and Child Health budget, for example, is $100 million below its authorization level. This is an estimated $600 million short of the funding level necessary to support new initiatives for infant mortality prevention—like home visits and rural projects—that will bring better health care services to medically underserved communities. WIC, the program which saves this country up to $3.90 for every dollar spent in prenatal care services for newborns, has an operating budget so low that it can only serve slightly more than half of the pregnant women and children who are eligible for the program.

Now is the time to get our priorities in order, especially those affecting our children. This resolution will help us do that, and I am proud to support it.

Mr. RIDGE. Mr. Speaker, 10 out of every 1,000 children born, it is a horrible statistic, but that is the infant mortality rate in this country, 10 out of every 1,000. Sadly, inexcusably, we rank 21st among the countries of the world with regard to our infant mortality.

□ 1520

Mr. Speaker, I certainly appreciate the leadership of my colleagues, the gentleman from Alabama [Mr. HARRIS] and the gentleman from Florida [Mr. BILIRAKIS], for bringing this measure to the floor.

This is and has got to be an unacceptable level given the quality of medical technology and the knowhow we have in this country, and I certainly applaud and appreciate their leadership on this very, very important issue.

Mr. ROWLAND. Mr. Speaker, nothing is more important than awareness in our efforts to reduce infant mortality.

Too many expectant mothers are unaware of the care they need or how to obtain that care. This is a principal reason why our country continues to have the highest infant mortality rate among the world's industrialized nations.

With stronger educational and public awareness efforts, many thousands of infants could be saved or spared lifetimes of physical, and mental disabilities.

This is why it is so important for all of us to join together in supporting "Infant Mortality Awareness Day"—which is appropriately observed on May 12, Mother's Day.

It is another effort, Mr. Speaker, to encourage our churches, businesses, educational systems, health professionals, community and State governments, and every citizen to help promote healthy births and a lower infant mortality rate.

Mr. RIDGE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ANDREWS of New Jersey). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 194

Whereas in 1988 the infant mortality rate in the United States decreased from 10.1 to 10 infant deaths per 1,000 live births, while the United States international ranking in infant mortality improved from 22nd to 21st;

Whereas, although our Nation has made progress against infant mortality, more than 38,000 babies will die in 1991 before their first birthday;

Whereas in 1991 approximately 375,000 babies will be born exposed to drugs, and an estimated 100,000 of those babies will be born addicted to crack cocaine;

Whereas hospital costs for a drug exposed infant can be four times that of an infant with no indication of drug exposure; and

Whereas in 1991 approximately 2,000 babies will be infected by the Human Immunodeficiency Virus (AIDS), and between 1989 and 1990 there has been a 24 percent increase in overall pediatric AIDS cases compared to a 15 percent increase among adult AIDS cases: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the level of infant mortality is still too high and designates May 12, 1991, as "Infant Mortality Awareness Day", and the President is authorized and requested to issue a proclamation encouraging the people of the United States to work toward the birth of healthy babies.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL SENIOR NUTRITION WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 141) designating the week beginning May 13, 1991, as "National Senior Nutrition Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. RIDGE. Mr. Speaker, reserving the right to object, I do so simply to acknowledge the work of our colleague, the gentleman from New York [Mr. DOWNEY], who is the chief sponsor of this joint resolution.

I have no requests for time to speak on this joint resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 141

Whereas in fiscal year 1991 over 145,000,000 meals will be served in congregate settings to approximately 2,700,000 Americans age 60 and over, meeting the needs of both good nutrition and fellowship;

Whereas in fiscal year 1991 over 115,000,000 home-delivered meals will also be served to approximately 728,000 Americans age 60 and over;

Whereas the dedication of staff and volunteers in helping older people receive hot nutritious meals each day ensures the continued well-being and independence of so many older Americans;

Whereas community-based congregate and home-delivered meal programs make possible the joint use of public and private funds and resources to serve older people; and

Whereas since 1963 the month of May has been designated as "Older Americans Month": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 13, 1991, is designated as "National Senior Nutrition Week", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a

motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the several joint resolutions just considered and passed.

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

There was no objection.

ORDER OF BUSINESS

Mr. OWENS of Utah. Mr. Speaker, I ask unanimous consent that the six special orders of 1-hour duration preceding mine and that of Mr. MILLER of California be delayed until after ours. They have all consented to permit this special tribute to our colleague, MO UDALL.

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

There was no objection.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING CURRENT LEVEL OF SPENDING AND REVENUES FOR FISCAL YEAR 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, on behalf of the Committee on the Budget and as Chairman of the Committee on the Budget, pursuant to the procedures of the Committee on the Budget and section 311 of the Congressional Budget Act of 1974, as amended, I am submitting for printing in the CONGRESSIONAL RECORD the official letter to the Speaker advising him of the current level of spending, credit, and revenues for fiscal year 1991. This is the fourth report of the 1st session of the 102d Congress.

The term "current level" refers to the estimated amount of budget authority, outlays, credit authority, and revenues that are available—or will be used—for the full fiscal year in question based only on enacted law.

Current level reports are intended to provide Members information to compare enacted spending and revenues with the aggregate ceilings on budget authority, outlays, and revenues established in a budget resolution, and also to compare enacted legislation with the allocations of new discretionary budget authority, entitlement authority, and credit authority made to a committee pursuant to subsection 302(a) of the Budget Act. This report compares the spending, credit, and revenue levels in current level with those assumed in the conference report to accompany the budget resolution for fiscal year 1991—House Concurrent Resolution 310. The 302(a) allocations to House committees made pursuant to the conference report were printed in the CONGRESSIONAL RECORD on October 10, 1990, page H9280.

Current level reports provide information that is necessary for enforcing section 311 of the Budget Act. Section 311(a) prohibits the consideration of a spending or revenue measure if the adoption of that measure would cause the ceiling on total new budget authority or total outlays set in the budget resolution for a fiscal year to be exceeded or would cause revenues to be less than the appropriate level of revenues set forth in the budget resolution.

Section 311(b) provides an exception to the 311(a) point of order for measures that would breach the ceilings on total spending set forth in the budget resolution but would not cause a committee to exceed its "appropriate allocation" of discretionary spending made pursuant to section 302(a) of the Budget Act. Such an exception was first provided by the budget resolution for fiscal year 1985—House Concurrent Resolution 280, 98th Congress. The exception was made permanent by the amendments to the Budget Act included in the Balanced Budget and Emergency Deficit Control Act of 1985—Public Law 99–177, Gramm-Rudman-Hollings. This exception is intended to protect a committee that has stayed within its allocation of discretionary budget authority and new entitlement authority from points of order if the total spending ceilings have been breached for reasons outside of its control.

Section 311(c) of the Budget Act provides that, for purposes of enforcing section 311, the levels of new budget authority, entitlement authority, outlays, and revenues shall be determined on the basis of estimates made by the Committee on the Budget. Current level reports represent partial fulfillment of this enforcement responsibility of the Budget Committee by providing both estimates of enacted aggregate spending and revenues, and, for purposes of determining the applicability of the section 311(b) exception, estimates of the relationship between the budgetary effect of enacted legislation within a committee's jurisdiction and the allocation of spending authority made to that committee.

The estimates in this report are based on economic and technical assumptions in place at the time of the adoption of the budget resolution, House Concurrent Resolution 310, on October 9, 1990. This is intended to protect committees which acted on the basis of the assumptions of the budget resolution from changes in economic and technical factors over which they have no control. Unless the Congress adopts a subsequent budget resolution for a fiscal year that alters the assumptions concerning legislative actions, committees should be able to expect that measures that conform with the budget resolution will not be subject to points of order for violation of the Budget Act. To do otherwise and base enforcement on constantly changing economic and technical estimates would seriously disrupt the legislative process, penalize committees that are unable to complete work on legislation within a short period after adoption of a budget resolution, and undermine respect for budget enforcement procedures.

In addition to section 311, the Budget Act contains another point of order that requires Budget Committee estimates for enforcement. Section 302(f)(1) of the Budget Act prohibits the consideration of a measure providing new budget authority, new entitlement authority, or new credit authority if the adoption of that measure would cause a committee to exceed its allocation of new spending or credit authority made pursuant to subsection 302(b) of the Budget Act. The 302(b) allocation is a subdivision of the new spending, new entitlement, and new credit authority allocated to a committee pursuant to section 302(a), among either the subcommittees of that committee or among programs over which the committee has jurisdiction. This point of order was added to the Budget Act by the amendments included in the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 302(g) provides that the enforcement of section 302 shall be based on estimates of spending and credit authority made by the Committee on the Budget. The Budget Committee fulfills this responsibility by providing, as necessary, a separate section 302 status report to the Speaker.

For information purposes only, current level, reports will continue to include a comparison of the budget and credit authority divided among the Appropriations subcommittees by that committee's 302(b) division with the actual enacted spending and credit legislation within each subcommittee's jurisdiction.

As chairman of the Budget Committee, I intend to keep the House informed regularly on the status of the current level.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 1, 1991.

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

DEAR MR. SPEAKER: On January 30, 1976, the Committee on the Budget outlined the procedure which it had adopted in connection with its responsibilities under section 311 of the Congressional Budget Act of 1974, as amended, to provide estimates of the current level of revenues and spending.

I am herewith transmitting the status report under H. Con. Res. 310, the Concurrent Resolution on the Budget for fiscal year 1991.

In the House of Representatives, the procedural situation for fiscal year 1991 with regard to the spending ceilings (total new budget authority and total outlays) and the revenue floor is affected by section 311 of the Congressional Budget Act of 1974, as amended by P.L. 99–177. Section 311(a) prohibits the consideration of a spending or revenue measure which would cause the ceiling on total new budget authority or total outlays set in the budget resolution for a fiscal year to be exceeded or would cause total revenues to be less than the appropriate level set in the budget resolution. Section 311(b) provides an exception to the 311(a) point of order for measures which would breach the ceilings on total spending in the budget resolution but would not cause a committee to exceed its "appropriate allocation" of new discretionary budget authority or new entitlement authority under section 302(a) of the Budget Act.

The intent of section 311(b) of the Budget Act is to protect a committee that has stayed within its spending authority allocations—new discretionary budget authority or new entitlement authority—from points of order if the total spending ceilings have been breached for reasons outside of its control.

The 302(a) allocations to House committees made pursuant to the conference report on H. Con. Res. 310 were printed in the Congressional Record on October 10, 1990, page H. 9280.

The enclosed tables compare enacted legislation to each committee's 302(a) allocation of discretionary budget authority, new entitlement authority, new direct loan obligations and new primary loan guarantee commitments. The estimates of spending and revenues for purposes of the application of points of order under the Budget Act are based upon the economic and technical assumptions underlying the fiscal year 1991 budget resolution, H. Con. Res. 310.

Sincerely,

LEON E. PANETTA,
Chairman.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1991 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 310

REFLECTING COMPLETED ACTION AS OF APR. 30, 1991

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate level	1,485,600	1,236,900	1,172,900
Current level	1,482,806	1,237,086	1,176,177
Amount under ceilings	2,794	.....	.....
Amount over ceilings	.....	186	.....
Amount over floor	.....	.....	3,277

BUDGET AUTHORITY

Any measure which provides budget or entitlement authority and which is not included in the current level estimate and that exceeds $2,794 million in budget authority for fiscal year 1991, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 310 to be exceeded.

OUTLAYS

Any measure which increases outlays and which is not included in the current level estimate for fiscal 1991, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 310 to be exceeded.

REVENUES

Any measure that would result in a revenue loss which is not included in the current level revenue estimate and that exceeds $3,277 million in revenues for fiscal year 1991, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 310.

FISCAL YEAR 1991 BUDGET AUTHORITY—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE PURSUANT TO SEC. 302

[In millions of dollars]

	Current level budget authority
House committee:	
Agriculture	−742
Appropriations [1]	−469
Armed Services	+57
Banking, Finance, and Urban Affairs	−32
District of Columbia	.....
Education and Labor	.....
Energy and Commerce	−14
Foreign Affairs	.....
Government Operations	.....
House Administration	.....
Interior and Insular Affairs	+74
Judiciary	+3
Merchant Marine and Fisheries	−5
Post Office and Civil Service	+869
Public Works and Transportation	.....
Science and Technology	+1
Small Business	.....

FISCAL YEAR 1991 BUDGET AUTHORITY—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE PURSUANT TO SEC. 302—Continued

[In millions of dollars]

	Current level budget authority
Veterans' Affairs	−94
Ways and Means	−2,354

[1] See next table for detail.

Note.—Committees are over (+) or under (−) their 302(a) allocation for "discretionary action."

FISCAL YEAR 1991 HOUSE APPROPRIATIONS COMMITTEE DISCRETIONARY ACTION—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION SUBDIVISIONS OF THE HOUSE APPROPRIATIONS COMMITTEE PURSUANT TO SEC. 302

[In millions of dollars]

	Current level budget authority	Direct loans	Primary loan guarantees
House Appropriations Subcommittee:			
Commerce, State, Justice	+90	−11	−184
Defense	+88	.....	.....
District of Columbia	+98	.....	.....
Energy and Water	−127	.....	.....
Foreign Operations	.....	−17	−1
Interior	.....	.....	.....
Labor, HHS, Education	−359	−1	.....
Legislative Branch	−63	.....	.....
Military Construction	−136	.....	.....
Rural Development and Agriculture	+64	−112	−49
Transportation	−1	.....	.....
Treasury, Postal Service	−4	.....	.....
VA/HUD/Independent Agencies	−119	−198	.....
Total	−469	−339	−234

Note.—Subcommittees are over (+) or under (−) their 302(b) subdivisions for "discretionary action."

FISCAL YEAR 1991 ALLOCATION OF NEW ENTITLEMENT AUTHORITY [NEA] PURSUANT TO SEC. 302

[In millions of dollars]

Committee	Allocation	Reported [1]	Enacted [2]	Enacted over (+) under (−) allocation
Agriculture	+53	+1,309	−566	−619
Appropriations	.....	+2,253	+2,253	+2,253
Armed Services	.....	+2,209	+2,270	+2,270
Education and Labor	−120	.....	+4	+125
Energy and Commerce	+305	.....	+1	−304
Judiciary	.....	+2	+2	+2
Post Office and Civil Service	−1,230	.....	−1,390	−160
Veterans' Affairs	−65	+2	+182	+247
Ways and Means	−4,200	.....	−3,182	+1,018

[1] These figures are used for 401(b)(2) of the Budget Act.
[2] These figures are used for 302(f) points of order.

Note.—The figures for the Armed Services and Appropriations Committees represent the full costs of the January 4.1-percent pay raise for Federal military and civilian personnel respectively. The pay raise was assumed in the budget resolution, but the new entitlement authority [NEA] was not allocated to any committee because the budget resolution assumed that the pay raise would be achieved through administrative actions.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 1, 1991.

Hon. LEON E. PANETTA,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the current levels of new budget authority, estimated outlays, estimated revenues, and direct and guaranteed loan levels in comparison with the appropriate levels for those items contained in the 1991 Concurrent Resolution on the Budget (H. Con. Res. 310). This report, for fiscal year 1991, is tabulated as of close of business April 30, 1991 and is summarized in the following table.

[In millions of dollars]

	Current level	Budget resolution H. Con. Res. 310	Current level +/− resolution
Budget authority	1,482,806	1,485,600	−2,794
Outlays	1,237,086	1,236,900	186
Revenues	1,176,177	1,172,900	3,277
Direct loans	20,607	21,000	−393
Guaranteed loans	106,940	106,800	140

Since my last report, dated April 10, 1991, there has been no action that affects the current level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

PARLIAMENTARIAN STATUS REPORT, 102D CONG., 1ST SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1991, AS OF CLOSE OF BUSINESS APR. 30, 1991

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues	.....	.....	1,176,178
Permanent appropriations and trust funds	1,066,350	801,618	.....
Other legislation	664,057	676,371	.....
Offsetting receipts	−242,564	−242,564	.....
Total enacted in previous sessions	1,487,843	1,235,425	1,176,178
II. Enacted this session:			
Extending IRS Deadline for Desert Storm Troops (P.L. 102–2)	.....	.....	−1
Veterans' Education, Employment and Training Amendments (P.L. 102–16)	(1)	(1)	.....
Dire Emergency Supplemental Appropriations for 1991 (H.R. 1281, P.L. 102–27)	3,773	1,361	.....
Higher Education Technical Amendments (H.R. 1285, P.L. 102–26)	.....	3	.....
Total enacted this session	3,773	1,364	−1
III. Continuing resolution authority	.....	.....	.....
IV. Conference agreements ratified by both Houses	.....	.....	.....
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution	−8,811	297	.....
Total current level [2]	1,482,806	1,237,086	1,176,177
1991 budget resolution (H. Con. Res. 310)	1,485,600	1,236,900	1,172,900
Amount remaining:			
Over budget resolution	.....	186	3,277
Under budget resolution	2,794	.....	.....

[1] Less than $500,000.
[2] In accordance with section 606(D)(2) of the Budget Enforcement Act of 1990 (title XIII of P.L. 101–508) and in consultation with the Budget Committee, current level excludes $45,661 in budget authority and $34,987 in outlays for designated emergencies including Operation Desert Shield/Desert Storm, Debt Forgiveness for Egypt and Poland, and Internal Revenue Service funding above the June 1990 baseline level. In addition, current level outlays include a savings of $1,100 million for the Bank Insurance Fund that the Committee attributes to the Omnibus Budget Reconciliation Act (P.L 101–508) and revenues include the Office of Management and Budget's estimate of $3,037 million for the Internal Revenue Service provision in the Treasury-Postal Service Appropriations Bill (P.L. 101–509).

Note.—Detail may not add due to rounding.

LIMIT TAXPAYER FDIC LIABILITY: CLOSE THE FOREIGN DEPOSITS LOOPHOLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. KLECZKA] is recognized for 5 minutes.

Mr. KLECZKA. Mr. Speaker, I am today introducing, along with 14 of our colleagues, legislation which would close a loophole in current law which allows very large banks to pay less than their fair share in deposit insur-

ance premiums to the Federal Deposit Insurance Fund Bank Insurance Fund [BIF].

This legislation, the Federal Deposit Insurance Fair Assessment Act, would limit potential taxpayer liability in the event of a taxpayer bailout of the BIF—a possibility which is more likely than not—by including foreign deposits and certain nondeposit liabilities in the BIF premium assessment base.

Only domestic deposits are now included for purposes of BIF assessments. This means that banks with substantial foreign deposits received de facto insurance coverage for those deposits. As a result, the Federal safety net now extends to those who simply don't pay their way.

We can't afford it. This legislation, which is strongly supported by the Independent Bankers Association of America, closes that loophole and allows the FDIC to include certain nondeposit liabilities, such as promissory notes, bankers acceptances, and bank notes, in the assessment base.

When BIF premiums rise from 19.5 cents per $100 of insured assets to 23 cents on July 1, smaller banks will pay that increase based on nearly all of their deposit base. Very large banks with substantial foreign deposits will pay the increase on a relatively small part of their base—unless the law is changed.

Let me explain what this means in practice. As of March 31 of last year, Citibank had $43.9 billion in domestic deposits, and $71.5 billion in foreign deposits. It paid deposit insurance premiums on the domestic deposits only, even though the FDIC provides effective protection of foreign as well as domestic deposit. Meanwhile, most American banks, which have few, if any, foreign deposits, pay premiums on virtually all of their deposits.

This discriminates against not only smaller banks, but against healthy and growing regional banks as well. According to a recent study by Mellon Bank, which can be considered a "super-regional bank," a group of super-regional banks with the same level of deposits as the nine major money center banks, institutions with substantial unassessed foreign deposits, paid $862 million in premiums, while the nine money center banks paid only $465 million.

The arguments against assessment of foreign deposits, when examined closely, do not stand up.

Some opponents maintain that these deposits are advantageous since they raise money from foreign sources, and therefore should not be assessed. It should be noted that the initial growth in foreign deposits in American banks was spurred by institutions seeking to get around the Regulation Q ceilings which limited interest rates which could be paid on domestic, but not foreign, deposits. The Treasury study on deposit insurance suggested that at one point as much as 25 percent of foreign branch deposits came from U.S. residents, a startling statistic when one considers these depositors receive protection under the Federal deposit insurance safety net, even though the institution pays nothing to the FDIC on those deposits.

Others maintain that the thinness of spreads on loans to international commercial borrowers, loans financed by the foreign deposits, is such that the imposition of a deposit insurance assessment would make such activity uncompetitive. The Mellon Bank study makes an apt observation in this regard. It concludes: However, the very thinness of margins on these loans indicates this lending diverts resources from more optimal uses. Perhaps banks that compete for these low margin loans without the subsidy of costless de facto insurance on deposits should look elsewhere for investment opportunities.

There is an even stronger argument for this legislation: New funds for the BIF, which the GAO has reported is close to insolvency, can come from a source other than the taxpayer. The Congressional Budget Office estimates BIF income from foreign deposits alone would be $1.5 billion over 5 years. This amount would be even greater under the new 23 basis point assessment. According to some estimates, broadening the base to include certain nondeposit liabilities could bring BIF a comparable amount of new income.

Mr. Speaker, I am joined today by Mr. SANDERS, Mr. PENNY, Mr. DORGAN, Mr. PETRI, Mr. DEFAZIO, Mr. MORAN, Mr. VENTO, Mr. OBEY, Mr. JONTZ, Mr. SENSENBRENNER, Mr. KLUG, Mr. MOODY, Mr. COLLIN PETERSON, and Mr. LANCASTER in introducing this bill. I urge other colleagues to join us as sponsors of this attempt to establish equity in our deposit insurance system while bringing in much needed funds to the BIF.

At this point, I include in the RECORD the text of the bill and related material.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Deposit Insurance Fair Assessment Act".

SEC. 2. FOREIGN DEPOSITS AND CERTAIN NONDEPOSIT LIABILITIES INCLUDED IN THE ASSESSMENT BASE.

Section 7(b)(5) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)(5)) is amended to read as follows:

"(5) ASSESSMENT BASE ADDITIONS DEFINED.—For purposes of this subsection, the term 'assessment base additions' means—

"(A) any uninvested trust funds required to be separately stated in the insured depository institution's report of condition;

"(B) any deposits, and any obligations which would constitute deposits as defined in section 3(l) but for subparagraphs (A) and (B) of section 3(l)(5), received in any office of any insured depository institution (other than a foreign branch of a foreign bank (as such term is defined in section 1(b)(7) of the International Banking Act)) which have not been included in the reported amount of deposits in the report of condition; and

"(C) any obligation or other liability of any depository institution which—

"(i) is not a deposit or an obligation of the institution to any Federal Reserve bank or Federal home loan bank in connection with an extension of credit from any such bank to the institution; and

"(ii) the Board of Directors determines, after consulting with the Comptroller of the Currency, the Director of the Office of Thrift Supervision, and the Board of Governors of the Federal Reserve System, is treated or accounted for in the same manner as a deposit in the general usage of depository institutions.".

[From the Washington Post, Oct. 2, 1990]

FDIC SAYS IT WILL INSURE DEPOSITS IN BRANCHES OF U.S. BANKS ABROAD

(By Jerry Knight)

Government bank regulators have proclaimed a new policy extending deposit insurance to $300 billion kept in overseas branches of U.S. banks, although the coverage is not authorized by law and banks do not pay for the insurance.

The Federal Deposit Insurance Corp., spelling out explicitly what had been an informal policy of insuring offshore deposits, said the strategy is necessary to protect the competitive position of the nation's big banks. The nine largest U.S. banks, according to the FDIC, have 51 percent of their deposits in offshore branches.

The new policy, taken without consultation with Congress or the Treasury Department, has already split the banking industry and sparked criticism from Congress, which is considering an overhaul of the federal bank insurance programs in the wake of a costly cleanup of the savings and loan industry.

The FDIC position was detailed in a letter written last week by Paul G. Fritts, director of supervision, explaining why the agency bailed out depositors who had $37 million in accounts in a Nassau branch of National Bank of Washington. Pointing to the heavy reliance of big banks on overseas deposits, Fritts said, "it was believed that negative repercussions would have been felt by these money center banks if the Nassau deposits were not included in the NBW transaction, because of the confusion in the international markets that would have been created by such a decision."

International business is becoming increasingly important for big U.S. banks, which have huge operations in financial centers like London and Tokyo. Although most other nations do not have elaborate deposit insurance systems like that of the United States, their governments have promised to stand behind banks and protect depositors when banks fail. U.S. bankers contend they must be able to offer the same kind of protections to compete with their foreign rivals.

The deposit insurance system created by Congress in the 1930s does not authorize the FDIC to insure depositors in foreign branches of U.S. banks, but the FDIC has found ways to protect offshore accounts indirectly.

In most cases, the FDIC finds it cheaper to sell a failed bank to some other financial institution rather than simply pay off depositors. When the bank is sold, all deposits are transferred to the new owner—in effect saying to the foreign depositors that the new bank will honor their accounts.

FDIC officials say bank rescue deals that protect foreign depositors are both justified and legal, so long as the cost to the taxpayers is less than paying off the depositors directly. Foreign depositors have been made whole in all bank failures for several years. FDIC officials said. In the case of NBW, the branch in the Bahamas was sold to Riggs National Bank, which took over the entire NBW operation.

The FDIC policy spelled out in the NBW case is likely to add to the pressure in Congress to revamp the deposit insurance system. There is already widespread bipartisan support in both houses of Congress to change the way overseas accounts are handled.

One solution—advocated by Senate Banking Committee Chairman Donald W. Riegle Jr. (D-Mich.)—is to renounce the FDIC pol-

icy and specifically forbid the FDIC from protecting offshore depositors in any way.

An alternative plan would require banks to pay for deposit insurance on their overseas deposits, as proposed by a number of legislators, including House Banking Committee Chairman Henry B. Gonzalez (D-Tex.), Senate Minority Leader Robert J. Dole (R-Kan.) Sen. Charles E. Grassley (R-Iowa) and Sen. Jim Sasser (D-Tenn.). The FDIC now has no legal power to make banks pay insurance premiums on their overseas accounts, since those accounts are not covered by law.

The banking industry is sharply divided on the issue. The American Bankers Association backs the Riegle proposal to deny deposit insurance coverage on foreign accounts while the Independent Bankers Association of America endorses charging banks for insurance on overseas accounts.

The FDIC could collect an additional $600 million a year to bolster the beleaguered deposit insurance fund if banks were charged premiums on their overseas deposits, said Kenneth Guenther, executive vice president of the Independent Bankers, which represents small banks that don't have foreign branches.

The FDIC policy was spelled out in a letter to Guenther, who described it as "an unusual letter. They're almost calling attention to the inequities in the whole system." Guenther and many members of Congress contend the FDIC policy is unfair to little banks, which must pay for federal insurance on all their deposits while the big banks get insurance on their foreign deposits.

ELIMINATE DRUG VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. GUARINI] is recognized for 5 minutes.

Mr. GUARINI. Mr. Speaker, 2 days ago in Bogota, Colombia, an assassination took place that sent a chilling message.

To the citizens of Colombia it said that, despite their courageous efforts to stand up to the drug traffickers, these senseless killings will continue as long as there is a demand for drugs.

To Americans, this brutal murder said that every time you use drugs and continue to create the demand for drugs—Colombians suffer the consequences.

Enrique Low Murta was the former Minister of Justice whose commitment to winning the drug war cost him his life. His commitment to fighting the drug problem was clear and unequivocable.

What makes this assassination even more troubling is the fact that it took place exactly 7 years after another Minister of Justice, Rodrigo Lara Bonilla, was murdered. I had the privilege of meeting Mr. Lara some years ago on a trip to Colombia with our colleague, CHARLES RANGEL. Mr. Lara was a courageous man who acted on the strength of his convictions. He lost his life in the fight against drugs.

We all know people die every day because of drugs right here on the streets of the Nation's Capital. We all know that the murders in Colombia will continue every day because of the demand for drugs that we create.

We cannot continue to expect the Government of Colombia to fight this scourge alone. The people and the leaders of Colombia are in a life and death struggle to save their democracy. We must help them for their sake as well as ours.

What happened there can happen here and threaten our own democratic system.

To those who do not support the death penalty, I say that there are circumstances that warrant its use. We must eliminate drug violence now or face a time in the future that our own survival is at risk.

TRIBUTE TO MO UDALL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS of Utah. Mr. Speaker, we are met this afternoon in this extraordinary special order to pay tribute upon his retirement this coming weekend of our colleague and close friend, MORRIS K. UDALL, MO, who will retire from the House after 30 years of distinguished service.

GENERAL LEAVE

Mr. OWENS of Utah. Mr. Speaker, I ask unanimous consent and general leave that Members may have 20 days in which to revise and extend and insert remarks of tribute to MO UDALL, and that all such remarks and any delivered in the other body be compiled, printed, and made available to Members for their distribution.

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

There was no objection.

TRIBUTE TO MO UDALL

Mr. OWENS of Utah. Mr. Speaker, MO UDALL was first elected to this body 30 years ago today. So we are met, first, to celebrate the anniversary of that election.

How is it possible that a man could serve in this body for 30 years, be a crusading and controversial idealogue who challenged its systems and perks, yet became one of its most productive and creative legislators, and finished his service without any enemy, thousands of devoted friends, and millions of admirers?

It doesn't explain the phenomenon of MO UDALL to say that he was a brilliant wit of unchallenged integrity who understood both man's frailties and mankinds's potential. All that it true, of course, but like everything else written and spoken, seems inadequate.

We are met this afternoon in this extraordinary special order, also to pay tribute upon his retirement, this weekend, of our colleague and friend MORRIS K. UDALL, "MO", who will retire from this house after 30 years of distinguished service.

I ask that Members be forgiven for exaggerations and inordinate use of superlative adjectives and phrases which they will use in describing MORRIS KING UDALL, pointing out that many such apparent exaggerations will, in fact, be accurate. And I ask MO'S forgiveness on behalf of his many colleagues for exaggerations of their closeness to him; such should not be taken as efforts of self aggrandizement so much as expression of admiration and because each one of us does feel special closeness to this great man.

I also ask that words not otherwise normally used in House proceedings may be used in limited circumstances today, where such are required in retelling anecdotes attributed to him, because otherwise the real spirit and genius of his humor may not be communicated.

We are all genuinely sorrowful that the object of our remarks cannot be present today because of his injury. If he were here, he would complain about being forced to be present at a funeral while still very much alive, and he would tell self-deprecating stories, and would be uncomfortable at ours. Though he wouldn't take our praise seriously, he would love it, and I wish with all my heart that it were possible for him.

We all share the sincere hope that Mo's convalescence will continue, and that he will have a fruitful retirement. A rich contribution is still to be made by him if it is given for him to be able to write and to speak and to share his remarkable insight into government and policy, and his unmatched wit, and we all join in hoping and praying that such will be possible.

MO UDALL called me his bishop, as well as his friend. Our common Mormon heritage and small town upbringing did provide a unique bond, I suppose, but in a much larger sense so did our common political philosophy. And I flatter myself by believing that I share some of his gentle politics and love of life.

No higher honor ever came to me than the opportunity to help officiate, 2 years ago, when MO married Norma Gilbert, sharing that responsibility with Dr. James Ford, the House Chaplain.

Some of Mo's family and friends have encouraged him to retire over the last couple of years as his Parkinson's disease worsened and made his performance here as a Member difficult. Until very recently, I did not share that belief, and I have encouraged him to continue. Some 2 years ago, MO sat down by me on the floor, and I offered encouragement for him to continue, after which he said he didn't want to hang

on if it became impossible for him to carry his own weight.

I assured him then that if conditions ever came to that point, that he should be reassured that I would find the way to communicate that information. His own decision to retire next year, then his accident in January and decision to leave now, made that painful obligation unnecessary, but his sensitive concern about perpetuating himself beyond usefulness reflected his love and respect for the institution of the House.

Everyone has a favorite MO UDALL story. Mine has no point whatever, except that it illustrates the depth of this special man's wit. Its retelling on the floor of the House may challenge established rules, but if it does, so be it, because it will thereby, coincidentally, illustrate MO's belief that House rules should be periodically challenged and tested and improved.

Upon his entry into Congress 30 years ago, MO was assigned to the Post Office and Civil Service Committee, and he was immediately assigned the issue of whether children fathered outside marriage by a Federal employee should be allowed benefits upon the employee's death. MO introduced and achieved passage of legislation conferring such benefits on illegitimate children of Federal employees and was invited to the White House for a formal signing ceremony. In an affectionate gesture, MO called it his poor bastard's bill.

Shortly thereafter, campaigning in a small town near his own hometown, a service station operator complained to him: "When are you big boys in Washington going to do something for the poor bastards of the world?" MO's response to him was: "Sir, we took care of you just last week."

I first met MO UDALL in 1968, when I was Western State coordinator in the Presidential campaign of Senator Robert Kennedy, and MO was in his seventh year in the House and already recognized as a leader here. Four years later I ran for Congress myself, and MO responded to my request to help me. He was to come to Utah to campaign for me in every election I have run, including losing races for Senator and Governor, except for last year when he was physically unable to do so.

From that relationship came a comparable one with MO's brother Stewart, with whom I associated in the practice of law for several years, principally sharing representation of cancer and leukemia victims of uranium, mining, and fallout from America's atomic bomb testing of the 1950's and 1960's. No two brothers in the history of this country have shared greater love between them, and more selfless commitment to public service than MORRIS UDALL and his brother Stewart—from close association with both I can so testify.

Stewart chaired MO's campaign for President in 1976, and history will record that had 15,000 voters in 5 primary States voted for MO rather than Jimmy Carter, the history of this country and, indeed, of the world could have been very different.

A side benefit from MO's candidacy, incidentally, was that he first made Presidential candidacy by a House Member credible.

Senator TED KENNEDY commended, early on during MO's campaign for President, that:

> MO UDALL should have been Speaker of the House. Having failed in that, he may yet become President of the United States.

But for his illness, MO would probably have run for President in 1984, and in this Member's view, would have been a formidable candidate. The disease which he believes had already begun to work on him when he first ran in 1976 denied the followup effort which might have succeeded.

So our country lost the challenge and integrity and leadership which a Udall Presidency would have given us, and today we express our gratitude that we had 30 years of MO UDALL's work in the House. All in all, his has been a formidable and unsurpassed contribution to our national well-being, and all his friends—and that's everyone in the House and the Senate—wish him well in his retirement years.

Mr. Speaker, I am inserting in the RECORD a historical account of MO UDALL's legislative accomplishments taken from the Phoenix Gazette of Saturday, April 20, as well as a selection of editorials and stories about him taken from various newsletters and newspapers.

MO UDALL'S MONUMENTS

(By Mark Shields)

To see the prodigious legacy of Rep. Morris K. Udall (D-Ariz.), one need only look about the nation he so passionately loved and so ably served—at American hills rescued from the strip miners' scars by his legislative leadership. His public monuments endure: more than 100 million acres protected by the Alaskan Wilderness bill; a campaign finance law which, beginning in 1976, went a long way toward freeing our presidential elections from the millionaires' auction block; civil rights laws and civil service reform.

Mo Udall has been a gentle giant with laughter in his soul and integrity in his bones. He is that rarest of political liberals, a man who loves both humankind and real people, too. Those of us lucky enough to have been part of the 1976 Udall presidential campaign (with seven second-place primary finishes behind Jimmy Carter) will always remember the joy and never forget the frustrations. The easy going Udall led a campaign more notable for its high spirits and abrupt changes of manager than for its competence and direction. To his credit as a person, but to his detriment as a presidential candidate. Mo lacked that all-consuming conviction that the fate, fortune and future of the planet depended upon his being elected.

How else to explain that year's Wisconsin presidential primary, when, after being declared a winner over Jimmy Carter by both NBC and ABC, Udall woke up the next morning to final returns which left him one-half a percentage point behind the Georgian? Masking the hurt and with the kind of perspective we so desperately need in a president, Mo, pointing to a reporter's notebook, had this to say to the press: "I'd like to ask each of you to take those statements I made last night and in every instance where you find the word 'win' strike it out and insert the word 'lose.'"

"Humor," according to Udall, remained "the best antidote for the politicians' occupational disease: an inflated, overweening, suffocating sense of self-importance," of which there was never so much as a trace in the rangy Arizonan.

But Mo Udall will always be more than a roster of his greatest stories or a list of his legislative victories. He was a genuine political leader. To read the congressional newsletters he wrote to his Tucson constituents is to understand just how highly he valued the instincts and the intellect of the people he represented.

To his fellow citizens in the election year of 1966, he urged this response to increased federal spending: "Let's do it by tax increase and not by inflation." In 1967 his position on Vietnam was "to say as plainly as I can that I was wrong two years ago, and I firmly believe President Johnson's advisers are wrong today." To him the political leaders' first responsibility was always to lead.

That kind of politics is not much in vogue in 1991. Rep. David Obey, the Wisconsin Democrat, believes what mattered to his close friend, Udall, was "how a great democracy goes about making up its mind and how its elected political leaders help the country frame those choices." Obey finds irony in the almost simultaneous departure from the political scene of the late GOP chairman Lee Atwater and Democrat Mo Udall. "Their approach to politics was mutually exclusive," he says. "One was slash and scorched-earth, build up your opponent's negatives, and the other said: 'Let's try and raise people's awareness, while remaining friends with our opponents and never suggesting that everybody on the other side is a threat to national security or public safety.'"

There could be no more fitting tribute to the career of Mo Udall than to ask ourselves which kind of politics best serves our children's future and which kind we as voters will reward.

UDALL'S STYLE DESERVES RESPECT

(By Joseph M. Bauman)

Rep. Wayne Ownes, D-Utah, had a haunting comment: What would have happened if 15,000 more citizens had voted for Morris Udall in the 1976 presidential primaries?

"What a lot of people don't know is that with a change of 15,000 votes in five primaries in 1976, he would have won those five primaries. . . . Those were the key primaries. He ran a razor-thin second in each of five primaries," Owens said.

It's always fun to speculate about what might have been, and in this case, it's rumination on a gargantuan scale. If Udall's campaign had pushed just a little harder; if a few more environmental groups had worked for him; if, if, if. As it happened, Udall was the last opponent of Jimmy Carter to drop out of the Democratic primaries.

If the Arizona congressman had won those critical five races, and assuming he then collected the nomination and went on to defeat Gerald Ford, the world certainly would be different today.

For one thing, Udall had political savvy, while Carter was deficient in that department, leading to this century's only turnover in a president's re-election bid.

So much for what ifs. What really happened is that Udall classically fit John F. Kennedy's definition of courage: grace under pressure.

In the past few years, he has been tormented by Parkinson's disease, deteriorating more fearsomely all the time, until last week his family was forced to announce he was retiring from the House of Representatives.

Throughout a decade and a half of increasing pain and disability, he bravely went about his business, chairing the House Interior Committee with his trademark skill and good humor.

I remember seeing him when he arrived in Salt Lake City for a hearing on the proposal to build a high-level nuclear waste repository on the doorsteps of Canyonlands National Park, around 1982. Udall had just flown over the site. (He had a special interest in Canyonlands, beyond his usual efforts to protect national parks, because his brother, the great conservationist Stewart Udall, was instrumental in establishing Canyonlands.)

Morris Udall exited the plane and shuffled into the airport, and I was shocked by his pained, weary expression and stiff gait. It was terrible to see how he was wracked. He headed for the men's room, not looking right or left.

But as Terri Martin, Utah representative of the National Parks and Conservation Association, said, he then "chaired this hearing with command, humor, direction and clarity."

Brant Calkin, now the director of the Southern Utah Wilderness Alliance, Cedar City, ran for state land commissioner in New Mexico several years ago. Udall took time to speak at a fund-raising function in Santa Fe, after working all day.

When he arrived, Udall was clearly suffering from fatigue and the effects of Parkinson's disease, but he still held a press conference for Calkin. Reporters seemed interested in talking to the representative all night, although Udall was getting extremely tired.

So when a reporter asked Calkin something, and Calkin answered, Udall took the opportunity to close the press conference, saying—as is traditional at the end of a White House meeting with reporters—"Thank you, Mr. President."

Udall had difficulty putting on his jacket because it required reaching painfully behind himself. He chatted about this, perfectly candid.

"Even though he was very ill, if you asked him about it he didn't shy away and he didn't seek any particular pity. He just told how he dealt with it," Calkin said.

Roland Robison, now regional director of the U.S. Bureau of Reclamation, knew Udall when Robison worked on the staff of another congressman, and later as an official with the BLM and then Reclamation.

"Morris Udall always livened up committee meetings," he said. "He always had something witty to say, but it was never mean. It was frequently directed toward himself.

"His humor was the type that made people laugh, but at the same time made them feel good."

Udall used humor to turn aside anger, soothe ruffled feathers, throw light on an issue. "Even though he was totally substantive, he used humor as a tool, and had the quickest wit of anybody that I've ever known," Owens said.

"I'm using superlatives, but it's hard to talk in any other terms."

Although Udall could turn almost any situation into a telling quip, he was totally substantive, Owens said. In difficult mark-up sessions, when everybody was getting hot and bothered over the wording of some bill, "inevitably he would come up with the language that solved all the problems."

"He was the most creative legislator I ever knew. He saw legislative opportunity and was able to cast chaff aside. . . . He was really not only unsurpassed, he was really unequaled in the House."

"We held the guy in the highest esteem," said George Nickas of the Utah Wilderness Association. "We had our differences on policy issues at times with Mo Udall. He was always a very strong supporter of the mining interests and the 1872 Mining Law, for example."

He also was an especially strong advocate of the Central Arizona Project, a monstrously big water project in that state. He watched out like a hawk for his constituents, miners, small ranchers, other public-land users.

"Even though he was supporting some things that we environmentalists didn't agree with, you always knew he would deal fairly with you on the issue—and that he was always concerned about the environment," Nickas said.

Let that ideal serve as a beacon in our rough-and-tumble environmental debates; deal fairly and openly, state positions honestly. A clean fighter, regardless of which side he espouses, should win the respect of all.

[From the Phoenix Gazette, Apr. 20, 1991]

MORRIS K. UDALL

JUNE 15, 1922

Born in St. Johns to Levi Stewart and Louise Lee Udall. Morris was the fourth child in a pioneer Mormon family of three boys and three girls. His father became a chief justice of the Arizona Supreme Court; his mother was active in civic affairs and wrote a book, "Me and Mine," about the life of a Hopi woman.

1929

Loses his right eye after being cut with a knife while playing with another boy. An alcoholic physician botches treatment, causing an infection that almost causes Udall to lose both eyes.

1931

Contracts a nearly fatal case of spinal meningitis.

1938–40

Udall is co-captain of the St. Johns High School Redskins basketball team. He also quarterbacks the football team, acts the lead in the school play, edits the yearbook, plays trumpet in the school band and serves as student body president and valedictorian.

During this time, Udall develops a passion for politics, history and international affairs, and writes a column for the Apache County Independent News.

1940

Enters the University of Arizona on a basketball scholarship.

1942

Drafted and assigned to a limited service, non-combat support unit in Fort Douglas, Utah, for those with physical handicaps. He is assigned to Lake Charles, La., where he spent nearly two years.

With only two years of prelaw training, Udall defends a black airman accused of killing a white guard while attempting to escape from a stockade. Six white officers sentence the man to death; Udall later writes, "The case still haunts me."

1945

Shipped to Iwo Jima, he arives on "D-Day plus 155" with a piano and sporting equipment to entertain troops.

1946

Receives an honorable discharge with the rank of captain. He returns to the UofA.

1947–48

Student body president, co-captain of a Border Conference championship basketball team and a full-time law student.

1949

Graduates with a bachelor of law degree from the UofA with credits from the University of Denver, where he played professional basketball for the old Denver Nuggets.

He has the highest score on the state bar exam in 1949. That same year, he forms a law partnership with his brother, Stewart.

1950

Named chief deputy Pima County attorney.

1952

At age 30, Udall is elected county attorney.

1954

Loses a bid for Superior Court judge.

1960

Publishes his first book, Arizona Law of Evidence, later referred to as the Arizona trial lawyer's bible.

1961

On May 2, Udall wins a special election to Congress by a narrow margin over Republican Mac Matheson to fill a seat left open after Stewart Udall is named interior secretary. Udall is sworn into office May 17.

Udall is named to the Interior Committee and the Committee on Post Office and Civil Service.

1965

Udall's first wife, Pat, with whom he had six children, calls him at his Tucson office and tells him she wants a divorce.

Also that year, Udall irritates labor by voting Arizona's way on right-to-work legislation.

1967

Udall faces voters in Tucson to announce his opposition to the Vietnam War. The speech makes headlines from the Nogales Herald to The New York Times.

1968

Challenges House Speaker John McCormack, who was then 77, and loses in the Democratic Caucus.

That same year, Udall marries Ella Royston, who was a staff member on the post office panel.

Publishes "The Job of the Congressman," considered a must-read for new members of Congress.

1970

Udall runs against Hale Boggs for the post of majority leader. The vote in the Democratic Caucus: Boggs, 140; Udall, 88, and a conservative candidate, 17. Udall turns his "Mo" button upside down so it read "Ow" and considers returning to private law practice.

1972

Publishes "Education of a Congressman."

1974

On Nov. 23, 1974, Udall announces in New Hampshire he is a candidate for president.

1976

Udall enters—and loses—22 primaries.

Later, Udall falls off a ladder, breaking both arms. He contracts viral pneumonia, suffers a burst appendix, get peritonitis and shows sign of Parkinson's disease.

1977

Udall is named chairman of the Interior Committee, becoming Arizona's first House committee chairman since 1952.

1979

Udall is diagnosed as having Parkinson's disease, and incurable and debilitating nerve disorder.

1980

Delivers keynote address at the Democratic National Convention in New York.

1982

Udall and his Tucson Democratic allies threaten to take the Arizona Legislature to court over its redistricting plan, which Udall contends unfairly splinters the Hispanic vote. Lawmakers compromise and place more of Tucson in the 2nd Congressional District; Udall runs for re-election there and wins easily.

1984

Announces that he will not seek the Democratic presidential nomination, saying the campaign would become a forum on Parkinson's disease.

1988

Udall finds the body of his wife, Ella, in the garage of their Virginia home. The death is ruled a suicide.

Later, publishes "Too Funny to be President."

1989

Udall marries his third wife, Norma Gilbert, a former Interior Committee aide.

1990

Announced his re-election bid will be his last.

1991

Jan. 6, Udall falls in his Arlington, Va., home, breaking four ribs, a shoulder blade and a collarbone. Udall is transfered to a nursing home at the Veterans Administration Medical Center.

Jan. 24, the House votes to name California Democrat George Miller as acting chairman of the Interior Committee.

April 5, Udall's wife, Norma, sends a letter to Foley saying her husband may have to resign unless his health makes a "marked improvement."

April 19: Udall's office announces he will resign.

MO IN CONGRESS

1964

Acts as floor whip for civil rights legislation.

1965

The legislative fight begins for the Central Arizona Project, and Udall joins an effort to build two dams in the Grand Canyon as part of the massive water project. Two years later, after environmentalists balk at the idea, Udall realizes the CAP will never become a reality with dams in the Grand Canyon.

1967

Challenges archaic House seniority system by successfully spearheading an effort to strip Adam Clayton Powell of his chairmanship of the House Committee on Education and Labor.

1968

The CAP bill is signed into law by President Johnson.

1969

Sparks an inquiry that flushes out the secret of the massacre of civilians at My Lai, a Vietnamese hamlet.

1970

Gains passage of the Postal Reform Act, which makes the Postal Service a semi-private corporation.

1971

Is chief sponsor of the 1971 Campaign Reform Act, which made the first real national rules for campaign finance, limiting expenditures and contributions and providing for voluminous disclosure.

1972

Introduces legislation to put more than 100 million acres of federal land in Alaska into new national parks, wildlife refuges and national forests.

1977

President Carter signs Udall's strip-mining legislation, which for the first time provides direction to the mining industry for reclaiming and restoring coal stip mine land.

1978

Sponsors Indian Child Welfare Act that establishes standards for placement of Indian children in foster or adoptive homes.

Also, plays a major role in passage of Carter's civil service reforms.

1979

Udall's Archaeological Research Protection Act passes, setting up a system for safeguarding Indian artifacts and other archaeological resources from vandalism and theft from public lands.

1980

President Carter signs the Alaska Lands bill into law. The bill doubles the size of the national park system, doubling the size of the national refuge system and tripling the size of the national wilderness system.

1984

Arizona Wilderness Act of 1984 passes, protecting more than 1 million acres of state land.

1987

Sponsors amendment to the Price-Anderson provisions of the Atomic Energy Act of 1954 to provide additional money to compensate the public in the event of a nuclear accident.

1989

Wins passage of an Indian gaming act that provides for the first time minimum federal regulations for gaming activities on reservations.

1990

Wins passage of the Arizona Desert Wilderness Act, which protects more than 2 million acres of federal land from development. Cosponsors legislation to protect the Grand Canyon from the effects of water flows from Glen Canyon Dam.

Plays a key role in passage of the Tongass Timber Reform Act, ending huge federal subsidies to two pulp mills that were cutting down the ancient forest in south-east Alaska. The bill also protects more than 1 million acres from logging and road building.

Mr. OWENS of Utah. Members will all have stories, and that is just to get us started in a special spirit of tribute.

MO is still very much alive and with us, and we are very grateful for that.

Initially I am delighted to yield to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Speaker, I thank the gentleman very much for yielding to me.

I appreciate the efforts of the Members of this House in setting aside this special time to express our deeply felt feelings about our colleague, MO UDALL.

□ 1530

While I have just recently returned to this Chamber, I would like to say that I served here from 1965 until 1977. I remember so vividly the warm and cordial reception that I received as a nervous freshman from Hawaii, and the wise counsel that he continued to offer me, and our special relationship grew as I served under him in the Committee on Interior and Insular Affairs.

We had some very complex problems that affected the people out in the Pacific. I became more or less a personal ambassador to the interests of the people of the Trust Territory. MO's constant and wonderful advice that he offered me during those years made it possible for me to advance the cause of the people of the Pacific. Therefore, today, in special recognition and as a representative of the people of the Pacific, I want to say to MO if he is watching the telecast of the special order, that we think of you as really one of the great champions of the people of that part of the world. You shall always be remembered in that context.

I have had the remarkable opportunity, also, I would like to say, to serve on the Committee on Interior and Insular Affairs, and eventually because of my tenure on that committee, to become the chair of the Subcommittee on Mining and Natural Resources. I was harassed to a point of almost delirium in undertaking the responsibility of writing and marking up the Surface Mining and Reclamation Act. I was harassed constantly because Members said that there was no coal in Hawaii, how could I possibly understand what it was like, to understand what it is like to mine it, to understand the economic conditions that States have to undergo in this very, very complex industry. However, I endured, and it was only possible for me as the chairman of that subcommittee to come up with the bill, to mark it up, and to report it to the full committee, under the chairmanship of MO, because of his constant guidance and endurance and reassurance and support that he gave. It is today one of the most remarkable pieces of legislation in which I have had the privilege of being connected.

I am ever so proud of the leadership that he has provided on so many like issues affecting scores and scores of communities across the country. His deep abiding understanding of the aspirations and feelings in these countries, and what national legislation in that regard meant. So it is with a very special, warm sense of Aloha, as we say in Hawaii, that I want to say to MO that you will be missed, and I shall always remember the leadership and guidance and warm feeling of association that we had during the years of our tenure. I wish you well, and I want you to know we will be thinking of you and holding your words of wisdom constantly to our heart as we continue to do our best for the people, for the resources, and for the environment of this Nation, in your memory. Thank you.

Mr. OWENS of Utah. Mr. Speaker, I yield to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Mr. Speaker, it is a little hard for me to put into words the deep affection I have for MORRIS UDALL. I met him in 1975 when I was a candidate for the County Legislature in Monroe County, NY. He was just doing exploratory work to be a candidate for President in 1976. My county was headed heavily toward Jimmy Carter because the great Midge Costanza lived there. As I usually had done, I was going a different way and I decided after meeting MO that I would very much like to run his Presidential campaign in two congressional districts. Scoop Jackson was running that year, and they had lots of money and resources, and MO was only able to give me $5,000 for two congressional districts. I often said that was the only Presidential primary that has ever been won by word of mouth. We did very well.

He earned affection and love in my county that will exist forever. We also said if we had just been lucky enough to elect MO UDALL President, we would surely have had another Lincoln. To show Members the kind of man he was, when I ran for reelection again to the county legislature, MO came all the way up from Washington to campaign for me. We had a strong friendship throughout all the years. Whenever I had an opportunity to come to Washington, he always made time for me and always called me "Lady Lou," and every now and then he would write a note to see how I was doing. He always cared so deeply, and so grateful for everything that people had done. I think he was surprised how well we had done with our word of mouth Presidential campaign too.

I remember telling him once how pleased I was that a man who had come from a State that had only ossified forests, and was basically covered with Kitty Litter, could have so much feeling for my part of the country, where I was born, where strip mining was killing the State. I apologize to all Arizonans for having said that, but it was typical of MO, even though it was not the kind of land he grew up in, he cared enough about the country from one end of it to another. When he saw environmental degradation taking place, MO was the person who led the fight to stop it. I think he set a standard for everyone of intelligence and integrity and courage throughout his time in this House. The words that he said on this floor, and the bills that he has passed, and like most people who serve here in this Congress, hundreds of thousands and even millions of people in this country who will never know his name benefit from the work that he did here. He knew a thing or two about friendship. He always was there to give a little advice and a little help and to cheer everyone up with a little joke.

We serve with many giants in this House, and we look out on the marble steps we go up and down, and the footprints that have worn down those steps, and we know the kinds of people that have served here over the years, but no one looms larger, leaves such footprints, and leaves such a space here, and yet so fills our hearts, as MORRIS UDALL. I miss him, and I do not hesitate to say that I love that man.

Mr. OWENS of Utah. Mr. Speaker, I am pleased to yield to the distinguished gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to one of the finest colleagues I have ever had the privilege to serve with. MO UDALL has been one of my closest friends in Congress, despite the fact that he borrowed my mule joke. I won't tell it here, but just remember that it's my joke when you do hear it.

MO UDALL is retiring from Congress with one of the most outstanding records of anyone who has ever walked these Halls. Generations from now, people will remember what he did for this Nation by setting aside vast wilderness areas to be preserved for posterity.

As chairman of the House Interior Committee, MO UDALL dedicated himself to producing a wide range of environmental and wilderness-protection legislation. It is to his credit that so much of the splendid wilderness in Alaska has been preserved. He also tackled environmental issues such as strip mining reclamation and nuclear waste disposal.

For almost 30 years, MO UDALL has served in Congress with dignity and statesmanship. He has been one of the best-loved and most widely respected Members of Congress.

He has been one of those unique public servants who can focus on the broad, national issues, while doing an excellent job serving his constituents at home in Arizona.

I had the privilege of working with him on the monumental Central Arizona Project. He worked tenaciously to obtain the funding for that water project and it was quite an accomplishment.

In closing, I would like to say that I will miss having MO here. I will miss his good humor and great spirit.

It has been a genuine pleasure to know him and work with him, even if he did borrow my joke. I'm sure I'll borrow some of his one day. I just wish I could tell them as well as he does.

All in all, his has been a formidable and unsurpassed contribution to our national well-being, and all his friends—and that's everyone in the House and the Senate—wish him well in his retirement years.

Mr. OWENS of Utah. Mr. Speaker, I am pleased to yield to the gentleman from Arizona [Mr. KOLBE], a colleague of MO'S.

Mr. KOLBE. Mr. Speaker, I want to thank the gentleman from Utah for yielding. Let me say at the outset that the Members of the Arizona delegation will also have a special order next week in which we will pay tribute to our colleague. I know that some other Members who were not able to be here today will want to join at that time.

Arizona clearly has been blessed, as this Nation has been blessed, as this House has been blessed, by the presence of MO UDALL and what he has given to this Nation. But those Members that come from Arizona have perhaps seen it first and seen it longest, and have the strongest sense of what he has given to the United States, representing that part of the State that MO UDALL also represented before, before the last change in districts, representing that part of the State has been represented by MO UDALL for nearly 40 years in Congress.

□ 1540

I know the strong impact the Udalls have had on our State, both sides of the Udall family, Republicans and Democrats; not too many people perhaps in this body realize that at least half the Udall family, a very strong half of the Udall family in Arizona are Republicans; in fact, the Chief Justice of the Supreme Court in Arizona was a Udall, an uncle of MO's, was a Republican.

You know, it is true that MO and Barry Goldwater and others who have served in this body and in the Congress of the United States from Arizona, and I think of Carl Hayden, John Rhodes, the Republican leader, and Barry Goldwater and MO UDALL, many of them have left such a strong imprint, and two of them at least, MO UDALL and Barry Goldwater, were candidates for President.

MO UDALL sometimes liked to say that Arizona is the only State where mothers cannot raise their children to

grow up and say, "You can run for President someday," because in Arizona it does not seem to work; but that is OK, because Arizona has been blessed by the fact that Barry Goldwater and MO UDALL stayed in the Congress of the United States and we had their strong leadership in this body and in the Senate.

The achievements of MO UDALL for our State and for our Nation are almost too many to enumerate. Certainly one thinks in terms of land and the very special things MO UDALL has done to preserve land, perhaps nationally the Alaskan National Wildlife Refuge will go down as the greatest achievement that MO UDALL left legislatively in this body.

I think just last year of the wilderness bill, the first BLM wilderness bill to be passed in this Nation which we got through because of the leadership that MO UDALL was able to provide and to bring the Arizona delegation to a consensus, a very difficult, hard-fought consensus to bring about, and that MO UDALL was able to achieve that; the central Arizona project, its authorization nearly 20 years ago, now coming close to its completion, the political reforms that he brought about in this House, the campaign finance reform legislation that he enacted.

I think, too, in Arizona of the Indian water settlements which have been so vital to Arizona's future. Without those Indian water settlements, facing years and years of litigation, Arizona would not have had the opportunity to grow into the kind of State that it is today, so it is in a very quiet way those complex, difficult Indian water settlements have been vital to the future of Arizona.

But most important, what MO UDALL has brought to this body is the grace, the wit and the integrity that we like to think characterizes this body. There is no Member who has strode across the halls of this Congress and left such an imprint as he has. It is by virtue of the personality, of the integrity and the character of the man himself, rather than the legislative achievements that he has done so much.

I am privileged to represent a part of Arizona that he has represented. He and I did not agree on lots of national issues. In fact, we probably disagreed on a lot more than we ever agreed on, but when it came to things that affected the future of our State, the future of the West, MO UDALL, JIM KOLBE and the other Members of the delegation, whether they were Republicans or Democrats, did agree.

We will miss him. We will miss him in this body. I will miss him personally. The State of Arizona will miss him, and we all wish him well. We want him to get well quickly. We want to see the wit that he has brought so much to this House grace the Nation as he gets better.

Mr. OWENS of Utah. Mr. Speaker, I am pleased now to yield to the gentlewoman from Colorado [Mrs. SCHROEDER], and then to the gentleman from Florida [Mr. BENNETT].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Utah for yielding to me.

I must say, it is a great honor to come down here in the well. As I was listening to the speeches, I am thinking that if MO is watching this, he is probably about to gag at this point, and he certainly has a great twinkle in his eye as he listens to all this; but I must say, MO, we really mean it, and I mean, we really do mean it, because here we are standing in a city where people take themselves so seriously. Part of the charm and the attraction and the warmth of MO UDALL was he came here and he did not lose his western reality. He did not lose his humanity and he did not take himself so seriously. He took his job very seriously. I do not think any of us who will take this well will have the legislative achievements that he has had, that we could ever, even match; but he never really bought into this whole ego center of America that is Washington, DC. You remember Harry Truman who said if you want a friend in Washington, get a dog. Well, Harry Truman was partially right, but I guess he did not know MO UDALL, because if you know MO UDALL, you would not have needed a dog.

Now, those of us who are environmentalists always look to MO UDALL as the great leader of the Tree Hugger Caucus, and he really was one of those who taught us all what being an environmentalist really meant. He was not there whether it dealt with water, whether it dealt with wilderness, whether it dealt with protection of Federal lands, any of these things, there was nobody who could ever match that.

I always wondered why he was so big in this area. I suppose if you grew up in an area where there was nothing around you but cactus and you tried to hug a cactus, a tree would look very soft and cuddly by comparison, so maybe that is where he came from.

Nevertheless, he has always been a great role model for every one of us in respect for other creatures, other than just bulldozers, and saying that we need a balance here and that America must always be the lungs of the world, a place where people can go and breathe and still have open space.

He also had a great, unique contribution to my State of Colorado where he started out as a one-eyed basketball player, and believe me, that is one tough job. It is hard enough to be a basketball player, but with one eye, that is really hard. Of course, we in Colorado feel very fortunate because we have some of the Udall offspring there, so we really hope that great heritage and those great genes that they have inherited will go on and continue to benefit the West and, in particular, our State of Colorado.

On a serious note, I must say, this is a time where public service and those who are public servants, I think, all feel a little bit like they are fireplugs and the whole rest of the world is made up of male dogs.

I really think that the one thing that MO UDALL was to people was that he showed the great dignity that public servants could have. He showed what integrity really meant. He showed what having character meant was so important and having the respect of your peers was so important.

When you think of the range of things he dealt with, he dealt with public financing and political campaigns. That scandal is still around. Had we taken what MO was out preaching earlier on, we would not have so many scandals probably circulating and people still trying very hard to get big money out of big government.

We look at some of the issues we have in Washington. I remember as a young Member he helped me with the whole House fair employment thing. He said we must practice what we preach here and we must live by the same rules that we impose on others.

Of course, we had great fun working on civil service issues, civil service reform and trying to make public service a great honor, a career that it was supposed to be rather than what it has sadly become in the last few years.

But MO knew that to work for this great Federal Government you wanted people's toes to tingle. You wanted them to be excited about Federal service. He wanted them to be out there really trying to solve the problems that needed to be solved so desperately by the world and by young Americans coming in; so he was a great role model for the young Americans coming in. He was a great role model for Congressmen coming in and Congresswomen coming in. He really was the best of what public service is all about.

So MO, I want to tell you, hurry up and get better. We need you over here. We need your presence over here. We need your ideas continuing to go forward and we thank you very much for the great service that you have rendered, but now come back and schmooz with us, so we hope that the twinkle in your eye over there can come back over here and you can say you have seen it all before and you are going to straighten us out one way or another.

□ 1550

Mr. OWENS of Utah. Mr. Speaker, I yield to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, today I have the profession of being a legislator. Years ago I was a lawyer.

We have an expression in the legal profession that some lawyers are lawyers' lawyers, meaning that they are people to whom lawyers go for advice about legal matters.

Mr. Speaker, it seems to me that MO UDALL was a legislators' legislator in the sense that he was a man of wisdom and good judgment and gave advice when asked for it, always good advice, and therefore this country is richer and better in every respect because of him.

Not all people in Congress are able to look around and see the results of the good work that has been done in the lifetime of service to your country. Luckily for all of us, MO UDALL produced a lot of things which are going to be here for thousands of years to come. He preserved a lot of the beautiful land and buildings and animals and flora and fauna. He did all this with great joy in his life. He was a man of tremendous competence, very great confidence, a strange anomaly, you might say. Here this man of such great competence, also probably the most humble man in the House of Representatives. Maybe that is because he had self-confidence.

He knew he did not need to brag about anything. Most of us have to strut a little bit to impress our constituents and lead them to think we are better people than we are.

I am sure I have had to do that. I do not think MO ever had to do that because he obviously was a man of tremendous ability.

So he approached life in a very humble way, and I guess best illustrated by the fact that he knew how to laugh at himself.

Lots of people can tell jokes, but most people's jokes are directed at other people, at embarrassing situations which they create, shocking in a way, humorous in a way, but they do not look to the inner spaces of the person who is talking about himself.

MO UDALL had the humility, the kindness and the ability to have humor directed at himself in a way which he did not exactly run himself down but laughed at himself, at the foibles he had in his life, that we all have.

I would like to conclude by an illustration that happened one time to me. I was before a very large audience, and a lady in Jacksonville, which I represent, a black lady introduced me to an audience of many thousands of people. I had just not voted the way she wanted me to on some program. She said, "Now I am going to introduce Congressman CHARLIE BENNETT. Congressman CHARLIE BENNETT is a friend and the definition of a friend is somebody you know all about and you still love."

Well, MO UDALL shared his life with all of us. The fact that he shared his life with us in such a warm way, and still does as far as that is concerned—I hope he gets well and comes back—he shared his life in a way which makes us feel there is really a true friend there, a man of competence, a man of humility, a man of humor, a man who is forward-looking in the things that made so much for our country and for the world.

We are all much, much greater and much better off because of MO UDALL being with us.

Mr. OWENS of Utah. Mr. Speaker, I thank the gentleman from Florida [Mr. BENNETT] and I also thank the gentlewoman from Colorado [Mrs. SCHROEDER] for her remarks.

Mr. Speaker, I am delighted to yield to our colleague, the gentleman from California [Mr. MINETA].

Mr. MINETA. I thank the gentleman for yielding.

Mr. Speaker, I would like to thank you, the majority leader, the minority leader, and the gentleman from Utah [Mr. OWENS], for requesting this time in tribute to our good friend and colleague from Arizona, MO UDALL.

I am going to resist the temptation to tell a funny story about MO UDALL, or repeat one of his often repeated jokes, because I know what I'm up against in MO's wit and wisdom.

What I'd like to do instead is talk about family. And the family I have in mind is the American family—but the family member I have in mind is MO UDALL.

MO UDALL is cousin to us all. His ordinary humanity with its extraordinary grace makes us wish we could spend all the more time in his company.

This makes his retirement this Saturday from this family, the House of Representatives, all the greater loss.

In MO UDALL, we have a man who is not afraid to lead and to speak his mind plainly with a congenital flair for humor.

We have seen in MO UDALL a man unafraid to change his mind in public when gripped by an innate sense of right and wrong in private. The Vietnam war was such an occasion.

MO UDALL opposed the war before many others in this Chamber had begun to question it. What makes that important is not the position he took, but his intellectual and personal honesty that made no other course possible.

Throughout his career in public life, MO UDALL has actively encouraged that level of debate about who we are as Americans. And as a Member of this Chamber, MO has been particularly concerned about what that debate should mean to the officials elected to mind the people's store.

Here again, MO UDALL brought his eloquence to bear for a larger purpose.

MO UDALL's work to reform the committee system and House procedures was ahead of its time.

The new members caucus I had the privilege to chair in 1975—the so-called Watergate class—often receives credit for spearheading efforts to make the Congress more accountable to its Members and to the public.

The caucus did in fact help reshape the House of Representatives, but this new sunshine and accessibility would have been impossible to achieve without more senior Members like MO UDALL who had already staked out that terrain of reform.

Mr. Speaker, we will all miss MO UDALL for his humor, his legislative skill, and his conviction.

We will continue to be inspired by a man who has fought the good fight all his life—for decency, for human values, and for ordinary people.

And in that, Mr. Speaker, MO UDALL will hardly be allowed to retire from this Chamber.

So, we wish MO and Norma well, we wish him to recover and regain his good health, and we wish them Godspeed.

Mr. OWENS of Utah. I thank the gentleman from California for his remarks.

Mr. Speaker, I yield to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. I thank the gentleman from Utah for yielding to me.

Mr. Speaker, I am awfully proud and happy to be able to speak tonight regarding MO UDALL. Let me tell a little story. I do not have any deep things here. It is a story about my first project with MO.

I came here in the 98th Congress, not knowing anything about a legislature at all, having been in business most of my life.

Well, it did not take long before I began to get some people in my district asking, "How come we don't have any wildernesses in Virginia?" They said, "We would like to have that."

So RICK BOUCHER and I, who both have national forests in our districts—we have most of the national forests in Virginia—began to look into it. We went over to MO and said, "MO, how do you go about this?" He said, "Well, we do it all the time. Here is our staff, here is John Seiberling over here. He runs the subcommittee. We will tell you how to put together a bill. You have to decide what you want, what your people want. When you get ready to put in a bill, let me know, and I think we can get it through." Well, it took us quite a while to get this bill put together. We had a lot of support for it in Virginia. We had some opposition. There was one big industry that really felt this might be some kind of an impediment to them, and they got the chamber of commerce in Virginia to set a line up and see whether they could not keep this bill from going through.

We let MO know about it. He said, "Well, I think we can help you with that. You wait until you get the bill

ready, and then when you are ready to turn it in, let me know."

We finally got the bill put in in the spring of 1984, and he said, "You know, in a situation like this, you don't want this bill to be around too long. It would be nice if we can get it to the floor fairly quickly." I said, "What do you have in mind?" He said, "John can probably have a hearing on the next week, we can get it out of the subcommittee, and it shouldn't take us long to move it out of the full committee."

So, this occurred. And I do not know, I forget exactly how it was. It was not long. Then it came to the floor.

□ 1600

I wondered what in the world was going to happen because several of the Members here had been tipped off that they were supposed to stand in the way of this bill, and object to everything possible that could be objected to and hold it up. Well, MO ran the thing, and he did a beautiful job, and it turned out that Manny Lujan was the ranking Republican, and he thought it was a good idea, and he supported the bill, and somebody asked for a recorded vote after we had had a little debate, and it was a recorded vote, and, by gosh, if I remember it right, MO was able to get a vote of 360 to 20. Well, that put that bill on a pretty good path. Took us longer to get it through the Senate, and MO stuck with us, and it was not until the very last day of the 98th Congress; I can remember October whatever it was, some day in October, we finished it, the very last day we were able to get the conference with the Senate worked out, and the bill was sent up to the President, but MO stuck with it all that time.

Mr. Speaker, I know he has done this for so many States. Virginia would not have a wilderness system of 15 nice wilderness areas had it not been for MO UDALL, had he not helped us get that bill through, and both RICK and I got to be very close with MO. We have enjoyed him all the rest of the time he was with us here, and it just was an awfully nice experience for a new Member to have. He knew how important it was to us to get that bill passed after we made all the noise about it in the district that we did, and it was just a nice thing for him to do, and I think it was very typical of the kind of thing that he has been doing for people all of his life, and he keeps on doing them.

Mr. Speaker, I say, "MO, if you're listening to this, we wish you the best. We hope you get well, and get a little bit more active again and keep on doing these fine things you've done for us and so many others."

Mr. OWENS of Utah. Mr. Speaker, I am going to yield to three close friends of the chairman from his beloved Interior Committee: the gentleman from Minnesota [Mr. VENTO], the gentleman from Montana [Mr. WILLIAMS], and the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. VENTO. Mr. Speaker, I thank the gentleman from Utah [Mr. OWENS].

I think all of us have mixed emotions about rising to speak about MO UDALL. It is an honor to certainly recognize his work and to say a few words of appreciation for the leadership, the character, of Congressman MO UDALL as provided during his work in the people's House during the past three decades, but it is also of course with a heavy heart when we look at that record and the fact that these circumstances have occurred, but I think that he has been a winner all of his life in terms of facing a lot of problems, and I know that each of us feel that he is a winner and will be a winner for whatever endeavors he is involved in. He really is a Representative's Representative, Mr. Speaker.

My personal service in the U.S. Congress began in the mid-seventies. It coincided with MO UDALL's assuming the chairmanship of the Interior Committee, and frankly, as my colleagues know, I think in the process of his work there he has obviously won the hearts and certainly the love of many Americans, and in the process he has probably saved the souls of a lot of Members of Congress by forcing us and bringing us to the decision making in terms of our roles and issues that we had to face up to.

Clearly, Mr. Speaker, Chairman MO UDALL had of course aspired to House leadership posts, and the Democrats had a chance to say no to him in this House a number of times, and I think he probably made this House a lot better and the leaders that were elected a lot better.

MO UDALL was never afraid of risk. I think his motto was that, when someone is all done with taking chances or taking risks, they are all done, but he was not afraid to face the consequences of perhaps not being successful, and he bucked a lot and proposed a lot of reforms around here.

Of course when he in the mid-seventies, when he assumed the chairmanship in 1976, he had, of course, aspired in that historic 1976 campaign for the Presidency, and when he took the chairmanship, he had perhaps many reasons to be disappointed in a sense or, as my colleagues know, bitter, but he never looked back. He has never looked back, and I think that is one of the hallmarks of why he has had the success that he had. Rather he dug in with all of his might; the Mighty MO I might say, and the fact is at that time coincidentally, when he assumed the chairmanship, he had two broken wrists suffered from his handyman antics and chores, working on a home in Virginia, but that did not hold him back. He took over, and he has led the Interior Committee and the Congress on environmental and social issues for the past 15 years that I served with him, and frankly much of the framework in environmental law, the generic provisions, were really work that he constructed under often adverse conditions when the rules of the House, the leadership in some of those committees, were not exactly neutral or fair, I might say, or sympathetic to MO UDALL's outlook as regards those issues.

However, Mr. Speaker, adversity was not something that held MO UDALL back. He came out of an environment, out of a political environment in the West, obviously that was less than happy about someone that was an environmentalist, but again he won the hearts and minds of the people of Arizona because of his fairness, his temperament, his humor, because of his ability, and most of all because he was often right about these issues. I mean MO UDALL set the stage of what is today conservation and environmental political views in this country. I think today it is almost a preconceived notion. Anyone who runs for the Presidency has to be an environmentalist, and one of the reasons is because of a guy by the name of MO UDALL.

Often when we hear the name Udall we think of the great Secretary of the Interior in the 1960's, but where he left off in the House of Representatives, MO UDALL picked up three decades ago, and while Stewart served well and did good things as the Secretary of the Interior, believe me, without the carry-through that is associated with a Member of the House, MO UDALL, we would not be the Nation we are today in terms of many of our public policies.

I think many of my colleagues know the record of his work on the Wilderness Act, the Wild and Scenic Rivers Act, the very generic laws in which the entire foundation of land use planning in this country is taking place. It is the handiwork of MO UDALL. Most notable of course is his work with the Alaska lands, that odyssey that went on for many, many years, starting out with ANCSA, ANILCA, working its way through of course along with his strong righthand worker, Congressman John Seiberling from Ohio, and of course many of us cannot do anything without a majority, and MO is fond of telling the story of Adlai Stevenson who was approached by a campaign worker in Iowa when he was running for the Presidency, and the woman said, "You have of course the vote of every thinking man and woman in this community," and of course Governor Stevenson said, "It's not enough. You need a majority."

Mr. Speaker, that is the key. One needs a majority, and MO UDALL knew how to put that majority together and get people to work together whether they were Republicans, Democrats, liberals, conservatives, wherever they came from in this country and in this

Congress, and, believe me, getting 435 Members of this House to move all in the same direction is no easy task, but MO UDALL showed us and demonstrated how to do that.

Land use questions and debate, of course, engender very strong emotions. Very often the Interior Committee has been divided concerning measures before the committee, and it is especially in such an environment that MO UDALL brought out and brought to our deliberations a character of civility and consideration, good humor, and at such time he gained again and again the respect of all of us, which I think demonstrates the love and affection that is an outpouring of which is demonstrated on this floor today.

As chairman of one of the subcommittees, of course, I benefited from MO UDALL'S counsel the last several years, an example. We have all benefited from his leadership, and I am proud to have been able to work beside him for these past 15 years in the committee.

Mr. Speaker, I would like to continue longer in expressing my affection and respect for MO UDALL and my sincere regret that our committee, that the Congress, the Nation, will be denied his continued service here in the House of Representatives, but I know that others should speak today. So, I will simply end by expressing my personal hope that MO UDALL'S health will continue to improve, that America will once again be the beneficiary of his talents, and his example of leadership for the Nation's good in whatever endeavors MO UDALL may pursue. I wish him a good experience in the future with his spouse Norma and the wonderful Udall family.

□ 1610

Mr. Speaker, for inclusion in the RECORD I am attaching to my statement a letter from my predecessor as chairman of the Subcommittee on National Parks and Public Lands, our former colleague from Ohio, John F. Seiberling.

John Seiberling, of course, worked closely with Chairman UDALL on the Alaska Lands Act and other matters, and I concur completely in his remarks when he says, "MORRIS UDALL stands head and shoulders above all" of the outstanding leaders here in the House in our times.

AKRON, OH, *April 30, 1991.*

MR. SPEAKER: One of the lasting satisfactions of service in the House of Representatives comes from the opportunity of knowing and working with many exceptionally fine people and some truly great leaders. But among the outstanding Members whom I encountered in sixteen years in the House, Morris Udall stands head and shoulders above all, in every sense of those words.

I doubt that there is anything I can say about "Mo" Udall, the legislative leader, that has not already been said many times. His career in the House is truly legendary. His contributions to the Nation's laws, and particularly those directed to preserving our land and its wildlife, are literally monumental. So I will simply offer a few personal words.

It has been my good fortune to have worked closely with Mo in some of his major undertakings—such as the six-year struggle that produced the Surface Mining Control and Reclamation Act of 1977 and the decade-long campaign that gave us the magnificent Alaska National Interest Lands Conservation Act of 1980. I remember not only the late night strategy sessions but the far-flung field trips—hanging out of open helicopters over mining areas in the Mountains of Appalachia and the plains of Wyoming, and camping out on the shores of pristine lakes in the glorious splendor of Alaska's arctic mountains.

Without Mo's generous support, I would not have been a subcommittee chairman on the Interior Committee, and without his wise counsel I would have been a less successful chairman.

Above all, I think of our colleague Mo, as I am sure many of us do, as a leader who helped us raise our own sights and as a warm, generous, ever patient, ever humorous friend. If there is anyone in the Congress who comes close to practicing the teachings of the Sermon on the Mount, surely it is Mo Udall. If there is anyone whose presence always seemed to uplift the spirits of his associates, it is Mo Udall.

And so it is another rare privilege to be able to join with you and your colleagues in honoring our dear friend Mo for the many years he has given us of his friendship and his inspiring leadership.

JOHN F. SEIBERLING.

A philosopher once said that, "We stand on the shoulders of those that came before us." And in standing on those shoulders, those broad shoulders of MO UDALL, we can see further. We can accomplish a great deal more. But without the foundation, without the people like the MO UDALL'S, the John Seiberlings, and many others that have contributed, I want to say that MO UDALL is one of those big building blocks in the 20th century, the effects of which and the work that he has done is going to carry through for a long time.

I am pleased to be here on the House floor today, pleased to have worked with him and work in the future based on that effort.

Mr. OWENS of Utah. I yield to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman from Utah for reserving time for me. MO UDALL is our hero. One of the pleasant things about serving in the Congress is serving with your hero. It was not only fun to serve with MO UDALL, but it was a lesson. It was informative.

MO UDALL is a teacher, and as we work with MO, we find that we not only are successfully able to craft and pass legislation but in the process, we learn as well. And not just those of us who were fortunate enough to serve with him in this body, but I believe all Americans, including, of course, MO's constituents in Arizona, learned from him.

One of MO's greatest lessons was that a person's civility could bring extraordinary reason to bear, even on the most contentious and polarized of issues. MO UDALL has great civility, great moderation, and reason. And he has always been able to bring together opposing forces to compromise.

MO was willing to compromise up to that point, of course, where his principles would be compromised. And then he was willing, in the most reasonable of ways, to stand and fight. So he taught us about civility.

He is an extraordinarily successful politician, even though he did not achieve one of his goals, and that was to be President. But in failing to reach that goal, MO taught us something as well, and that is that sometimes we may come across a Presidential candidate who is a little too funny, who is a little too lanky, who does not look just quite right on television, whose speech pattern is either too slow or too fast.

MO's failure to gain the White House might serve to all of us a lesson that perhaps we should put this thing called charisma or this matter of being photogenic on television aside when we choose our Presidents, and give a bit more consideration, than perhaps we have in our recent history, to the candidate's wisdom, moderation, and ability to sort through to the marrow of the issue and truly understand it.

Finally, let me say to my colleagues and to MO and his family that one of the greatest things he taught us and continues to teach us is the use of wit. MO used it, I suspect, purposely and extraordinarily well.

Let me close by telling you a story that MO used to like to tell on himself. It is one of those wonderful self-effacing Udall tales.

About 10 years ago, MO, as chairman of the Interior Committee, was willing to accompany me as an almost new Member of this body out to Montana, where we conducted a hearing on the proposal to put the RARE II matter behind us in Montana and pass a statewide omnibus wilderness bill. By the way, tragically, Montana a decade later still has not accomplished that important and necessary task.

MO and I were traveling from here to a nice little town out in Montana called Dillon, MT. Dillon has an airport, but it does not handle the kind of commercial traffic that MO and I took from National Airport. So we landed in Billings, MT, and we were picked up by a private twin-engine airplane. And as MO got on that airplane, he did what he so often does. He said hello to everybody in sight, and he pulled back the curtain into the cockpit to be sure there was not anyone in there that he ought to say hello to, and sure enough,

there was a pilot and a copilot preparing for the takeoff.

And MO said to them, "Hi, fellows. I am MO UDALL. You know, I am a single-engine pilot myself."

And the pilot, barely moving, turned his head and said over his shoulder, "Well, that is fine, Congressman. Now, you go back there and strap yourself in, and if we lose one of these engines, we will call you."

MO immediately went back, sat down and strapped himself in, looked at me and said, "Boy, we all need a little of that once in a while."

MO UDALL, you are our hero.

Mr. OWENS of Utah. Mr. Speaker, I yield to the gentleman from Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Speaker, I met MO UDALL when I worked as a staff attorney on the Interior Committee in the 1970's. He was at his prime then, and as a leader in the House on the Interior Committee, he was a marvel to watch.

Mr. Speaker, as the Representative of our Pacific region, I can say without hesitation that MO UDALL's name is synonymous with the Pacific. He and his brother, the former Secretary of the Interior, Stewart Udall, were responsible for providing many needed Federal programs for the insular areas.

Mr. Speaker, I regret very much the fact that the presence of this great son of Arizona is not going to grace us with his tremendous humor and great nature.

Mr. Speaker, MO UDALL represents to us all the real spirit of America, his love for his fellow man, his love for our Nation's environmental needs. Mr. Speaker, someone once said that, "Evil triumphs when good men do nothing." MO UDALL is a great exception to that axiom.

MO UDALL was a workaholic, spending 16 to 17 hours per day in the office, meeting with constituents, packaging important pieces of legislation affecting our Nation's well-being, a trait very much characteristic of MO UDALL's work ethic.

□ 1620

Mr. Speaker, MO UDALL's legislative achievements have been detailed by several other Members, but I, too, feel compelled to say again that his work in the areas of nuclear energy, public lands, national parks, and Indian affairs are unequaled I believe in the history of this great Chamber.

Mr. Speaker, in conclusion, I can say that I have considered MO UDALL a personal friend for over 10 years. Through his guidance he has provided our Nation with a legislative agenda that will carry us well into the next century. So while he may be retiring from active service with the House, his work will remain with us for many years to come.

Mr. OWENS of Utah. Mr. Speaker, I am now pleased to yield to three colleagues and close friends of MO's, initially the gentleman from Wisconsin [Mr. OBEY], then the gentleman from Oklahoma [Mr. EDWARDS], and MO's colleague from Arizona [Mr. KYL].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I frankly do not know quite what to say about MO UDALL's retirement, because we have known him and worked with him and loved him for so long that it is very difficult to imagine that he will no longer be a Member of this House.

But as I said last week in a Capitol ceremony to celebrate the life of Dick Bolling, our former colleague who passed away a week ago, in a sense it is sort of fitting that the memories of Dick Bolling which we talked about last week, and the honor that we do MO UDALL this week, come very close in time. Because in the years I have served here, I have always viewed Dick Bolling and MO UDALL as sort of the way people of MO's generation viewed the old football team that used to play for West Point, Doc Blanchard and Glenn Davis, Blanchard being the fullback and Davis being the halfback on some of those famous West Point teams. Davis and Blanchard were known as Mr. Inside and Mr. Outside, and I think in a sense that Dick Bolling and MO UDALL played those same roles for us in the House and in the Democratic caucus over the years, MO with his lighter style, and Dick Bolling with his fullback charge-ahead style.

They both made a tremendous team, whether you were talking about congressional reform, or whether you were talking about public financing of campaigns, or any one of a dozen issues that dealt with the integrity of the political process or the welfare of the American people.

I think that MO UDALL, really for an entire generation in this House, gave us hope, gave us the expectation that this institution would match the needs of the times, when we took what some considered to be a chaotic approach and ran against John McCormick for Speaker back in the sixties. That run was necessary to try to energize our caucus, to try to energize this House. MO's race, even though he paid an eternal price for it for years, his race was a key event in reforming this institution, to bring it closer to the ideals that the American people have a right to expect. I think our generation in this House will always be grateful to him for that.

On the issues, whether you were talking about the environment, or the economy, or peace, MO UDALL was absolutely crucial in defining progress all across the board. MO UDALL was really synonymous for almost all of his career with progress toward a clean environment.

In the economy, Jack Kennedy called MO UDALL's newsletters in the early sixties about economics the best of their kind. In fact, if you took a look at MO UDALL's newsletters across the board, they were the best of their kind, and I think remain today the best that have ever been written by any Member of this House.

It was MO UDALL who in 1967, I believe, went back to Arizona and wrote a newsletter to his constituents, appeared in Arizona, and said, "Folks, I have been wrong about the Vietnam war, and I want to tell you why." It was his conversion that led the way for all kinds of politicians to see the same truths that he saw, including yours truly, and we will be forever grateful to MO for that.

In 1976, Henry Reuss and I approached MO UDALL over in the fourth row of this Chamber and said, "MO, you know, we have had a lot of turkeys run for President all of these years. It would be nice if we had a swan." We suggested that he ought to take a look at running, and we signed up an awful lot of our Members.

In those years it was unheard of for a House Member to run for President. If we did not have the title "Senator" or if you were not a Governor, you were not considered.

MO changed that, for the better. I felt highly privileged to campaign in 17 States for MO during that campaign. Let me tell you, he sometimes did not give you easy jobs.

I remember we were up in Boston, campaigning all day up there, and MO came to me about 4 o'clock in the afternoon and said, "I have got a chance to be on "Issues and Answers" on ABC tomorrow, Sunday. Would you fill in for me in a speech I have tomorrow morning?"

I said, "Sure, I will take the assignment. What is it?"

Well, I was supposed to explain MO UDALL's pro choice position to the Knights of Columbus in Boston, MA. And I did not fully agree with MO's position myself. But that was a very tough job, and I cannot say that I enjoyed it. But I took it on.

He also asked me in Pittsburgh if I would go to a black Baptist church to explain what MO UDALL was all about. I had never been in a black Baptist church in my life. I had never been in a Baptist church in my life. But I said surely I would, and I went. I discovered at that point that the task was a little bit tougher than the one that I thought I had been given, because Jimmy Carter, who was himself a Baptist, had been in that very church the Sunday before.

So, MO sometimes played tricks on his friends. But we enjoyed it nonetheless, and loved him for everything.

I think more than issues, more than the leadership he provided on issues, was the leadership he provided this Nation in defining what kind of politics fit America, what kind of politics were indeed respectable to practice.

As I said, MO really wrote the best newsletters that I think have ever been written by a Member of the House. He was passionately devoted to institutional reform.

I find it kind of ironic that 12 of us today have introduced a new major campaign finance reform bill, an issue which MO took the lead on for years and years in this place. It is fitting that we introduce a new effort to deal with that same problem on the day that we talk about MO's accomplishments and our affection for him.

I think there are a couple of quotes that really sum up to me the kind of politics that MO UDALL has brought this country. Oliver Wendell Holmes said once, and it is a very famous quote: "I think," he said, "as life is action and passion, it is required of a man that he should share the passion and action of his time, at the peril of being judged not to have lived."

Certainly MO UDALL entered into the political process with passion. He understood that political death was not defeat in an election. He understood that political death is really having the ability to do something good for people, having the power to do good in the system, and not fully using that power. That is the true definition of political death, and MO UDALL always understood that and always demonstrated that belief.

Mr. Speaker, there is another quote that reminds me of MO UDALL. Adlai Stevenson, another one of my heroes, said this: "The hardest challenge in politics is to win without proving that you are unworthy of winning." I think that is what distinguishes MO UDALL's career from a good many other practitioners of the art of politics in our country today.

There are really two kinds of politics being practiced in this country. One is the slash and burn kind, the kind that says bring the dialog down to whatever level you have to bring it in order for us to win.

Then you have the UDALL kind of politics, which says let us bring the dialog up. Let us bring the public understanding up to the level that is required to win.

To me, that, more than any other question, divides politicians in this country today, and MO UDALL was always on the right side when it came to that question.

□ 1630

He personified ethics. He could fight with passion and still have affection for those with whom he disagreed, and I think that is the essence of any truly class act in political life.

And so I just want to say that I tremendously regret the fact that MO will be leaving this institution, but we continue to respect him, we continue to love him. We wish him well. We wish him a speedy recovery.

And I want to promise MO one thing. As MO was for so many years in his career, I want to promise MO that we will try to continue, MO, in the tradition of cutting through the goom-wah.

TRIBUTE TO MO UDALL

The SPEAKER pro tempore (Mr. ANDREWS of New Jersey). Under a previous order of the House, the gentleman from Pennsylvania [Mr. KOSTMAYER] is recognized for 60 minutes.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this institution is losing an honorable and distinguished colleague in MO UDALL. But, my State of Arizona is losing something more: the dean of our delegation. That's why, Mr. Speaker, the Governor of Arizona has declared today, "Mo Udall Day."

Though the Republicans in our delegation have not always agreed with MO UDALL's political philosophy, we have all admired him for his sense of humor, his integrity, and always his willingness to be helpful to more junior members. Those are important qualities from the perspective of those of us in the minority.

However, partisan interests rarely, if ever, became a factor when Arizona's interests were at stake. Our delegation also always stood united.

MO retires from the House having left an unforgettable imprint on Arizona and the rest of the Nation. Millions of acres of land will forever be protected as wilderness. The central Arizona project is finally delivering water to arid central and southern Arizona. The quality of life of native Americans has improved, though by no means enough to declare victory.

Mr. Speaker, Arizona has produced a number of political giants since statehood less than 80 years ago: Carl Hayden, Paul Fannin, Barry Goldwater, John Rhodes. And to that list the name of another giant: MO UDALL.

MO, we're going to miss you, and we wish you all the best.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Guam [Mr. BLAZ].

Mr. BLAZ. Mr. Speaker, I want to thank the gentleman from Pennsylvania for yielding me the time.

In this House of extraordinary men and women, one would think that it would be extremely difficult to single out a Member, and indeed it would be unless his name is MO UDALL.

For those of us from outside the continental United States who have long looked for a champion for our cause, many years ago we discovered that MO UDALL was going to be that champion. He seemed to excel in championing the causes of minorities, the Native Americans and in our case the Americans from the territories.

I could go for an awful long time talking about MO. But let me just cite an example of why he meant so much to us in the territories and to me in particular. When I came to the House as a freshman I became a member of his committee. In a particularly difficult vote he asked me to join him. It was on nuclear energy. I had no difficulty giving him my word for my sense of the matter was compatible with his. But I had no idea that as the most junior member that by the time they got to me, the vote would be 22 to 22 and I was to cast the final vote.

The Members of my party, the leadership of my party were hovering over me, saying nice things about me, and I looked at MO. I looked at my Members of my party, and I finally cast my vote with MO. Then I left the room quickly, went to my office, locked myself in, and the phone rang.

He said, "BEN, this is MO." I said, "Hello, Mr. Chairman.

He said, "BEN, this is MO." I said, "Hello, Mr. Chairman."

He said, "Dammit, BEN, this is MO." I said, "Hello, Chairman MO."

He said, "I watched you today. I would have understood if you had not kept your word, for the pressure was great and you are just a freshman." He said, "I have a lesson for you, sir. Around here a Member is judged by his word. Welcome to the Congress." And he hung up.

Oh, how I wanted to continue the conversation, but there was nothing for me to say. The man had welcomed me to the Congress.

Many years ago, in honor of his brother, the Virgin Islands named the eastern-most portion of the United States Udall Point. Several years ago, I invited MO and other Members to come to Guam, and in his honor we named a western-most portion of the United States Udall Point in the Territory of Guam. In our own magnificent song, "Sea to Shining Sea," we replaced it with Udall Point to Udall Point, and fittingly so, for if you think of MO you think of the length and breadth of all of America. And for those who wonder what an American looks like if you were not born in America, when you see MO you say, "Well, that's what an American looks like."

MO UDALL is my personal hero in this Chamber. MO UDALL is my mentor. MO UDALL is also my tormentor at times, a man of wit, but above all, a man of true grit.

I thank the gentleman for the opportunity to say these words about my friend, MO UDALL.

Mr. KOSTMAYER. Mr. Speaker, I yield to the distinguished gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for yielding and for taking this time today for us to honor our friend and colleague, MO UDALL. It is a tribute that I make today to a friend and neighbor. His office is just down the hall from mine in the Cannon Office Building. I have known him since the day I arrived here 23 years ago, and of course all of us know MO UDALL for his wit and for his wisdom.

It was just 2 weeks ago that MO said to several of us that on down the line, after he recovers, and on further, when he passes on, that he wants to be buried in Chicago so that he can stay active in politics.

□ 1640

MO's wit is legendary, even during his time, and, indeed, he has been active in politics during the time that he has served here.

My colleagues before me have described his efforts to reform this institution. It was during my first term in 1970 when he led the first legislative reform act that occurred in this institution since the 1920's before then, and my recollection is 1924. That was the preview of coming attractions in 1974 which, of course, reorganized the power structure within the House of Representatives that opened up the process of power for all of those less than the rank of chairman that hold power today, positions of responsibility today.

We all admire his legislative efforts for he led many, many initiatives on this floor that resulted in such laws being enacted as the establishment of the Wilderness Act. It was MO and those who voted with him that represented the public interest. It is easy to represent the private interests, the special interests, the interests that we all know ebb and flow in the Halls of Congress, but to stand up and represent the birds and the bees and the fishes in the sea is, indeed, admirable, especially during these times when during the decade of the 1980's it is said by most observers that greed became a national virtue.

So MO, you got here just in time to provide some good laws and some good legislation for the public interest before the decade of the 1980's set in.

During his candidacy for President in 1976, I worked for him. I volunteered right off just like all who knew him, and he managed to attract the largest crowd of attendees to a political event ever before assembled in the First Congressional District in 1976. Thousands of people came out to hear MO UDALL for President.

One person who knows him well and who knows Congress well that has observed political comings and goings in Washington for a long time observed that if MO UDALL had been elected President that America would be a much, much better nation because of it, and that is because he did address the public interest during his time. He addressed issues that are important to the Nation, issues that needed to be resolved.

As we know, there are many, many, many issues that are begging for leadership and for resolution that languish because of the lack of national leadership to address those concerns that beset this Nation and concern those of us who are concerned about these issues.

Many times when people retire, people go on to say that, "Well, his time had come, and that time was enough," but I would say to MO UDALL that 30 years is not enough. I regret his retirement, but I wish him well. I wish MO and his family good health and Godspeed. We all love you. Please keep in touch with us, and we will be keeping in touch with you.

Mr. KOSTMAYER. Mr. Speaker, I yield to the distinguished gentleman from Nevada [Mr. BILBRAY].

Mr. BILBRAY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, when I came to Congress just a few years ago in 1987, I took my oath of office, and, you know, we go into a Democratic caucus, and in that Democratic caucus we elect the chairman of all the committees, and one thing that I noticed was a lot of chairmen received votes against them. You cannot serve around here very much without making some people a little angry at you. But when the votes came down for chairman of the Committee on Interior and Insular Affairs, it was unanimous. Not one person cast a vote against MO UDALL as chairman of that committee. That impressed me, as a freshman.

As I worked with MO over these last 5 years, I became more impressed. I had become first acquainted with MO UDALL in 1972 when I managed to beat a Democratic incumbent in the Democratic primary and was the nominee of my party. I was assigned by then Speaker Carl Albert, MO UDALL as my big brother, and he advised me from long distance from both Washington and Arizona in Nevada about my campaign. Unfortunately, that campaign did not work out too well, and I did not get here until 1987, a long campaign.

But MO UDALL was always cooperative, was always available to not only those Congressmen who had been here for 5, 10, 15 terms; he was also available to those who were here just for a few days. He was always there for advice.

When I had constituents from my district who would call up and say they were coming out on public-lands matters and matters that involved the Committee on Interior and Insular Affairs, you could never worry that MO UDALL would not find time to talk to them. He would sit them in that office with all his Indian paraphernalia all around him, and he would generally start telling them stories. Most of my constituents left never asking the question they came to ask because they were so enthralled with the stories MO UDALL had to tell them. After they got out in the Hall, they said, "Gee, we never got to the point we came for." But they were always impressed by his willingness to listen to their problems and to relate with them and try to cooperate in the many things they did.

As my good friend, the gentleman from Arizona [Mr. KYL], has stated, you know, many States do not have truly great people. Arizona seems to produce some of those greatest ones, from Carl Hayden, Barry Goldwater, Jay Rhodes, Paul Fannin, as he mentioned, but none in the history of that State will ever be the equal of our chairman, and I call him Chairman UDALL and I will always call him that forever. The greatness of MO UDALL will stand out as a bright, shining story in the State of Arizona and the United States of America and in this House.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MOAKLEY].

Mr. MOAKLEY. Mr. Speaker, all of us here today are familiar with the enormous accomplishments of Congressman MO UDALL. We have all heard of his outstanding intelligence his quick, self-depreciating wit, his earnestness as a public interest politician and his dedication to the House of Representatives. Some of us were lucky enough to experience MO's strength of character firsthand dealing with him as he forged the Nation's agenda for protecting wildlife or just being lucky enough to be in his presence as he told one of his famous jokes.

While it was impossible not to be impressed as he towered over you from 6 feet 4 inches it was the power of this intellect and sincerity of his vision that really made MO awe-inspiring. It was that sincerity, earnestness, and instinct-to-lead that inspired MO to stand tall in the Wrangell Mountains 20 years ago looking over 100 million acres of wildernesss and exclaim, "I want it all!" He took that spirit to Washington and fought for it all every day he was here sometimes succeeding sometimes not but always changing this institution and this country, and for the better.

His most visible and publicized successes were his actions as chairman of the Interior and Insular Affairs Committee. But MO did even more. Before coming to Congress he played pro basketball having overcome the handicap of losing an eye in his childhood. Less than 10 years after arriving here in Washington he boldly contested the se-

niority system of the House and in one fell swoop changed the apparatus by which we elect our party leaders. That brave manuever yielded him no official position and certainly rubbed many powerful people the wrong way. But, today, I and all the other Members of Congress benefit from those selfless actions of MO UDALL. He was tireless at doing what was right.

MO UDALL served a distinguished career, one that should be a role model for present and future Members of Congress. He had the audacity to try the foresight to lead, and a sense of humor that allowed him to move through difficult times with elegance and grace.

I will miss MO UDALL, and I hope that we continue to honor him beyond today, by continuing to follow his lead, and emulating his outstanding example.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from New York [Mr. MCHUGH].

Mr. MCHUGH. Mr. Speaker, I thank my friend, the gentleman from Pennsylvania, for yielding and for taking this time so that we can honor our dear friend and colleague, MO UDALL.

□ 1650

We all recognize that when the definitive history of Congress is written and the careers of great legislators are recounted, MO UDALL will be prominently featured.

Many others have referred to his extraordinary legislative leadership in this House for over 30 years on issues such as environmental protection, energy, civil service reform, and many others. In my early years in Congress I had the opportunity to serve on the Committee on Interior and Insular Affairs. MO was serving as chairman at that time, and was a great learning experience for me.

One of my fondest memories as a young Member of Congress is of serving on the subcommittee dealing with Alaska lands. MO UDALL, John Seiberling, DON YOUNG, I and others took a trip to Alaska in the summer of 1977 to make some determinations as to how some of the difficult issues relating to Alaska would be resolved. This was the largest public land issue in the history of our country; over 100 million acres of unspoiled land in Alaska would have to be allocated for different purposes. It was one of those issues which brought out disparate interests who fought very hard for their particular concerns. MO UDALL, although he was chairman, involved himself deeply in that fight and, in those complex issues. He was able to reconcile many of those disparate interests in a fair and balanced way, which was reflective of how he operated as a Member of Congress and as an individual.

As others have said, he was one of the original institutional reformers. I came to Congress in the Watergate class of 1974, and we took great pride in our efforts to reform and open up the House of Representatives. There was a certain arrogance, perhaps, in that class, because we were naively of the view that we were the first reformers. The truth is that there were people here before us who had fought under much more difficult circumstances with less political consensus behind them in the country, for the kind of reforms which we promoted when we arrived.

Most prominent of those early reformers was MO UDALL. He was an inspiration and a hero to many Members when we got here.

As all Members realize, there was much more to MO UDALL than his legislative craftsmanship and leadership. He was a very special person. He has an extraordinary blend of human qualities. He is not just an intelligent man with fine political skills. He has a sense of our country as a whole, a sense of our national community, what might be called a vision, a vision that recognizes the diversity of our people, but one that is also sensitive to those values and aspirations which bind our citizens together as a nation. We saw this most dramatically and effectively in his Presidential campaign.

Like others, I was privileged to have the opportunity to campaign for MO, because I knew him, his qualities and his vision, and I believed that they would serve our country most effectively. He ran a very fine campaign. He had the second largest number of delegates in the 1976 Democratic race. He would have been an extraordinary President. When his quest for the Presidency did not succeed, he returned to this House with the same extraordinary qualities, vision, and leadership which we celebrate today.

MO UDALL is a thoroughly decent person, a person who has genuine concern for the most vulnerable people in our society. It was for those people that he fought most strongly in this House. He is a thoroughly honest man, a model of ethics in this institution.

Of course, as others have said, he was and is a genuinely warm and humorous person. How many Members have approached MO when they had to give a speech at home, and were looking for the appropriate story to tell? MO always seemed to have one. He wrote a book incorporating just a fraction of the stories which he shared with us, and I know it occupies a place of honor on our shelves and is often consulted.

MO UDALL has been an example and an inspiration for Members, for those Members especially who have had the privilege to serve with him. He has been an example as a legislator, as a friend, and as a warm and decent human being. Even in recent years, when he has been suffering so deeply from his illness, he provided inspiration and example because of the dignity with which he coped with his debilitating disease.

We are sorry to see MO leave this House. We understand the reasons why he is retiring. In extending our love to him, we will always cherish his contributions, his career, and, most especially, his warm personal friendship.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding. I wish to take this opportunity to join with others in expressing our admiration for the service of MO UDALL. His 30 years in the House of Representatives have distinguished this body and distinguished the profession of public service. Those who have had a chance, as I have, to know him and to serve with him have a sense of great gratitude to MO. More than any other Member I have served with, MO has brought grace, affection, and humor to a political process that is often sorely lacking in all three.

From his election on May 2, 1961, to replace his brother, Stewart, who had been appointed Secretary of the Interior by President Kennedy, MO served as a Congressman from Arizona's Second District. He served in a way that gave all Members who served with him a sense of pride, satisfaction, and appreciation.

He has overcome more than his share of individual personal problems. In his career in the House there were also many disappointments. He ran for Speaker of the House and lost in 1969. He ran for majority leader in 1972, and again was disappointed. He ran for the Democratic Party's nomination for President in 1976 and, as has been mentioned many times on the floor tonight, ran second in seven consecutive primaries, to the eventual nominee and President, Jimmy Carter.

It is, of course, interesting to speculate as to what would have happened if a few votes had changed in those primaries and MO has become the nominee and President of the United States. Certainly MO UDALL would have been a great credit to our party, as President Carter was. He would have had an opportunity as President to rebut the suggestion of James Kilpatrick that he was too funny to be President. His political wit and wisdom were always used to disarm, and usually to kindly disarm his adversaries and opponents. He would have had the opportunity to press forward with his values and principles. He would have had an opportunity, perhaps, in a greater way than almost any President in recent memory may have had, to advance with humor and wit and grace those values which were dear to his heart and close to his commitment in public life.

Those were values of peace and concern for average citizens and their lives, their struggles; a concern for the protection of the physical environ-

ment; a concern with reform in Government. He was an early reformer of this House, as the gentleman from New York [Mr. MCHUGH] has just noted. He was, as Members who worked with him know, glad for the contributions of the gentleman from Pennsylvania [Mr. KOSTMAYER] and the gentleman from New York and others in that famous class of 1974. And I will not comment on the suggestion of Mr. MCHUGH that his own class was guilty of arrogance. They were certainly welcome, in their numbers, in following MO's lead toward reform and renewal of this institution. We will have the obligation to look back with a sense of indebtedness to MO for this, too.

MO used his assignment on the Committee on Interior and Insular Affairs to make himself the House's most prolific author of environmental legislation. However, that, too, was sometimes a difficult and frustrating process. The House passed three strip-mining bills, and twice failed to override vetoes, until the bill finally become law in 1977. It took 4 years to enact legislation to divide Alaska lands between development and wilderness areas.

□ 1700

In recent years he helped enact the Nuclear Waste Act, a major wilderness act and many others.

It will be difficult to adequately express the obligation of the country for the contributions of MO UDALL in the environmental field. Literally hundreds and hundreds of millions of acres in the United States will be preserved for generations ahead, because of the efforts of MO UDALL.

He overcame personal handicaps. As a young boy, he lost an eye. Despite that handicap, he excelled in athletics. He overcame defeat and disappointment on many occasions in the House to be one of the finest and most effective Members to serve in this body.

His physical health is turning out to be the most difficult of all of his struggles. Except for that, he would continue for many, many years to grace this institution and to ennoble our public life.

He leaves here with the gratitude of not only those on this side, but all those who have had an opportunity to serve with him. He leaves with the respect and admiration of the constituents he served so well in a 30-year period.

He has above his desk that famous quotation from Will Rogers which says, "We are here for just a spell and then pass on. So get a few laughs and do the best you can. Live your life so that whenever you lose, you are ahead."

After 30 years, MO UDALL leaves this institution in honorable retirement and very much ahead. And Mr. Speaker, the country and the House is far ahead, too.

We pay our respects tonight not only to MO but to the family, his wife, Norma, his brother, and his children. They have worked in recent weeks to see that MO's service concluded with the respect and admiration of all of the citizens he has represented and all of those with whom he served.

I hope in this small way tonight we are contributing to that recognition. His service was so great it cannot be summed up in a few words or a few speeches. But I think it will be summed up by the legacy that he leaves behind: A fairer society, a more honorable Nation, a physical inheritance of great wealth and beauty to future generations, and most of all, a symbol of grace and humor and honor that was and is MO UDALL's testament to this House.

Mr. KOSTMAYER. Mr. Speaker, I yield to my friend, the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I am privileged to join the Speaker and so many of my colleagues.

There are not many people, especially today, but I guess ever, who are assessed as heroes in the American Congress. Many of us are only known in our own districts or in a small segment of society that has an interest in the particular legislation in which we are involved. If we work in exports, the people in the export area may know you. If you are on the Judiciary Committee, a few folks interested in the courts and judiciary issues may know you. So most of us work in relative anonymity for a body that is constantly on television. There are so many of us, there are 435 plus our delegates, that it is very difficult to penetrate the public consciousness; but MO UDALL was somebody who as a result of his merit, his effort, his wit and his accomplishments in the Congress was someone known across the country. There are not many people that you can bring in to your own congressional district and have your constituents feel that it is not just another person in public office, but somebody very special coming in to join you.

MO UDALL with his wit and humor, with his incredible accomplishments in the Congress, his books, particularly his last book, "Too Funny To Be President," something that I think has given him a place maybe up there with Will Rogers in America, a politician on the inside, a humorist on the inside with the kind of wit and charm that never put the institution down, but showed America that we in elective office with all we do could have some humor and wit about us.

I want to talk about one small part of what MO UDALL did, not the grand national parks, not his efforts in Alaska and clean water and reform of government, trying to make our system more representative, less controlled by a mad chase for money, his impact on Presidential campaigns forcing other candidates to discuss issues they might have ignored, but I would like to take one moment and place in the RECORD a letter from the Society for American Archaeology, and also on my own behalf, my own interest in archeology, that it is an issue with not a broad constituency. As we talk about special interests in America, it is not one that gets you great political benefit to be out there fighting for archeological sites and archeological interests. You probably make more enemies trying to protect a site than helping people; but MO UDALL led this Nation in establishing some archeological legislation that protected the historic and ancient sites in this land. As we develop these sites, as we take the time to gain knowledge about our ancestors, we will learn about ourselves and present some valuable information to our children and our grandchildren.

Without MO UDALL, we would be in a position in archeological presentation comparative to the dark ages. His efforts in the Congress as chairman of the Interior Committee moved us forward.

So I will place that statement in the RECORD with my own appreciation for his efforts, and close with this, that I came to this Congress 11 years ago. One of the reasons I sought to be on the Interior Committee was because MO UDALL was chairman of that committee. He set an ethical standard for conduct and a commitment for working for the people in this country that every legislator can use as a model. We can only hope to achieve just a little bit of the humor that he used to get us through all those tough days in committee and then through the floor.

We will miss MO. We wish him a speedy recovery and hope to see him again as a friend here and in Arizona.

Mr. Speaker, I include the letter from the Society for American Archaeology, as follows:

SOCIETY FOR AMERICAN ARCHAEOLOGY,
OFFICE OF GOVERNMENT RELATIONS,
Washington, DC, May 2, 1991.

Hon. MORRIS K. UDALL,
Care of the Honorable SAM GEJDENSON,
U.S. House of Representatives, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE UDALL: On behalf of the members and officers of the Society for American Archaeology (SAA), I would like to thank you for all of your contributions to furthering the needs and goals of archaeology and historic preservation through the legislative process. As Chairman of the House Committee on Interior and Insular Affairs, your contribution to archaeology and historic preservation on public lands and national parks has been measureless. Therefore, as you retire on May 4, 1991, the Society for American Archaeology would like to extend its heartfelt thanks to you for your commitment to archaeology and historic preservation and for your efforts to promote and protect the Nation's natural and cultural heritage.

The archaeological and historic preservation legislation which you have spearheaded has helped to shape and guide the way which archaeology and historic preservation activities are conducted in the United States today. For example, your sponsorship and leadership in the House of Representatives of the Archaeological Resources Protection Act of 1979 and later amendments have helped to protect irreplaceable archaeological resources on Federal lands from destruction by development and looting and vandalism. Through the years, your valuable leadership in Congress has guided the passage of vital legislation such as the National Historic Preservation Act, the Alaska National Interest Lands Conservation Act (ANILCA), the Federal Lands Policy and Management Act of 1976, the Surface Mining Control and Reclamation Act of 1977 and the Native American Graves Protection and Repatriation Act of 1990. You have also been a staunch supporter of yearly appropriations which are crucial to the fields of archaeology and historic preservation.

In addition to all of these accomplishments, you have also taken the time to personally meet with members of the archaeological profession to discuss issues of concern and countless times have offered your valuable advice and guidance.

Last year the Society for American Archaeology awarded you its highest honor to a non-archaeologist, the SAA Public Service Award. Today we are pleased to join others in recognizing you as you retire from the House of Representatives. We want to send our warmest good wishes for your retirement.

Sincerely,

PRUDENCE RICE, Ph.D.,
President.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. Mr. Speaker, I rise to congratulate MO UDALL for his service in the House of Representatives and to congratulate him on his retirement. MO is a statesman of the first order, and regardless of whether you are on the same side or on the opposite side of an issue with MO UDALL, you have to like the man. He has a quality of endearment that is hard to match. MO you might say is a Congressman's Congressman. He will be as well-respected by just about everyone in and out of Congress.

We have heard here today about many of his accomplishments as well as his personal attributes. America is truly better for the service of MO UDALL. He will be greatly missed in this body.

So MO, may God richly bless you and your family.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from the Virgin Islands [Mr. DE LUGO].

□ 1710

Mr. DE LUGO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, when I first came to this Congress and went on the Committee on Interior and Insular Affairs, I remember there sitting at the top dais was MO UDALL, TOM FOLEY, and Phil Burton and a lot of other outstanding Members of this House. MO UDALL is a special American. You go into the committee room of the Committee on Interior and Insular Affairs, and you will see a picture of MO before he became ill, and you see this vigorous, great American. He epitomizes what we would like to think our country stands for. He stood for it. That is the type of man he is. MO is a man of vision, persistence, patience, compassion and, of course, as you have heard so many times here today, a great American with warm humor.

Few who achieve the influence that he did during 30 years of extraordinary service to this country retain such warmth, such a sense of humor and so much humility. He was not only loved and beloved, but he was an astute leader.

You would always approach MO UDALL to ask for help, to ask for his advise, and so forth. This man was responsible for some of the great legislation enacted during the 1970's and 1980's. But he had a great sense of humor.

So perhaps you will forgive me if I remind the House that he also played a role in setting up the postal system as we know it today. So MO was also human; everything was not perfect.

We all kidded him about that many times.

But America would not be America as we know it today without MO UDALL. He brought into it and preserved so much of this country, the Alaska lands bill that you have heard so much about today, and other legislation.

When MO UDALL ran for President back in 1976, his vision, his candor, his honesty won him the admiration of many who appreciated his straightforward, down-to-Earth approach to the issues. Yet, even in the pitched battles for the State primaries, he never lost sight that it was the people with whom and for whom he was working.

During my years as a member of the Committee on Interior and Insular Affairs, MO was a teacher, a scholar, a friend who was never too busy, and as the gentleman from Florida [Mr. HUTTO] just said, he was always the stateman to all of us in this House.

Mr. Speaker, many of the achievements we have made in the offshore areas could not have been accomplished without the guidance, the support and the leadership of MO UDALL.

It is indeed fitting that the easternmost and westernmost points of the United States, Guam and the Virgin Islands—my home—are named after the Udall brothers, Stewart and MO. These points look out to the rest of the world, named after a gentleman who indeed in many ways seemed to symbolize much that is America, its genius, its temperance, its leadership and the hard-earned, well-deserved respect of their fellow Americans.

Mr. Speaker, I believe that MO UDALL stands as a giant in this Nation's history. MO UDALL is on a par with the greatest of the gentlemen who have achieved fame in these Halls.

Mr. Speaker, we will miss him, we will miss his wisdom, we will miss his humor and we will miss his comradeship and remember him always.

Mr. Speaker, I salute MO UDALL upon the occasion of his retirement. No man deserves it more.

I wish him swift recovery.

I would also like to add that in these difficult times he has been fortunate to have a loyal and a loving and wonderful human being by his side, his wife, Norma, to help him through these difficult days.

Mr. KOSTMAYER. Mr. Speaker, I yield to the distinguished gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. I thank the gentleman for yielding.

Mr. Speaker, I rise to support MO UDALL'S contribution to this body, to his State of Arizona and to his country, including the State of Indiana. As a freshman Congressman, I had not had much time in the last 3 or 4 months to know MO UDALL very well, but I would like to talk about three different things very briefly that have most indelibly impressed me about MO UDALL.

Mr. Speaker, for 4 years I worked on the staff of the senior Senator from Arizona, Senator DENNIS DECONCINI. Staff members, Mr. Speaker, I guess it is inevitable, always talk about other Members. We did a lot of work with MO UDALL and his staff. MO UDALL always took the time, when we were working with him, to ask not only how the Senator was but to ask how the staff people were and to pat somebody on the back or on the shoulder when they did a nice job.

MO UDALL cared about everybody, not just other Members.

As a colleague, as a nervous freshman coming into this body for a caucus for one of the first times, this is a busy place and some people scoot by you rather quickly. MO UDALL was not feeling well. You could tell that the struggles with his health were affecting him to some degree. But he still took the time to sit down and tell me a joke. That meant a lot to me, and it is something I will never forget, and it is something that touched me.

He is alive with humor, and this place will be alive with humor for a long time, remembering MO UDALL.

Last, as a Member of this institution, sometimes we struggle with our pride in this institution when we have town meetings and people are not very pleased with the job that Congress is doing. Well, MO UDALL brought respect to this body. It is something that I will continue to work at, to bring respect here. I have learned that from MO and other distinguished Members in this body. And even as a freshman Member,

having been here for 3 months, MO UDALL has taught me much about politics, about public service, about laughter and about caring about people.

Thank you, MO, and God speed and God bless your family.

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. I thank my good friend from Pennsylvania for yielding to me.

I would like to take a few moments to share with the people here today my fondness and my recollection about that wonderful man, MO UDALL.

I am the proud owner, incidentally, of five copies of that great book, "Too Funny to be President." I went to the signing and was able to get there early and got those copies signed one day. I treasure them very much. I presented one to my father, who has since deceased. He enjoyed it very much. Then one to my father-in-law and others, very special members of my family. I was able to help share the wisdom of MO UDALL and his wit as well to my family members who had never had the distinct honor and pleasure of knowing MO.

MO had a lot of jokes. MO believed that once he told a joke, it belonged to the public domain.

I was never shy about using MO UDALL's jokes, no matter what circumstances I happened to be in.

One night I was in Athens, GA, and was introducing coach Vince Dooley, a very famous coach and athletic director at the University of Georgia. Coach Dooley is a good man, a pretty serious fellow. His wife, Barbara, was sitting next to him as well.

I told an old story that MO used to tell that politicians and football coaches are very similar. In fact, here is how they are similar: One is, they have to be smart enough to know the players to get by, and they have to be dumb enough to think that what they are doing is important. Coach Dooley did not appreciate that comparison between politicians and football coaches. But his wife burst with laughter. So, I could tell that she is the one with the sense of humor and perhaps it was not he.

But in any event, what MO UDALL taught us so many, many times is that we can take ourselves entirely too seriously. He perfected the art, I have heard said many, many times here today, that you take the job seriously but do not take yourselves seriously. That is how he was so effective.

I want to recall before this body one personal experience I had with MO UDALL. One thing that I saw that I do not believe anybody else had the opportunity to see. That occurred just this past October.

□ 1720

Everybody here and everybody, I think, in the sound of my voice probably went through the misery we all went through last October when we tried to adjourn. This was not Congress' finest hour, incidentally, when we grappled over the budget, and we had sessions through the weekend, and many of us could not go back to our districts to finish our campaign because we simply had to stay up here and be in session. I think Speaker FOLEY quite wisely made us stay in session until we finished our business, even though the elections were only about a week away.

Mr. Speaker, the final night we were in session, after being up here for about 3 weekends straight, and many of my colleagues recall we stayed up all night Saturday night, and then until Sunday morning, and fortunately our proceedings are broadcast here on TV because I do not think my wife would have ever believed that I was up all Saturday night attending a session of Congress and voting, but we in fact were. And as most everyone here recalls, we spent the night in our offices waiting for the bells to ring and waiting to make that final vote.

Mr. Speaker, I was feeling like many Members of the House might have felt that day, somewhat perturbed and upset with, not only the performance of Congress, but really looking at myself and wondering is this what I really want to do? I really want to keep on doing this and putting up with the harassment we are getting from the folks back home and at the same time the inconvenience and the long, long sessions we were having up here? And I was frankly feeling a little sorry for myself about 7 o'clock in the morning as I had cast that last vote, and I was going over to my office to get a cab to take an early flight out to Atlanta, where I had to go and be at a church service where I was speaking at about 10 or 11 o'clock later on that morning.

Mr. Speaker, I was feeling somewhat sorry for myself. I was working too hard. Is it really worth it? What is this all about anyway?

When I came down to the basement and was about to go to the Cannon Building about 7 o'clock in the morning as the last vote was being cast, I saw MO UDALL from a distance walking over to cast that last vote to pass that last budget, and we all know it took him quite a while to get from his office over in Cannon to over here on the floor. But as I approached him and as I came one step closer and one step closer, I thought to myself: Here am I feeling sorry for myself. Here I am wondering what it is all about. And here is MO UDALL, crippled, tired. He has been up all night, a man 25 years older than I am, and he is hardly able to walk, but still coming through to cast that last vote.

Since that time I reflect back on that, and I have told the story many times, and I really have not felt sorry for myself anymore in the discharge of my duties.

It was a real pleasure to know, and to work with and to love MO UDALL, and we shall miss him, and his heritage is one that will never be forgotten here at the House of Representatives.

Mr. KOSTMAYER. Mr. Speaker, I yield to my good friend, the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. KOSTMAYER] for yielding.

Mr. Speaker, I was watching this testimony to a gentleman that I have known for 18 years, probably longer than anybody that spoke, and I was in my office doing my work, and I decided I had to come over and speak about a House Member that I have served with that long and watched him over the years be my greatest adversary next to John Seiberling. But out of that adversarial role we became very good friends.

And many people talk about MO UDALL's wit, and it is the thing that kept us together. I am not going to be able to recite his wit, but my colleagues know how it is to sit in a room in a committee where the chairman of the committee and subcommittee chairmen are taking away what we believe our rights are in the State of Alaska.

However, Mr. Speaker, MO had a way of telling me that what he was doing he believed in, and that I deeply respected. He always, as many people have mentioned, was straightforward. He was always generous to me, he was always warm, and, if he beat me, he always told me when he was going to beat me. That I deeply respected also.

Mr. Speaker, I beat him twice in his committee with him being the majority. He took it both times very graciously and turned around and beat me on the House floor, and that again is a great trait of a great leader.

Now in my State of Alaska everybody knows Stewart Udall. He locked up the State, and then MO UDALL made it into many parks and made it wilderness. We do not know whether he was right. I am not sure if he will be right. But he believed in what he was doing, and only time will tell.

I do know this, that as time goes by, even in Alaska there is a great more appreciation of what he was able to do.

In speaking about MO, and I hope that he will be able to hear me, I say I will miss him tremendously. We have a new chairman. He is a good man. He will be a good friend. But being with someone over a period of 18 years, and watching him come up through the subcommittee ranks, and then to the full committee chairmanship, and becoming the senior member on my side, and working with somebody side by side, it is a relationship that I will cherish for the rest of my life, and I hope MO will cherish the friendship

that I feel toward him. I say, "MO, I can tell you one thing, that as this year goes by, and the next year, and the year after, watch what we do, and let us know. Even then I will listen to what you have to say. God bless you."

Mr. KOSTMAYER. Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I was vey delighted to let the special orders that I had reserved be pushed back in order to allow this tribute to that wonderful American, MO UDALL.

Mr. Speaker, I did not serve on any of his committees, but I listened about him from all of the other Members, the Members on our side who served with him. They always had the greatest respect for him.

What I remember most about him is his pleasance. He is just so pleasant. Every time I saw him, even though it was difficult for him to move, he had a smile on his face, and he always had a hello, and a very nice hello.

Mr. Speaker, he certainly will be missed in this body because he was just such a very, very nice human being, and I do want to commend the gentleman from Pennsylvania [Mr. KOSTMAYER] and the gentleman from Utah [Mr. OWENS] who took this special time to pay tribute to this great American while he can watch what everybody is saying about him.

Mr. KOSTMAYER. Mr. Speaker, I came here in 1977, having been elected in 1976. The year 1976, of course, was the year that Congressman UDALL was a candidate for the nomination of our party, and I voted for MO UDALL in the Democratic primary in Pennsylvania in 1976, and we shared a campaign headquarters in the Eighth Congressional District. I never met him, but I knew his work and admired his positions, and I have a special admiration for the strong positions he took on the environment.

And then I came here in 1977, in January of that year, having been elected from Pennsylvania, and I joined the Interior Committee on which I have served continuously since 1976 except for one term when I was defeated. I came back in 1982 and got back on the Interior Committee.

And there is a great deal which has been said about MO UDALL today, and I really do not have very much to add except for a couple of things, one of which someone who spoke earlier said, and that is that this is an institution which is pretty badly beaten up in the country these days. Sometimes it is justifiable, but most often, I think, not justifiable.

Mr. Speaker, the presence of Congressman UDALL as a Member of the House has, I think, enhanced the stature of this institution. I think his membership reflected well on the institution, and I think that is very, very important. We remember him for many things, and most of those things have already been spoken of more eloquently than I can speak of them, for challenging this institution in instances when it needed to be challenged, for his hard work in preserving and protecting the natural beauty of the American landscape, for his integrity, for his humor.

However, Mr. Speaker, I remember most of all his personal kindness, and, having voted for him in 1976, not knowing him, and then getting to know him, I was glad I voted for him because I think very often in politics, as I suppose in other professions, people are not always what they seem to be. MO UDALL was what he seemed to be.

□ 1730

He seemed to be superficially kind and gentle and sensitive and understanding, and when you got to know him, you found out that it was not superficial, that he really was that way.

I think that in our lives there are a great many things that we regret, but we never regret being kind to other people. And that will always be, I think, one of his most outstanding features, his personal kindness.

So while we regret his departure from the House, we wish him Godspeed, we wish him a speedy recovery. He will always be in our hearts.

Mr. MILLER of California. Mr. Speaker, with the resignation of our colleague MO UDALL from the House of Representatives last Friday, we have all lost a national treasure.

MO has been a close friend and mentor since I first came to the Congress in 1975. For many Members of Congress, he served as a peerless role model: A leader of unassailable integrity, matchless wit, real compassion, and a determination to always do the right thing.

There have been so many landmarks in MO's career, it is difficult to know where to begin to recount them.

He was a leader in the reform of Congress at a time when such efforts were not appreciated by Members or the public. He was an early critic of the Vietnam war, and he fought tirelessly on behalf of civil rights.

But it is his record as chairman of the Interior Committee where MO has left his greatest mark. He has had no peer in our lifetime for placing and keeping environmental protection on the front burner of American public policy. Indeed, he joins a small pantheon of Americans—Theodore Roosevelt, Harold Ickes, John Muir, Phillip Burton—who have shaped the modern conservation and environmental movements.

Every day, somewhere in the United States, someone is rafting, canoeing, fishing, hiking, or camping on land that was, in one way or another, touched by MO UDALL.

Somewhere in the United States, there is wilderness or wildlands that have been preserved for this and future generations by MO UDALL.

Our National Park System is today twice as big as it was because MO UDALL made it happen.

He cared greatly, and worked hard, on behalf of American Indians and the people of America's territories. MO fought on their behalf for improved education, health, and welfare.

For nearly 30 years, MO was in the middle of virtually every major legislative battle that faced the Congress and the Nation. War and peace, civil unrest, civil rights, ethics, campaign reform, health care, gun control, immigration, nuclear energy, and of course, the environment. His effectiveness, his integrity, and his leadership won him the admiration of Members on both sides of the aisle, and throughout America.

Future generations will talk about what a Member of Congress should be—how they should conduct themselves, how they should approach an issue, how they should deal with their colleagues, how they should serve their constituents, how they can do the best for their State and their country. Those future generations need only point to MO UDALL and say, "That's how it should be done."

Perhaps MO's greatest legacy will be the legacy of laughter. In an institution and profession not reknowned for self-deprecation and genuine humor, MO never lost his wit or his optimism.

MO kept a quotation from Will Rogers on his office wall. More than anything, it summed up his career as a public servant and his philosophy.

"We come here for just a spell and then pass on," Rogers wrote. "So get a few laughs and do the best you can. Live your life so that when you lose, your are ahead."

For those of us who served with him on the Interior Committee, who worked with him in the Congress, and who supported his campaign for President in 1976, his career has set an extraordinary standard for public service, for commitment to ideals, and for effectiveness.

I will deeply miss MO's advice and counsel on a daily basis in the Congress. I know that every Member of this body joins me in wishing MO improved health and much happiness in retirement, and in thanking him for his innumerable contributions to making Congress and America better by having served with us and inspired us to carry on his legacy.

Ms. PELOSI. Mr. Speaker, I join with my colleagues in celebrating MORRIS K. UDALL and the 30 years that he has devoted to this institution, an institution whose stature has grown because of his leadership.

We are fortunate, here in the House of Representatives, to have been graced with a long list of outstanding, effective, and capable leaders whose commitment to public service has benefited the entire Nation. MO UDALL leads this list. His tireless efforts to improve the House as an institution, to serve his constituents, and to define, shape, and demand honesty and integrity in national policy debates set an exemplary standard for us all. Think of what this Nation could be if we all had the fortitude, the moral conviction, and the sheer courage of MO UDALL.

When I think of MO, so many wonderful images come to mind. He is probably best known for his work on preserving our Nation's wilderness. The name MO UDALL is now synonymous with wilderness. Because of MO, thousands of acres of our Nation's natural her-

itage are preserved for the enjoyment of future generations. His resolute stand on Alaska symbolizes the strength of his convictions. Against all odds and some very formidable opponents, MO UDALL has never wavered from his commitment to Alaska.

While the environment has been top on the list of MO UDALL'S accomplishments, it is by no means his only interest. MO has dedicated his energy to many other national issues from campaign finance reform to civil service reform, and to other areas of concern for the Second District of Arizona.

I remember, after my election and before I was formally sworn into office, I visited the Interior Committee where a bill to create the San Francisco Maritime Park was being considered. MO UDALL left his committee post to welcome me to Congress and to express his support for what would become a new National Park unit in San Francisco. MO's work is enjoyed and appreciated every day in my city. Given his energetic commitment over three decades in Congress, I believe that his work is being similarly enjoyed and appreciated in every congressional district in this country.

I cherish MO's friendship, his unassuming way, his gracious manner, and his unmatchable wit. We have all benefited from his work, we will all miss him now that he is retiring. MO UDALL can proudly look on his congressional career knowing that he has made a real difference in the lives of the American people and that he has done it with grace, with style, with humor, and with integrity. He embodies the best of the public servant, the best of this institution, and the best of the American tradition.

Mr. ROE. Mr. Speaker, I wish to pay tribute to a man who has been an inspiration to all of the Members of the House and to everyone who has known him. Representative MORRIS K. UDALL deserves the profound and appreciative thanks of the Nation for three decades of oustanding public service.

I was touched by the Udall magic from the moment I arrived in Washington. After my election to Congress in the only special held in 1969, MO UDALL was the first Member to greet me. He was in his fifth term at the time, and he provided me with more than 2 hours of wisdom about Congress, Washington, and the world.

MO UDALL's resignation from the House becomes effective on May 4, but his achievements will be enduring. His accomplishments extend from the inner workings of the House to national politics to the Democratic Party to major environmental legislation, especially for the West which he has cherished so much. He will be long remembered for his insight, his wisdom, his understanding, and his enormous impact on our Nation.

MO UDALL is unmatched in the grace, dignity, and good humor with which he has lived his life, whether in good times or in adversity. He has confronted an illness which would have destroyed lesser men and not yielded an inch for more than a decade.

For several years, we worked closely together on issues relating to water resources. As always, he demonstrated remarkable knowledge of the issues, as well as a notable dedication to the preservation of our natural resources.

As chairman of the Committee on Interior and Insular Affairs for 14 years, he left his mark on America. He was the moving force on legislation to protect wilderness areas, to protect Alaskan lands, to regulate the disposal of nuclear waste, and to restrict strip-mining.

More than that was his enormous impact on an entire generation of Members in the House. It was not only through his forward-looking leadership on issues such as environmental protection, campaign reforms, and even foreign policy.

It was through the force of his personality. MO UDALL came to Congress to make a difference—and he showed the Members of the House how it could be done.

Since I came to the House 22 years ago, there have been vast changes in the way this House works. MO UDALL was responsible, directly and indirectly, for many of those changes.

The House and the Nation are vastly different—and better—places because of the tireless work of MO UDALL. I am proud to have MO UDALL as a friend and colleague. I regret that he has made the decision to leave the House. I wish MO, his wife, Norma, and the rest of the Udall family all the best in the coming years.

Mrs. VUCANOVICH. Mr. Speaker, it is with great sadness that I rise today to say goodbye to my good friend and colleague MO UDALL. It was my honor to serve with him as a member of the Interior and Insular Affairs Committee since first coming to Congress in 1983.

While MO and I did not always agree on the issues, I knew that I could always count on fair treatment and would be afforded an opportunity to make my case.

I had the opportunity to work closely with MO on the nuclear waste issue, and despite the ultimate outcome MO always dealt fairly with me and my constituents. He was the guiding force behind the original legislation to deal with the intractable problem of disposal of the Nation's high level nuclear waste. His work to craft a law that was palatable to all interests was a testament to his abilities as a legislator.

MO always understood that other Members had constituents and interests to represent equal to his own. And because of his understanding of why we are all here he understood how to make the system work for us all.

MO UDALL was a gentleman with a gentle touch and I will miss him greatly.

Mr. NEAL of Massachusetts. Mr. Speaker, it is an honor to take part in this special order for our friend and colleague, MORRIS K. UDALL. I thank you, Mr. Speaker, and Congressman OWENS for reserving this time for a man who richly deserves not only our thanks, but the thanks of all Americans. Although MO UDALL will retire from this Chamber in a few days, his legacy and his influence will not soon pass.

To my mind there are several "Mo Udalls" known to us here and people around the country. There is MO UDALL, the 16-term Congressman from Arizona who often proudly held the flag of progressive ideas in an area that has grown increasingly conservative. There is MO UDALL, the ardent environmentalist, who warned of the dangers our Earth faced long before anyone heard of "Earth Day." There is MO UDALL, the chairman of the Interior Committee, one of the best friends our national parks have ever had. There is MO UDALL, champion of the rights of native Americans, again well before Indian matters had the attention of this Congress.

There is MO UDALL, the 1976 Presidential candidate who brought such honest debate of important issues to that campaign. We all miss those days, before 30-second "attack ads," when MO UDALL and other candidates would have real debates on the national agenda. There is MO UDALL, the great humorist who always had a great line on the pressing matter of the day. His humor, often suffused with a large dose of truth, made the serious debates of this House a bit easier. MO UDALL is the spiritual descendant of Will Rogers and Adlai Stevenson, a man he often quotes, and he continues to add to the great American tradition of political humor. MO titled his autobiography "Too Funny to be President," but he was never too funny to be effective. We need his light touch around here more than ever. MO UDALL's message is always worth hearing and humor is often his vehicle for effectively delivering that message.

Finally, there is MO UDALL, a man of tremendous character. His biography, right from his youth, is studded with health problems, that would have knocked a lesser person out of the game. These problems; the loss of an eye, spinal meningitis, a burst appendix, peritonitis, and Parkinson's disease, did not stop MO UDALL, in fact, he often found humor in his health problems. It is regrettable that MO's Parkinson's disease has caused him to go into retirement. However, we can all learn from his courageous battle against this disease and we all wish him a speedy recovery from his current problems, associated with the fall he took at home.

Mr. Speaker, I have only had the honor of serving a little more than 2 years with MO UDALL, but I feel that he has taught me a great deal about serving in Congress. Democrats and Republicans alike love to recount MO UDALL stories"—they have become part of the lore of the Congress. We will all continue to look to MO for advice and inspiration. I join my colleagues in wishing MO, his wife Norma, and everyone in his family the best in the years ahead.

Mr. MILLER of Ohio. Mr. Speaker, I want to join with my House colleagues today on this special occasion to honor the dedicated service of our good friend, MO UDALL of Arizona. As we all know, MO will be retiring this Saturday, May 4, 1991, from the House of Representatives after nearly 30 years of outstanding service to this Nation as a Member of Congress.

He will be greatly missed. A great deal will be said here today in fitting tribute to a man of immense integrity and absolute honor, but it can all be boiled down to the simple fact that he, and his exceptional leadership, humor, and work ethic, will be greatly missed. We will rightly praise his legislative contributions and his astute ability to look ahead with regard to legislation of great benefit to the Nation. In the end, our collective praise will add up to how much we will miss MO—after we fully realize how much MO has given us all.

It has been reported that MO kept a plaque near his desk containing a quote from Will Rogers. The quote read:

We come here for just a spell and then pass on. So get a few laughs and do the best you can. Live your life so that whenever you lose, you are ahead.

MO UDALL was always ahead. His legislative achievements are as monumental as they are legendary and long lasting. His preservation efforts for America's wilderness, especially Alaskan territory, have assured generations of Americans access to treasured park and wilderness lands for years to come. More than 100 million acres of Alaskan wilderness have been preserved and protected as a direct result of his leadership. We have scenic rivers and outstanding parks all across this great Nation, thanks to MO UDALL—Chairman UDALL. And, always, in the pursuit of his legislative agenda, he exemplified grace, good humor, and vision. We, his House friends and associates, were the immediate recipients of his skill and friendship.

I commend those responsible for this special occasion today. In reality, our appreciation for MO will extend far beyond this time and place. We wish MO the very best in retirement. As I noted at the beginning of my remarks, and reiterate now: He will be greatly missed.

Mr. MRAZEK. Mr. Speaker, it is with a heavy heart that I rise today to pay tribute to one of the great conservationists of our time, MO UDALL.

I had the distinct honor to travel to Alaska with Chairman UDALL in 1987. We visited small fishing villages in southeast Alaska as well as much of the arctic region, from Prudhoe Bay to the coastal plain. At every stop we made, MO UDALL received a hero's welcome, as if he had represented the State for years.

In essence, he has. MO UDALL has championed the preservation of Alaska's wildlands for over 2 decades. He spearheaded the passage of the Alaska Lands Act [ANILCA] and provided the necessary leadership to enable Congress to pass the Tongass Timber Reform Act last year. In addition, he has been the undisputed leader on wilderness designations, legislation to settle historic Indian water rights claims, as well as the Central Arizona Project.

I am sure no one will quite fill the void that MO UDALL's retirement will leave. His unparalleled sense of humor and commitment to public service is virtually unmatched in this body. He has garnered the respect of the American people as an outstanding voice for the protection of public lands and has served his Arizona constituents well. And, of course, his effort to obtain the Democratic Presidential nomination in 1976 further enhanced his national reputation.

I am truly honored to have served in the House with MO UDALL. His compassion and gift for compromise has taught me a great deal. In addition, I would like to acknowledge MO's dedicated staff, who among them have decades of experience, and who have been most helpful to me with regard to my efforts in Alaska.

This week, I introduced the MORRIS K. UDALL Wilderness Act of 1991 (H.J. Res. 239) as a tribute to MO's conservation leadership and his tireless work on behalf of the wilderness of Alaska. House Joint Resolution 239 would designate the arctic coastal plain as wilderness. As we are all aware, MO has worked for years to maintain this area in its natural, pristine condition in perpetuity. It would certainly be an appropriate tribute to MO UDALL to pass this legislation in his honor.

Mr. DWYER of New Jersey. Mr. Speaker, I would like to thank my colleagues for arranging this special order today so that we may honor our colleague, MO UDALL, and celebrate his contributions to our Nation and this institution.

In "Markings," Dag Hammarskjold writes:

Never look down to test the ground before taking your next step; only he who keeps his eye on the far horizon will find his right road.

MO UDALL's resignation from this body marks the end of a 30-year journey to discover his "right road"—a journey of learning, of growth, of disappointment and, most important, of renewed purpose.

Many of my colleagues have served longer with MO than I have. Many of you have worked more closely with him. Yet, it is my sense that MO was transformed by his journey—moving from an upstart reformer pressing for changes in the House seniority system to a little known Presidential candidate to a respected legislator and much admired senior Member of this institution.

Unarguably, MO has put his imprint on a wide range of environmental bills, working long before it was fashionable to preserve America's wilderness areas for future generations and to protect the unique environment and wildlife of Alaska.

I, however, will always cherish the special demeanor that MO possessed: the grace with which he conducted himself, his disarming humor, especially his ability to poke fun at himself—something that's often missing these days from this institution, and his courage and spirit.

Looking back, MO appears to have found his "right road," to the benefit of this body and the Nation.

Mr. NAGLE. Mr. Speaker, I would like to join my colleagues in paying tribute to the long years of distinguished service and leadership of our colleague, Mr. UDALL of Arizona.

Others have spoken of the legislative monuments he leaves behind as he closes that distinguished career. Those monuments, like Mr. UDALL himself, are, indeed, towering. His legislative achievements have been of historic proportions and will long be remembered by a grateful nation.

Today, however, I want to talk about some other monuments, some different kinds of monuments, Mr. UDALL fashioned over the years.

As you know, my home State, Iowa begins the Presidential delegate selection process every 4 years. In 1976, when Mr. UDALL sought the Democratic Presidential nomination, Iowans came to know him well as he campaigned across our State.

Even though that campaign was 15 years ago, I can tell you today, there are few national political figures held in higher esteem, and frankly, few more loved by Democratic Party activists in Iowa than Mr. UDALL.

In my State, we will long remember his many accomplishments on behalf of our environment and natural resources, but the monuments we will cherish the most are the warm and lasting friendships so many of us in Iowa were able to form with one of the true legislative giants of our time.

Mr. SHARP. Mr. Speaker, when MO UDALL retires from the House tomorrow, this institution will have lost one of its greatest resources.

MO is much more than a good friend to us. He has been a source of leadership. New Members as well as those who have spent years in the House could always count on MO to be a source of advice and counsel. Knowledgeable in not only the technical ways of the Congress but in its human dimensions, MO was always accessible, helpful, and insightful.

His sense of humor is legendary. Few of us have worked in this intense and at times difficult environment for so long and been able to retain that special sense of balance that allows us—on good days and rough ones—to smile at the end of the day. No matter how pitched the legislative battle, MO could always find inner peace and put things into perspective—a perspective that frequently brought former legislative adversaries together in laughter. His demeanor has been a source of inspiration for us.

When Chairman UDALL retires tomorrow, his retirement will have a profound impact on us, the Interior Committee he led so well, the Congress, and the Nation. A tireless worker for a better environment and maintaining the pristine quality of our national parks and public lands even when environmentalism was a neglected word, this Congress and the Nation owes a huge debt to MO UDALL. He is one of a kind, a unique and compassionate leader—and he is my very good friend. We will miss him greatly.

Mr. GUARINI. Mr. Speaker, I rise today to bid farewell to a friend and colleague, Congressman MORRIS UDALL. His tenure will long be remembered by those who love this institution, for he was truly a giant of a man. Congress is losing one of its best, a man whose career as a lawmaker is marked by the highest degree of excellence, achievement, and integrity.

Throughout his career, MO dedicated his efforts to one of the most pressing areas of national concern: preserving our precious environment. As chairman of the Interior Committee, MO UDALL led the fight for the Alaska lands bill, legislation that is considered by many to be the most significant conservation measure of this century. He was also responsible for writing the Strip-Mining Reclamation Act of 1977, and guiding the landmark Nuclear Waste Management Policy Act to law in 1982. Americans owe a great debt to this man who worked so hard to protect America's wilderness and ensure the preservation of the environment.

MO's achievements in the area of campaign finance reform have helped promote the quality and integrity of our form of Government. MO was the chief sponsor of the historic Campaign Finance Reform Act of 1974, and he continued to be an active participant in campaign reform discussions, keeping a watchful eye on changes in American politics. Campaign finance reform is an issue filled with controversy. But controversy never stopped MO UDALL from following through with what he believed in. Our political process is better

today than yesterday thanks to his tireless work.

In these and many other ways, MO UDALL has served and helped the people of the Second District of Arizona, the citizens of the United States, and his fellow Members of Congress. I join all his friends in wishing MO well.

A lot has been said about MO's humor and everyone has their favorite story or joke that was told to them by MO UDALL. He once wrote a book entitled "Too Funny To Be President." But he had more than just a sense of humor. He had style to go along with his wit and he will be sorely missed.

MO UDALL is one of America's outstanding heros, a great credit to the Nation and this institution. Our lives have all been enriched because they were touched by MO UDALL.

Mr. JACOBS. Mr. Speaker, eloquent David Rhon wrote this Indianapolis News editorial. Good for him.

The song says, "From this valley they say you are going * * *"

We might well say to MO, "From this hill they say you are going. We shall miss your bright eyes (sic) and sweet smile."

I don't believe it extravagant to suggest that MO UDALL is the closest thing to Lincoln since Lincoln.

How sad it is that America has been denied his Presidency.

[From the Indianapolis News, Apr. 17, 1991]

LOSING THE UDALL LEGEND

In the 1976 Democratic presidential primary, Oklahoma's Sen. Fred Harris, something of a political populist, quipped that he lost his bid for the presidency because his supporters, the little people, were too short to reach the voting lever.

Harris, however, siphoned off enough votes in four primaries—New Hampshire. Massachusetts, Wisconsin and Michigan—to deny Rep. Morris "Mo" Udall, D-Ariz., the nomination. Jimmy Carter was the winner, and the rest, as they say, is history.

It is hard to say what would have happened had Udall been the nominee instead of Carter.

But one can argue that Udall is one of the most capable politicians never to have been president. He is certainly one of the funniest.

He even made fun of his glass eye, describing himself as a "one-eyed Mormon Democrat from conservative Arizona—and you can't have a higher handicap than that."

Campaigning the depressed Farm Belt during the presidential primary, he would rhetorically ask his rural farm audiences if they knew the difference between a pigeon and an Iowa farmer. "The pigeon," he explained, "can still make a deposit on a tractor."

Udall narrowly failed to become the first candidate since James Garfield to go directly from the House of Representatives to the White House. Nevertheless, in three decades on Capitol Hill he accomplished about as much as anyone, authoring the Alaska lands act, the strip mining reclamation act, the nuclear waste act, the federal wilderness act and the campaign reform act of 1974. He also authored a delightful book titled "Too Funny to be President".

Now comes word that Udall, who has been suffering from Parkinson's disease and who was injured in a fall last January, probably is resigning his House seat.

Rep. George Miller, D-Calif., remarked on hearing the news, "Mo" Udall is one of the legends in Congress. The guy's a hero to all of us who came after him. If he leaves, it will be a major, major loss."

As columnist George Will once observed. "All wit rests on a cheerful awareness of life's incongruities. It is a gentling awareness, and no politician without it should be allowed near power."

By that measure alone, Morris K. Udall should have been in the White House, but has served the nation admirably in Congress.

Mr. LAGOMARSINO. Mr. Speaker, they say you can tell a lot about a man by his friends. In MO UDALL's case, that says it all, because his friends are legion.

Few people in the public eye have more friends than MO. His vast repository of friends ranges from presidents to pages, cowboys to kings. They inhabit igloos and teepees, castles and condominiums. He is universally liked and admired.

Over the many years and countless hours that I've spent with MO in 1324 Longworth—the Interior Committee hearing room, with its ornate ceiling and wonderfully evocative paintings of Plains Indians and buffaloes—I have grown to admire MO's legislative acumen, his fairness, and unfailing sense of humor, and most of all, his boundless humanity.

He is a man who was spared the burdens of the Presidency, but in the process of running made millions of new friends and admirers. The White House's loss was the House's gain, in my view. I might add that it was Arizona's gain, and California's gain, and Alaska's gain as well—every State and person who cares about the great outdoors.

MO has done as much to promote the sensible stewardship of our Nation's abundant natural resources as any Member of this body. His name is synonymous with the Alaska National Lands Act, the Strip Mine Control Act and dozens of other landmark measures. His skills as a negotiator, his ability to hammer out workable compromises with competing interests, are testimony to his all-encompassing point of view. MO sees the merit in every argument and every man. It was probably this reasonableness which cost him the Presidency.

Although we are of differing parties, I have never regarded MO as a partisan politician. He is an American, a Westerner, and a man of his word—and that's good enough for me. I regard him as a true friend.

Mr. Speaker, few men leave as memorable a mark on this House as MO UDALL. I know that every time I sit in 1324 Longworth and glance at MO's portrait on the back wall, I will think of him, doing what he loved best, doing the business of the people. I can think of no finer tribute. Thank you, MO, from all your friends. And MO, all the best for the future for you, your wife, Norma, and all of your family.

Mr. SOLOMON. Mr. Speaker, we are taking this time today to honor one of the greatest and most esteemed Members to ever serve in this great House. But, in a very real sense, I think it has been MO UDALL who has honored us all these past 30 years. His career of service touched and enriched the life of this institution in a way that has been equaled by few other people in history.

I first met MO in Albany, NY, in 1976. He was campaigning for President, and he stopped by the New York State Capitol Building to address the State assembly. MO was representing the opposite political party, of course, but I came away from that meeting immensely impressed by his integrity, his candor, and, of course, his wit.

Two-and-a-half years later, I came to Washington as a freshman Member of Congress, and I had the opportunity to get better acquainted with MO. All of us who know him will always remember his fairness and his willingness to go the extra mile in helping any Member achieve something worthwhile for our country.

I mentioned a moment ago that MO comes from the other party from mine, but the elder statesman of my party, Barry Goldwater—"Mr. Republican," "Mr. Conservative"—has said many times that MO UDALL is the finest man he has ever met in public life. I am sure that we all can say that.

And so we meet today, not to offer a eulogy, but to express our thanks. Thank you, MO, for your life of service which has brought such dignity to the craft of politics. Yours has been an uncommon example of courage, honesty, and adherence to principle. We should all hold ourselves to that high standard.

Good luck, MO, and thanks for all you did for America.

Mr. MCMILLEN of Maryland. Mr. Speaker, I rise today to join with my colleagues in honoring a man who served this House so nobly for decades, and who is retiring this week. The Honorable MO UDALL resigned from the House of Representatives this week after nearly 30 years of service. I had the good fortune to know MO in another capacity, both he and I were former professional basketball players. Along with Jack Kemp, JIM BUNNING, and BILL BRADLEY, we formed the unofficial jock caucus on Capitol Hill. Not many people know that MO was an accomplished player in the 1950's, before he hung up his sneakers for the world of public service.

There are very few people who worked in these buildings during the last three decades who did not know of his remarkable charm and legendary wit. But, behind this sense of humor, was an incredibly dedicated, hard working, and compassionate public servant. We all know of vital environmental legislation MO pushed through the Congress, protecting the lands, the lakes, and the streams of the Nation.

MO was fond of quotes, and often turned to Will Rogers for an appropriate line. In that vein, I'd like to note something that Rogers said in his autobiography:

> Shrewdness in Public Life all of the World is always honored, while honesty in Public Men is generally attributed to Dumbness and is seldom rewarded.

MO UDALL proved that wrong. He was a man who wore his honesty on his sleeve, no matter what the political consequences or personal sacrifice was required.

I am sure we will all miss MO UDALL'S presence in these Halls. More than that, the citizens of Arizona and the United States will miss this advocate of great and noble causes.

Ms. OAKAR. Mr. Speaker, 2 days from today, a giant of Congress will bid it adieu. MORRIS KING (MO) UDALL will, because of failing health, step aside after honorably serving the House of Representatives and the constituents of the Second Congressional District of the State of Arizona for 30 years.

We are gathered here this afternoon to bring forth our own fond remembrances of this gentle giant. There are many. MO UDALL was a man who touched the hearts and minds of everyone with whom he came in contact. MO has the great distinction of having literally thousands of friends. I think it is safe to say that he has 435 in this body alone.

I had the privilege of participating in a special tribute for MO at the 1988 Democratic National Convention. Given the Democrats celebrated penchant for fighting and bickering, it was the one thing we all could unanimously agree on. We loved MO.

It was not the first time this great human being was honored by his party or his colleagues. In 1984, he was honored by his colleagues as the most respected and most effective Member in the House of Representatives. I am pleased to say that great honor has not been tarnished one bit after 30 years of service to his country.

In a way this country is his country. MO UDALL literally was a lone voice crying in the wilderness when he passionately championed his environmental programs. But, because of his vision and his tenacity, untold generations will be able to enjoy the beauty and grandeur of vast expanses of wilderness, protected from the interests who would despoil nature's wonders. I think there could be no finer way to remember MO UDALL than to name one of our national parks after this gifted human being.

At the 1988 Democratic National Convention, in introducing MO to the delegates, I referred to him as "perhaps the greatest lawmaker of our time." Today, the only change I would make in that introduction would be to eliminate the word "perhaps."

To the greatest lawmaker of our time, MO UDALL, I wish God's speed. His example embodies everything that is honorable and decent and good about this body. His legacy will be here long after all of us have gone our divergent ways. And that is the way it should be.

Mr. FORD of Michigan. Mr. Speaker, I am honored to join my distinguished colleagues in paying tribute to one of the legislative giants of our time—MO UDALL. Everything about MO is big—his stature, his wisdom, his wit, his heart.

Many will best remember MO for his work on environmental issues. As chairman of the Interior Committee, MO was deeply involved with legislation affecting public lands, national parks, and Indian affairs. Among his proudest achievements was the passage of the Alaska lands bill designating 104 million acres as national wilderness.

But I will remember MO for our work on the Post Office and Civil Service Committee and the Franking Commission. MO served on the Post Office and Civil Service Committee his entire 30 years in Congress and as the only chairman of the Franking Commission since its creation in 1974. I served on the Post Office and Civil Service Committee from 1967 to 1991, becoming chairman in 1981, and served on the Franking Commission since 1981.

MO and I found ourselves on opposite sides on some of the major legislative proposals pending before the committee. We both played key roles in legislation to create the U.S. Postal Service and the Civil Service Reform Act. While we didn't see eye to eye—by any stretch of the imagination—on all of the issues, we were able to produce legislation that we could both support on the floor of the House.

Mr. Speaker, it has accurately been said that MO UDALL is one of Arizona's most valuable natural resources. For 30 years, MO truly was one of the House of Representatives most valuable Members. I will miss him.

Mr. WEISS. Mr. Speaker, 2 weeks ago we learned something that we had long feared. MORRIS K. UDALL, Representative of the Second District of Arizona for 30 years, is resigning from the House of Representatives.

It is testament to MO UDALL's political acumen, his self-deprecating sense of humor and kindness as a friend that the House of Representatives takes time today to honor him. I am privileged to participate in this special session.

Of course, those of us in the House who have served with MO UDALL over the years are well aware of his political achievements and warmth as an individual. They stand as tall in our eyes as his 6-foot-5-inch frame does.

As a liberal activist in the Democratic Party, he was a leader on environmental issues and a reformer of campaign finance. As chairman of the Interior Committee, he developed that committee into a champion of conservation and environmental causes.

But MO UDALL is more than a politician. Almost everyone who knows MO UDALL has a funny story to tell about him or have had an exchange with him that left a favorable impression.

But what's indeed admirable about MO UDALL—what should really leave an impression—is that he was not afraid to be a leader and, more importantly, not afraid to fail. He ran for the Democratic Presidential nominee in 1976 and lost in a close race. He ran for majority leader in the House and failed to gain that position.

Despite those setbacks, and personal setbacks, MO never lost his sense of humor, he never lost sight of who he was, or what he was about. That's the mark of a great leader.

For those of us honoring him today, we should recall that characteristic.

But MORRIS UDALL is not resigning from the House because his work is done here. Everyone who knows MO knows he is a fighter. He is resigning because a personal illness no longer permits him to serve. Although I am saddened that the House will be losing his leadership and wit, I wish him well in a speedy recovery. Suffice it to say it will be impossible to fill his large shoes.

In honoring MORRIS K. UDALL, I think it is appropriate to remember a bit of his outlook on life. That outlook is expressed well in quote by Will Rogers that is kept near his desk.

We are here for just a spell and then pass on. So get a few laughs and do the best you can. Live your life so that whenever you lose you are ahead.

Mr. SMITH of Florida. Mr. Speaker, starting this week, the House will laugh a bit less because MO UDALL is resigning.

As a 30-year Member of this body, MO has led the House of Representatives and the Nation with his self-effacing humor and his strong convictions. He was a leader in opposing the Vietnam war before it was popular to do so. He became a leader in raising the ethical standards of Government ethics before it was a political necessity. He led the fight for the preservation of our environment before Earth Day was a televised event. MO always seemed to know what was best for America even before America, leading instead of being lead.

What will I remember most about MO? Clearly, the direction he gave this body as chairman of the Interior and Insular Affairs Committee cannot be forgotten. The unifying role he provided the Democratic Party as keynote speaker at the 1980 Democratic Convention will also stand tall in my memory. However, what I will remember most about MO is not the proud, intelligent legislative record he leaves behind, but his warm friendship and his shining humor.

Perhaps my favorite story he told me deals with a little girl who is saying her prayers before moving. The girl says:

"Now I lay me down to sleep, I pray the Lord my soul to keep. God bless Mommy, Daddy, Grandma, and sister * * *. And now, good-bye God * * * we're going to Washington."

We are all very lucky MO UDALL came to Washington. He was certainly funny, but not too funny to be one of the best legislators our Nation has ever had. He will be sorely missed.

Mr. COLEMAN of Texas. Mr. Speaker, I would like to add my thoughts in tribute of a good friend and southwestern neighbor, MO UDALL. Representative UDALL took me under his wing during my freshman term, teaching me the ins and outs of Capitol Hill.

I will remember Representative UDALL as a strong supporter of United States-Mexico relations, and I know he will miss the opportunity to vote on our future trading relationship with Mexico. In 1983, he helped in the formation of the border caucus, and has been an active member during the last 8 years.

He is rightly championed as a dedicated conservationist, who will be remembered for his leadership of the Interior Committee, which, through the years, has tried to remain true to the Earth. MO is a noted authority on the United States' land and energy resources and is deeply involved with legislation affecting nuclear energy, public lands, national parks, and Indian affairs. This year, for example, Representative UDALL introduced legislation to expand Alaskan wilderness areas.

His legacy will include his leadership in the Alaska lands bill, probably the most important conservation measure of the century and the 1977 Strip-Mining Reclamation Act. In 1984, he wrote the law which designated over 1 million acres of land in Arizona as wilderness. He loves the outdoors, something those of us from the desert Southwest share.

The environment has not been his only interests, however. He has served as a member of the Foreign Affairs Committee and the Post Office and Civil Service Committee. He has been a leader of the Democratic Party, sponsoring the 1974 Campaign Finance Reform Act and in 1984 served on the Hunt Commission.

The most important thing that MO UDALL taught me, however, was how to retain a sense of humor while the wolves are pounding at the door. His wit will remain with all of us;

after all, how many of us could write a book entitled "Too Funny To Be President?" That was not the only book he wrote, we will remember him as the author of "Education of a Congressman" and "The Job of the Congressman" the unofficial primer on the inner workings of Congress.

I am sorry to see my friend, my neighbor, and mentor leave his seat in the U.S. Congress, but I know I will be able to cherish the few years I was able to share his wit, enthusiasm and knowledge.

Mr. YATES. MO UDALL is one of the great, good men of this House and his retirement is a sad event. We have been close friends for many years and I can only say that I will miss him very, very much.

MO makes us proud to be citizens of this country and those of us who participate in public life take particular pride in his life and career. Every citizen of the United States has benefited from the dedication, wisdom, and hard work of this remarkable human being. He has brought joy to our hearts and from the day he arrived from Arizona, he has been a bright, progressive force in the Nation's public policy. I thank him for all those things and I want him to know I treasure his friendship.

Mr. HORTON. Mr. Speaker, I rise to join my colleagues in paying tribute to MORRIS K. UDALL—a man who has dedicated over 30 years of his life to public service. It has been my distinct honor and indeed a personal privilege to serve with MO for all of my 29 years in the Congress. He is one of the finest individuals I have ever known and, indeed, one of the all-time giants of the U.S. House of Representatives.

As a member of the House Interior Committee since coming to the Congress in 1961 and chairman since 1977, MO has placed his personal imprint on virtually all environmental legislation of the past 30 years; and he may, in fact, be the most prolific author of environmental legislation that this body has ever seen. Today, the millions of acres of wilderness across the country, which are now safeguarded from development, stand in affirmation of MO'S steadfast commitment to protecting our Nation's vital natural resources.

Since his early years in Congress, MO has used his leadership abilities to successfully advocate many reforms of both the Congress itself and the American election system. In 1971, he was the author of ground-breaking legislation that established the first natiional campaign finance guidelines.

I have had the opportunity to serve with MO on the Post Office and Civil Service Committee. As the chairman of the Franking Commission, MO has exhibited the highest degree of integrity and fairness. As a member of the Committee, MO has also worked to reform the Federal pay system. He is a friend of civil servants throughout America, and they will sorely miss him.

In recent years, I have come to rely on MO for guidance and advice as several counties that I represent are affected by an ongoing Indian land claim. MO'S knowledge and insight have been invaluable to me as I have worked to develop an agreeable solution to this claim which clouds the title of thousands of landowners and threatens to disrupt the local economies. The loss of MO'S expertise makes the prospect of successfully concluding this issue all the more difficult.

I would like to extend the best wishes of my wife Nancy and myself to MO and his family, friends, and staff. Throughout his lifetime, he has overcome adversity time and time again; let us all hope and pray that his tremendous will and courage will prevail one more time.

For the past 30 years, MO UDALL has represented the people of Arizona's Second District with honor, dignity, and the utmost distinction. His retirement is a loss not only to the people of Tucson, Phoenix, and Yuma, but the entire State of Arizona and the Nation as a whole. We will miss his leadership and his ever present wit, and I am afraid that the House of Representatives will be forever diminished by his absence.

Mr. HUGHES. Mr. Speaker, I rise today to join my colleagues in honoring one of the great men to have served in the House of Representatives, Congressman MORRIS K. UDALL. On Saturday May 4, 1991, MO UDALL will officially retire from Congress.

Our country missed a great opportunity with MO UDALL. He would have been an outstanding president. He is unquestionably one of the most respected Members to ever serve in the Congress. MO also had a quick wit and wonderful sense of humor.

For 30 years, MO has represented the people of Arizona's Second Congressional District. Throughout his distinguished career in Congress, he has earned great respect from his colleagues as a talented legislator and a statesman. Since 1977, he has served as chairman of the Committee on Interior and Insular Affairs. His legislative achievements are numerous including: the Alaska lands bill, the 1977 Surface Mine Reclamation Act, and the 1982 Nuclear Waste Management Policy Act—just to name a few. He is one of the foremost experts on energy and land issues in the Congress.

MO UDALL is also a leader in campaign reform. He sponsored the 1974 Campaign Finance Reform Act and served on the Hunt Commission which wrote new rules for the 1984 national elections.

MO has served the people of Arizona and this Nation with dignity, honor, and integrity. His legendary sense of humor brightened the Halls of Congress. His expertise, leadership, and humor will surely be missed in this Chamber.

Mr. QUILLEN. Mr. Speaker, today I join with my colleagues to honor my close and personal friend, MO UDALL. MO, I will miss you personally, and the whole Nation will miss your legendary leadership in the House. Your retirement will leave a void that will be impossible to fill.

In my 29 years in Congress, I have enjoyed my association with you and found you to always be considerate and a gentleman.

I remember so well when the bill creating a Cabinet level Department of Education was before the Rules Committee and you needed votes to get it reported to the floor. I voted to support it, and you wrote a letter telling my constituents that it was my vote which actually was responsible for the measure reaching the floor. You did this for a Republican, even though you are a dedicated Democrat. It just goes to show how thoughtful and considerate you are. You haven't forgotten. However, the National Education Association's memory is not as good as yours.

Your commendation for my assistance in passing the Alaskan wildlife bill also meant a great deal to me personally.

I could go on and on about your skill and legislative abilities and recognition for those who would help you in getting legislation passed. No one can equal your skilled legislative performance and accomplishments.

I salute you as you leave—you will always have a warm spot, not only in my heart, but in the hearts of all those with whom you have served and those whom you have helped all during your career.

Mr. MONTGOMERY. Mr. Speaker, I want to join you and so many of our colleagues on both sides of the aisle to pay tribute to our friend, MO UDALL. Like all who have known and worked with MO over the years, I am very fond of him. Everyone in Washington is well aware of his famous wit. He would have been a big success in the entertainment industry, but MO chose a career of public service. And those 34 years of service to the people of Arizona and to this Nation have been outstanding. He will be greatly missed in this Chamber.

I always found MO to be very easy-going and a pleasure to work with, and his record of achievement is a reflection of his ability to get along with Members on both sides of the political aisle. We are here today to honor MO UDALL, the man, as well as to honor his very effective record of legislative achievement in this Congress. He deserves recognition on both counts and I am proud to take part in this special order today.

I want to salute MO UDALL for a job well done and wish him all the best.

Mr. FASCELL. Mr. Speaker, I rise today to honor the 30 years of service of one of our finest colleagues, MORRIS K. UDALL. In MO's last week of service in the House of Representatives, I would like to take the opportunity to salute our colleague and friend. It has been an honor to have served with a man so dedicated and devoted to public service.

MO came to this body in 1961 to be heard and to make a difference. He won with dignity and lost with grace, but he never gave up on the fights he lost. MO fought to make our Nation fairer, our environment cleaner, and our Government more accountable. He may not have gotten everything done that he wanted to, but his record is still very impressive.

Regardless of whether you supported his position or opposed it, to work with MO was always a pleasure. He constantly demonstrated that laughter is not only therapeutic, but also a very effective way to make a point. MO eased tension with a story or a joke and, at the same time, would drive his position home. He may have been "too funny to be President," but we know that he was a serious legislator committed to improving our Nation.

During his tenure as chairman of the House Committee on Interior and Insular Affairs, he was responsible for reshaping our national perspective toward the environment. He thoughtfully encouraged greater emphasis on conservation ideals to the stewardship of public lands and this legacy will endure. Future generations which use our public lands and

national parks may never know of MO, but they will enjoy the fruits of his labor.

A partial list of accomplishments include protecting the Grand Canyon, reforming the campaign finance system, preserving our last frontiers in Alaska, working to stop strip mining, and revising the civil service system. MO has also helped protect countless resources of ecological and historical value in communities across the country. The focus of his career was to leave our environment cleaner than when he found it and to make our Government more effective than when he found it. Judging from the respect and affection we have for MO, I believe he has been successful.

One of MO's most important contributions to our Nation is the reforms he advocated in this institution. These reforms brought more Members into the process and allowed the Congress to benefit from their expertise and diversity. These reforms changed this institution and will allow it to continue to address the changing needs of our Nation and our world.

MO has also been a valuable member of the Foreign Affairs Committee, and of the Arms Control, International Security and Science Subcommittee, which I chair, since 1985. We have appreciated his contributions to the committee, particularly his expertise on international environmental issues.

We have been fortunate to have served and worked with MO UDALL. He leaves the Congress with a list of accomplishments that demands respect, and he leaves his colleagues with many marvelous memories of the special person he is.

Jeanne-Marie and I wish MO continued progress with his recovery so that he and his family will enjoy a well-earned retirement.

Mr. ANNUNZIO. Mr. Speaker, I'm honored to have served with Congressman MO UDALL during my 26 years in the House of Representatives. I'm sure all the Members of this body will miss MO's congeniality, wit, and commitment to making this country a better place to live.

When MO UDALL came to this Congress in 1961 he brought with him the values that have characterized the Democratic Party for generations. These include a commitment to equal opportunity for all and a desire to give working Americans a chance at a better life than their parents and grandparents before them.

But beyond that, when MO UDALL came to this House he brought with him a special knack for drafting and promoting legislation of interest to his Arizona constituents and people across this Nation.

One key area where MO put these skills to work is in the field of environmental law. As chairman of the House Committee on Interior and Insular Affairs since 1977, MO helped enact more bills to protect the environment than anyone in this House. History will credit him for his bold efforts to save wilderness areas, including nearly 100 million acres of unspoiled land in Alaska. And despite the tragedy of MO's recent illness, he's kept right on fighting to safeguard these areas by opposing oil and gas drilling in the Alaskan wilderness and elsewhere.

Everyone knows MO as an effective Congressman, but his dedication to public concerns has never caused him to lose his easy-going congeniality, whether he was on the Presidential campaign trail or the floor of the House of Representatives.

I'll always remember MO's smiling face and his friendly hello when I'd see him on the floor during rollcall votes. In this age of increasingly negative political discourse, we can all benefit from MO's example as a man who never lost his sense of humor when dealing with politics or the Federal Government.

Finally, as he now enters retirement, I want to offer my best wishes to MO, his wife Norma, and their entire family.

Mr. GALLEGLY. Mr. Speaker, I am proud to join today in honoring a legislative giant as he concludes 30 years of service to this House and to our country.

The Honorable MORRIS UDALL leaves behind a legacy that few other Members can match. From his uphill fight to reform House rules to his desire to preserve our Nation's natural beauty to his valiant struggle against the disease that finally is forcing him to retire from the House he loves so much, MO UDALL has been an inspiration.

I have been honored to serve for more than 4 years on the Interior and Insular Affairs Committee under Chairman UDALL. As my fellow committee members would agree, there is perhaps no fairer and more even-handed chairman in the House today, and certainly no member with the wit and good humor that MO has consistently shown throughout his career.

The House will be a poorer place without MO UDALL. He may have been, as his book suggests, too funny to be President, but he will be remembered as a gifted and hard-working lawmaker who accomplished much for his beloved Arizona and for his Nation.

Mr. APPLEGATE. Mr. Speaker, in his book, "Too Funny To Be President," our dear friend and colleague, MO UDALL, thought of each and every one of us when he said, "This book is dedicated to the 3,000 Members of Congress, living and dead, with whom I served for nearly three decades."

Well MO, everyone in this Chamber, and everyone in the other Chamber, all wish to join together in returning the favor by dedicating this day to you. As for the rest of those 3,000 who can't join us today, well, MO, I'm sure you'll think of something to say about them when it's appropriate.

If anyone really wants to know what American politics is all about, if they really want to fathom their way through the nuances of our representative democracy, then one need not go any further than to read MO's exquisite writings on America's two favorite pastimes: Politics and Humor.

To really gauge the honest views and concerns of Americans, to really get at the core of what the voters think about their elected officials, I can only recall the story that MO tells in his book, to quote:

A stuffy Senator goes to an Indian village for a fourth of July parade. The Chief asks the Senator if he would like to ride in the parade.

"Okay," says the Senator, "If I can ride that big white stallion I rode last year."

"I'm sorry," says the Chief, "we don't have a white stallion."

"Sure you do," says the Senator. "I can see him over there in the corral."

The two go over to look. Reaching the fence, the Senator points to a big white horse and says, "There he is, that's the same one I rode last year."

"But that's not a stallion, it's a mare," says the Chief. "She's one of our best horses."

"Well, okay," says the Senator. "Throw a saddle on her and I'll ride her. But I know there's some mistake. I can distinctly remember riding through the streets and hearing people say, 'Look at that big . . . look at that big . . .'" Well, MO, you know how the story goes . . . "'Look at that big "You-know-what" on that white horse.'"

If anyone wants to know the rest of the story, they'll just have to read your book.

MO, your 30 years in this Chamber will go down as probably some of the most important 30 years ever put in by any of those 3,000 Members with whom you've served.

But MO, let me just say, and as you quote in your book, as Will Rogers once said: "Live your life so that whenever you lose, you are ahead."

MO, just because you always seemed to come in second way back in 1976, let me assure you that you were never a loser at anything. And, most of all MO, as far as coming out ahead of the game, let me just say that you're way, way ahead of your many colleagues who have had the great pleasure of serving along with you.

You should have been President, MO, and I really don't care if those guys in that barber shop in New Hampshire were laughing about it.

MO, we thank you for moving America ahead on the important issues of our environment, our public lands, and our natural resources.

There is not a Member with whom you've served who has not felt your presence, nor will those in future generations not feel the impact of what you have done to make America a better place in which to live.

Betty and I extend our very best wishes and very best hopes to you and Norma and your family for many years of happiness together.

Goodbye, MO, and God bless you.

Mr. STUMP. Mr. Speaker, MO and I go back a good many years, and his leaving the House truly is the end of an era in the history of Arizona, the House, and the country.

MO is among this institution's most highly respected Members. He earned that respect through decades of public service marked by selfless concern and action on behalf of his native State, his country, and this Congress.

The UDALL legacy is diverse and one which will touch many people for years to come. And as important as the tangible successes of his career, so too is the intangible means he went about achieving his goals. MO employed just the right mix of determination, wit, and humility to build coalitions to resolve issues, no matter how great or how small. It is a formula from which we could all learn.

MO's retirement is a tremendous loss of a leader in the House and Arizona, and to his many friends throughout the country. Although we didn't always agree on the issues, we've worked well together over the past 14 years, and I feel fortunate to be among those to have had the opportunity to work with him and to call him a friend.

MO and the family are in my thoughts and prayers. I thank him for an outstanding career, and wish him well.

Mr. CONDIT. Mr. Speaker, I rise today to pay tribute to one of this institution's greatest Members, our beloved MORRIS UDALL of Arizona, who has decided to retire after 30 years of service.

MO UDALL cared about this country, and he cared about how we left it to our descendents. More than anyone else in this Congress, MO UDALL was instrumental in protecting the environment and the natural beauty of our vast areas of wilderness. He was a tireless worker for causes that would make a difference in the quality of life for our citizens.

He loved this place. He enjoyed being a Member of the House of Representatives, and it showed. It can sometimes get frustrating and disillusioning here, but it was always an inspiration to watch and hear MO UDALL talk about this institution, exhorting his colleagues to do the right thing, whether you agreed with him or not on the issue at hand. His humor was always a great outlet for the tension that can build around the work that we do here.

His shoes will be hard to fill, but MO UDALL's presence will always be felt here and in the natural resources that he was so instrumental preserving. I wish him and his wife Norma well. We are all praying that his health improves, and he is able to resume an active life.

Mr. DURBIN. Mr. Speaker, I rise today to pay tribute to an extraordinary Member of Congress. MO UDALL may retire this week, but he will long be remembered for his outstanding work as a Member of Congress and will always be loved by those who knew and worked with him.

MO took his job seriously, but not himself. When I came to Congress in 1983, MO had already served for 20 years. His great knowledge of the legislative and political process as well as his sense of humor and loyalty to this institution inspired me from the beginning.

MO is well known for his work to preserve our Nation's wilderness areas and National Park System. As chairman of the House Interior Committee, he left a legacy of beauty across our country. MO was also instrumental in enacting reforms in the House in the late 1970's. Our current system of government would not be what it is today without MO's hard work.

MO made friends every where he went. I hope he realizes that he will be sorely missed in Congress. I wish MO and his lovely wife Norma all the best and many happy times in the coming years.

Mr. FUSTER. Mr. Speaker, I rise today to add my praise for MO UDALL. We in Puerto Rico owe a special debt of gratitude to the retiring chairman of the Interior and Insular Affairs Commitee. He is a most distinguished Member of this body who has a special knowledge of Puerto Rico, and somehow it won't be the same without his presence in Congress.

MO UDALL has served in the House for 15 terms, and he has certainly left his mark. His record of decency, competence, and sheer dedication to the magnitude of his responsibilities has set standards by which we all aspire to, and his presence will be missed. We all know the wide respect and affection he had from his colleagues. The 3.6 million American citizens in Puerto Rico share that respect and affection. He has certainly left his imprint on legislation affecting us in Puerto Rico, and he will long be remembered.

His constituents in the Second Congressional District of Arizona, a great many of them Hispanic, have every reason to be proud of their giant of a Congressman. When the history books are written about the U.S. House of Representatives in the second half of this century, the name of MORRIS K. UDALL will be writ large, and I am proud to have counted him as my friend and colleague on the Interior Committee. I wish him well as he continues to battle the health problems that have caused his unfortunate resignation from the Congress.

Mr. DE LA GARZA. Mr. Speaker, for over two centuries Congress has been a living force in the American system of government, a dynamic embodiment of our millions of citizens. The will of the people emerges through the agreements and disagreements that develop as each of us as Congressman attempt to reflect the views and desires of our own constituencies. Yet, some members go beyond the confines of their own districts, representing and striving to achieve the goals of a far broader constituency—a majority of the body politic. And when such Members of Congress retire, not only we, their colleagues, or their individual constituents feel the loss, but the whole system suffers.

Today we are here to honor such a man, MORRIS UDALL, as he ends what has been a more than distinguished congressional career. As we gather, I try and think what exactly it is that makes him such an institution among us. Is it his legislative achievements with which we are all well acquainted? No question they are legend. Is it the exemplary manner in which he has served this Nation? Certainly his sound judgment and honest concern has always been evident. Is it the integrity, conviction, and dedication he has displayed these past three decades? Truly he is a shining example of representative government, his actions reflecting the needs of those who sent him here to Washington, his accessibility proving to his constituency that they had certainly made the right choice. Personally, I think it is all this and more becaue to put it quite simply, MORRIS UDALL is a great man—one whose impact has been profound and whose legacy will indeed be lasting.

It is never easy to say goodbye to one of our own, and today as we stand here I truly feel a loss that one who has added so much vitality to this Chamber will tomorrow no longer stand in our midst. What is nice, however, is that we all know we can continue to call on MORRIS UDALL for his invaluable expertise and counsel.

Mo, for the honor of having had the privilege of working beside you these many years let me say thank you. I will miss you. We will all miss you. You are indeed our hero.

Mr. RAHALL. Mr. Speaker, I would join my colleagues today in paying tribute to MO UDALL.

There are those today who will speak about MO UDALL, the gentleman from Arizona. MO UDALL, the Presidential candidate. MO UDALL, the powerful chairman of the Committee on Interior and Insular Affairs and his vast legislative accomplishments. MO UDALL, the man.

I share the sentiments of my colleagues in these matters. As a freshman Member of Congress I began serving on the Interior Committee in 1977, the year MO became its chairman. Under MO's leadership, the years that followed were extremely productive for the committee. Many of MO's legislative initiatives were enacted into law, such as the Alaskan Lands Act. Under MO UDALL's guidance the committee produced a legendary amount of wilderness and park legislation that will stand as testimony to the will and foresight of this great man.

Others will speak to those issues. I will speak to but one of MO UDALL's legislative achievements; one that left its mark on the lives of every citizen of this Nation's coalfields: The landmark Surface Mining Control and Reclamation Act of 1977.

Mr. Speaker, for many years leading up to the enactment of this law, the gentleman from Arizona saw what was occurring in the Appalachian coalfields of this Nation due to unregulated surface coal mining. By the 1970's, it became increasingly clear that the proliferation of acidified streams, highwalls, refuse piles, open mine shafts, and other hazards associated with past coal mining practices could not be ignored.

It was on February 26, 1972, that a coal waste dam located on Buffalo Creek in Logan County, WV, collapsed causing a flood of truly horrible proportions in loss of life, injuries, property damage, and people left homeless.

This disaster, coupled with mounting concerns over the failure of several States to properly regulate mining, ensure reclamation and the development of surface coal mining in the semiarid West for the first time raised the level of public attention to the plight of coalfield citizens adversely affected by certain coal mining practices from a local, to a truly national, level.

The congressional debates of the mid-1970's, and bills passed only to be vetoed, set the stage for MO UDALL's introduction of H.R. 2 on the opening day of the 95th Congress in 1977.

As a newly elected Representative from West Virginia, I was honored to serve on the Interior Committee at this time, at the very time when MO UDALL took the leadership reigns of the committee, at the very time when after years of struggle it looked likely that a Federal Strip Mining Act would pass muster. I was given a great compliment when MO UDALL chose this freshman Member from West Virginia to serve on the House-Senate conference committee on H.R. 2, and stood in the Rose Garden with President Carter and MO UDALL when the bill was signed into law as the Surface Mining Control and Reclamation Act of 1977.

This law has served the people of the Appalachian coalfields well. It has made the coalfields of this Nation a much better place in which to live. The vast majority of the coal industry is in compliance with the law, and countless acres of old abandoned coal mine lands have been reclaimed under the special fund established by the act.

MO UDALL's original insight and foresight have proven correct and we are very much in-

debted to him. When God made the mountains of my home State of West Virginia, he made a special breed of people to preside over them. We are born of the mountains and hollows of our rugged terrain. Our State motto is "mountani semper liberi"—mountaineers are always free. Although MO UDALL is from the Southwest, from Arizona, he understood us. He understood the true beauty of our hills and hollers. He is, in my mind, an honorary West Virginian. And his years of diligence in not only gaining the enactment of the 1977 law, but in pursuing its implementation, will be long remembered by all West Virginians.

Now, if MO was here, I can imagine what he would say. He would tell the story about a young man at a banquet. This young man was getting an award and he was flustered and he said, "I sure don't appreciate it, but I really do deserve it."

MO turned over responsibility on the committee for the Surface Mining Act to this gentleman from West Virginia, his chairman of the Subcommittee on Mining and Natural Resources. As I undertake my duties in this regard, the words MO spoke on the 10-year anniversary of the enactment of the 1977 law ring in my ears: "The act was, and is, more than a piece of legislation. It is a vehicle of hope for those who live and who will live in America's coalfields." MO left some big shoes to fill.

Mr. Speaker, I cannot conclude without making note of one other mining initiative. MO understood what was occurring in the coalfields. But he also understood the abuses that took place in the West, in hardrock mining for copper, gold, silver, and other such minerals under the mining law of 1872.

It was also in 1977 that the effort to reform the mining law of 1872 came to a head. MO UDALL, a reform supporter, however, found that the press of committee business and other considerations would cause this particular iniiative to be shelved for the time being.

Ten years later, in 1987, as his MIning Subcommittee chairman I resurrected the issue and today, mining law reform legislation is being actively considered by the Congress. MO, I will do my best to use the same judgment, same humor, you would bring to the debte. MO UDALL, this one piece of unfinished business, once completed, is for you.

God bless you, MO UDALL.

Mr. WAXMAN. Mr. Speaker, Mo Udall, one of the best loved figures of the House of Representatives, retired last week. In the 16 years I have been in Congress, I cannot recall the loss of a Member that moved the House more deeply than Mo's resignation.

Those of us who have had the privilege of serving with Mo know what a delightfully unusual politician he is. He is one of just a few American politicians known and respected more for his unwavering principles than for his political views. He has taken on powerful interests and enormous legislative challenges, and he has compiled an astounding record of solid legislative achievements. And when he has not won, as in his run for the Presidency in 1976, he has been more gracious in defeat than most politicians are in victory.

Mo is unviersally loved for his self-effacing, but powerful, wit. His dry sophisticated humor is remarkably similar to that of his comedic hero, Will Rogers. His humor has always put people at ease and has allowed them to put the conflict and tensions of the moment in perspective. Somehow, Mo has managed to be a serious Congressman without ever taking himself too seriously.

Everyone in this body cherishes a favorite anecdote or joke of Mo's. One of my fondest is a story he used to tell to make light of politicians who form their opinions only after raising their fingers and gauging the winds of popularity.

This politician went to this little town to make his speech. "Well, ladies and gentlemen," he concluded, "them's my views, and if you don't like them—well, then, I'll change 'em!"

Mr. Speaker, few men and women have brought to Congress the wit, grace, dignity, and depth of conviction as my good friend Mo Udall. He is literally irreplaceable.

Mr. WHITTEN. Mr. Speaker, MO UDALL is one in a million—active, able, with a sense of humor that is unsurpassed.

There have been thousands of Members of Congress since we became a nation—many outstanding men and women have served their district, State, and Nation, but none has enjoyed more support, more appreciation for his service than has MO. His effective service, will continue to be a measure by which other Members may be judged.

The Nation will miss his services, and we will miss his presence.

Mr. STOKES. Mr. Speaker, I want to thank my colleagues for reserving this time to pay tribute to our dear friend and colleague, MORRIS K. UDALL. The resignation of this great leader brings to a close 30 years of distinguished service to his constituency and the Nation. I am proud to join in this special order honoring my good friend.

Mr. Speaker, it is difficult to surmise the feelings of many who serve in this body at the departure of this extraordinary individual. For many of us, MO UDALL has been an inspirational leader, counselor, and close friend. This institution has benefited over the years from his insight and strong leadership. MORRIS UDALL is hailed as one of the true giants in the history of the Congress, and he is certainly well deserving of this esteemed honor.

The terms "reformer" and "trailblazer" accurately depict the character of MO UDALL. It is MORRIS UDALL who will be remembered for challenging the House seniority system and reforming the distribution of committee assignments. It is MO UDALL who was in the forefront of revamping the committee markup procedure and responsible for making committee meetings accessible to the public. And, it is MORRIS UDALL who fought for the establishment of a committee which would ensure the integrity of the legislative branch of Government. I am proud to serve today as the chairman of the Ethics Committee which owes its creation to MO UDALL.

MO UDALL, as chairman of the Interior Committee, heightened the public's awareness of environmental issues, pushing these concerns to the forefront of the political arena. His crafting of the Alaska Lands Act, his creation of the Arizona Wilderness Act, and his unchallenged influence on water rights issues represent his extensive work on the environmental agenda. MO once said, "A nation that does not love and respect its land does not respect itself." Such words clearly illustrate that MO UDALL will forever be a champion of our environment.

Mr. Speaker, generations of politicians will look to MO UDALL as an example of a pioneering legislator. His tenure in the House has left an indelible mark on the American political system.

I can recall in 1969 when I first arrived on Capitol Hill that it was MO UDALL who I, along with many of the freshman Members, chose to emulate. We welcomed his invested interest in the new Members. His charismatic persona, unrivaled wit, and stance on civic-minded reform truly attested to the fact that he was a genuine political leader. He is a remarkable individual whom I will always admire and respect.

Mr. Speaker, we are deeply saddened at the departure of MO UDALL from the Halls of Congress. However, we know that his influence in this body will extend over generations of politicians yet to arrive in Washington. MO UDALL will always be praised for his numerous legislative accomplishments and fondly remembered as a political giant and one of our greatest leaders. We wish MO the very best. He is forever in our prayers.

Mr. MAZZOLI. Mr. Speaker, spring is the traditional time for graduations, for ceremonies marked by much pomp and circumstance, and joy and pride.

We do not gather today for a graduation, but we do gather in joy and pride to pay tribute to out dear friend and colleague, MO UDALL, of Arizona's Second Congressional District.

I thank the Members of the Arizona congressional delegation for arranging this special order to honor MO and to show our admiration and respect for him and for what he accomplished during his long and productive career in the House of Representatives.

MO'S renowned wit, humor, good cheer, decency, and wisdom, over the years, delighted his friends and allies, skewered his opponents, punctured many inflated egos in this town and enabled MO to compile a legislative record which is legendary.

MO did all this with humility, self-deprecation and, occasionally, by making himself the butt of his own humor. In his sincere, good-natured and folksy way, MO UDALL effectively illuminated simple truths—easily understandable and very persuasive—on whatever subject or issue was being debated or discussed. MO'S style—at home in both salon and saloon—has never been equaled and never will be. MO is unique, in the dictionary sense of that word; one of a kind. Peerless.

Mr. Speaker, MO UDALL has long been regarded as one of the most humorous men in Washington. In his inimitable way, MO has exposed the frailties of government, the pomposities of its institutions and its people. All of the while, he has made the Congress and the political arena a more sensible, sensitive, responsive partner of the American people in trying to protect the environment, and put aside for future generations precious and irreplaceable forests, rivers, land—in sum, its natural resources.

A Member of the House of Representatives for 30 years, MO UDALL'S career in Congress has been marked with significant legislative achievements in areas ranging from the environment to institutional reform. MO has been a trailblazing leader in the ongoing fight for campaign finance reform.

On whatever subject, MO UDALL has always raised the level of debate with his intellect, humility, and humor. His contributions are many and enduring.

Mr. Speaker, MO UDALL has always been a fighter, a battler, but no more so than today as he battles to regain his health following a serious fall which compounded his earlier illness. MO is a gutsy guy and, if anyone can come back, MO'S that person.

MO UDALL is a great man, a talented legislator, but, more than anything, a good friend to all of us with whom he has served. We will all miss him as he retires from this House.

God bless you, MO. You are the greatest.

Mr. RANGEL. Mr. Speaker, I wish to take this opportunity to pay tribute to an outstanding Member of Congress who has recently resigned due to health problems, the Honorable MORRIS K. UDALL of Arizona.

Mark Twain once remarked:

> It could probably be shown by facts and figures that there is no distinctly native American criminal class except Congress.

Many events today in this august body might go far to confirm Twain's wry observation. Someone sure to chuckle at Twain's joke would be MO UDALL. But judging by his legislative and personal career, MO UDALL is the antithesis of the puffed-up, pretentious politician that so many abhor. Congress could certainly hold its head high and say that for these past 30 years which represent MO's career, there was at least one Member who tried, to the very best of his ability, to do the right as he saw it.

A life in politics was not an unexpected choice for MORRIS UDALL since his paternal grandfather was a town founder, his father the Arizona Supreme Court chief justice, his brother, Stewart, Interior Secretary under President Kennedy, and his mother a locally well-known Democratic activist, all made their mark in this very public arena.

MO UDALL was subject to life's hard knocks despite his distinguished family ties. He overcame the loss of an eye as a child to go on to play college basketball, spend a year as part of an NBA team, get his law degree and serve as a noncombat pilot in the World War II Pacific theatre. He entered a law practice with his brother, Stewart, in 1949 and this association eventually led him to office when, in a special May 1961 election, MO UDALL succeeded his brother, Stewart, as representative to Arizona's Second District.

MO UDALL'S 30-year stay on the Hill is marked by a kind of legislative leadership that has literally changed forever the face of the Nation he so selflessly sought to serve. When I review his contribution to the greater order of things, the Alaskan wilderness bill comes to mind—a law which doubled the National Park System and tripled the Wilderness Preservation System. He enacted regulations controlling strip mining; campaign finance law; civil rights; and civil service reform laws.

A reformer from the first, UDALL took on the House seniority system by mounting challenges to the Speaker's leadership in both 1969 and 1971. In October 1967 he was among the first Members of Congress to oppose the war in Vietnam and redefine himself as distinct from the Johnson administration.

It was not blind ambition but rather a clear-eyed desire to serve that led MO into the Presidential fray in 1976 and although the nomination went to Jimmy Carter, the campaign of MO UDALL demonstrated that to show the voter a human face was not taboo. To break the rules for the right reason, to have an honest change in your point of view may not have been the way to win elections, but was certainly the way to win the voters' respect, and MORRIS UDALL still has that respect today, not only of the voters, but also of his colleagues.

MORRIS UDALL came to Congress to represent his constituents with integrity. He has done that in an admirable and honest fashion. He came to Congress to fight the numbing effects of legislative inertia. He did that by poking gentle fun at the institution and himself with obvious relish and delight. He came to offer the spirit of reconciliation to his colleagues. He did that, too, with the unfailing kind word and with a courtesy and respect given graciously to everyone he encountered.

The Honorable MORRIS UDALL. For many elected officials, that title is a simple courtesy. In the case of MORRIS UDALL it is a one-word commentary on his life and service. I respectfully salute my colleague, MORRIS UDALL, the honorable.

Mr. WHEAT. Mr. Speaker, I am proud to join my colleagues in saluting one of the most talented and beloved legislators to ever grace the Halls of Congress as he retires after 30 years of distinguished service to the House of Representatives and the people of the Second District of Arizona.

Many of my colleagues have already praised MO UDALL'S legislative prowess, his efforts to protect and expand our Nation's natural heritage, his sharp wit and his gentle humor. Today I would like to speak of another quality he possesses in abundance.

If one of the measures of a man is how he treats others, then MO UDALL stands tall indeed. I first learned of his generosity of spirit in my earliest days as a Member of this body, when I passed the legendary MO UDALL on my way to the Capitol and he greeted me by name.

It is hard to describe what a tremendous impact this small act of recognition had on a green and callow freshman with few allies who was overwhelmed by the enormity of his new job. In one brief moment, I felt welcome and accepted as a Member of Congress because MO UDALL knew my name.

I later learned that MO regularly memorized the names of one or two freshmen a week and made it a point to let them know he knew who they were. His strategy was based on the sure knowledge that if he made an ally of a freshman, he had a friend for life—a purposeful strategy but no less welcome to a new Member of this institution.

It was an unusual coincidence that in the same week, two legendary figures took their leave from politics. First came the reports of MO UDALL'S retirement, then the sad news of the death of Dick Bolling, whose parliamentary skills guided nearly every major piece of legislation to come out of Congress in the last three decades.

While very different in temperament, their careers took a number of parallel paths over the years. Both played early and active roles in civil rights legislation, both successfully challenged institutional procedures such as the seniority system and both sought and won reforms to the campaign finance system. Like Dick Bolling, MO UDALL made an indelible mark on this institution and left it a better place than he found it.

We regret that MO UDALL will be absent from these marble Halls and Chambers but we do not have to look far to see the thriving wilderness regions, scenic rivers, and national parks that serve as a constant reminder of his careful and loving stewardship of our land.

MO UDALL taught us many lessons but above all, he showed us how to be good legislators without taking ourselves too seriously. If we can carry on the work of this body with dedication, with good humor and with kindness, then we will truly honor the legacy of MO UDALL.

Mr. PANETTA. Mr. Speaker, I would like to take a moment to pay tribute to MO UDALL.

It is hard to think of MO as a former colleague. He was already an idol for many of us when I arrived here in 1977, and in the years since then, he has been such an essential part of this institution that it is hard to imagine the House of Representatives without him.

MO is a man of such integrity, intelligence, and grace, it is difficult to know where to start in praising him.

His leadership abilities were unsurpassed. He was, first, a leader of the effort to democratize the House of Representatives. Because of his efforts and those of a few others, the system was made far more responsive to the will of the Members—and therefore to the people. In addition, MO'S record of accomplishment as chairman of the Interior Committee is enormous. Not only did he lead the way in providing protection to Alaska and numerous other pristine areas around the Nation but he helped limit the damage when the Reagan administration sought to reverse years of national consensus on environmental protection policies.

MO was also one of the strongest advocates of reform in our system of financing political campaigns. His own sense of integrity and fair play led him to work on behalf of the reforms that were adopted in the 1970's and to pursue further reforms in later years which unfortunately still elude us.

In some ways, MO UDALL'S greatest contribution not only to this institution but to the Nation's political life has been his personality. It is already a cliche to talk about his self-deprecating sense of humor. But that sense of humor has always meant more than just an ability to make people laugh. MO has a sense of perspective about himself and about politics. He has always known that our institutions and our political system never depend on one individual, no matter how important that individual may be. And that was a message that needed to be conveyed to the country and to those of us here in Washington.

Mr. Speaker, we all miss MO a great deal. We pray for a swift recovery from his recent injuries and for the kind of long and enjoyable retirement that he truly deserves.

WE ARE RUINING AMERICA'S PATENT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, today, I want to alert the American people and my colleagues that our patent system is being undermined by the American Government. Our policymakers have not understood fully the importance of the role of patents in developing the U.S. industrial might, or today they would not be tampering with the system.

U.S. patents have been the generator of the American way of life, and are the principal reason the United States has been called "the land of opportunity." Our patents have resulted directly in new products and industries, which have employed millions of Americans. Today, 48 percent of the patents filed are of foreign origin and Japan filed 21 percent of all of the foreign origin patents.

The U.S. Government virtually is destroying the vitality of our patent system by making it benefit only the rich and powerful corporations, and not the small inventor. Outrageous fees are being charged for patents in an attempt to make the system pay for a futuristic computer system which already has cost $300 million. There are some difficulties with the automated search system computer project and will require more designing and funds to make it work. I question this policy.

From the time of its inception over 200 years ago, the American patent system was never intended to serve as a fountain of money, nor as a business enterprise for the Federal Government. The patent system is to protect and provide the ideas and ultimate products to furnish employment for other Americans.

The Federal Government has raised the fees for patents in just 9 years from $65 for an initial filing fee and total costs of $177 for a 17-year patent to a 4-year grant of $1,405 with initial filing fees of $315. By paying additional fees, you may as an individual obtain a 17-year grant for $3,095.

Now the Federal Government is planning to increase small entity applicant fees by 86 percent. For your information, individuals and small companies employing fewer than 500 people are considered small entities. Those small entities file 44 percent of patent applications of U.S. origin and 34 percent of all applications.

In 1982, Congress was concerned about raising the fees, but in 1990 it was a different story. The 69-percent increase in patent user fees was buried in last October's budget reconciliation bill, which I did not support. That bill reversed the statutory prohibition of using patent fees for the computer automation program at the Patent Office.

The user fee increase in fiscal year 1992 is $315,000,000 and for fiscal year 1993 it is an additional $100,000,000.

The increase in fees is a real financial obstacle for the small inventor. Even Government patents are affected. Over 50 percent of the Government patents, and 40 percent of the patents filed in 1986 by the inventing public have not been maintained with the 4-year initial filing period instead of a 17-year patent. This current struggle over fees is not news. When the fees become prohibitive—the patents are not maintained. The little guy and the Government give up their patents because of the cost and the patents then are available for the foreigners. It means we literally are giving the patents to the foreigner.

The fee changes mean that the little guy with an idea will have a very tough time being able to afford to patent his or her idea. Many of the little guys simply will drop out of the system. The risk is too great. Remember, only 1 in 10 inventions is produced and only 1 in 100 ever makes money.

In the 1960's we had much the same fight over fees with the Government and the Patent Office won that time. Then the patent fees were raised from $30 to $65. A letter to the editor of Product Engineer in 1964 provided some answers on why the fees should not be increased.

The writer stated "it's obvious that our economy has gained more from patented ideas than the Patent Office has cost." He said, "if the economy has gained more than the cost of the Patent Office, does not this, in effect, make the Patent Office self-supporting?"

And he added, "incidentally, the expense of operating the Patent Office is peanuts compared to the cost of some agencies which do not make comparable returns, if any, to the economy." I thought this letter could have been written for today's patent fee crisis. The irony is that our stiffest business competitors are the ones benefiting from the ill-conceived Government actions. The Japanese understand the importance of the American patent system.

At the turn of the century a Japanese official, Korekiyo Takahasi, reported after being sent to the United States that:

> We have looked about to see what nations are the greatest, so that we can be like them. We asked ourselves "what is it that makes the United States such a great nation," and we investigated and found that it was patents, and we will have patents.

Just 10 years ago the Japanese conducted a series of seminars before concluding that the patent system is the key to America's industrial might.

Historically, patents have been treated by societies as important. I would like to quote from a speech by David Banner which was published in the Patent Provision, the official publication of the Patent and Trademark Office Society, but I will leave the entire text for the record.

Earlier examples of the granting of patents include that, in 1474, Venice adopted a patent system—and in 1594 Galileo received a patent for raising water and irrigating land.

Patent policy played an important role in making possible England's 14th-century cloth manufacturing industry. The Massachusetts Bay Colony granted the first American patent in 1641 to Samuel Winslow for a "Method of Making Salt" just 21 years after the Pilgrims landed in America.

Our system served us well until now.

Included in Mr. Banner's 1964 speech was testimony to the importance of the patent system by Edwin Land, founder of Polaroid. He said, "I must emphasize that the kind of company I believe in cannot come into being and cannot continue its existence except with the full support of the patent system." Commenting on the American system, Mr. Land also stated, "the only thing that keeps us alive is our brilliance. The only way to protect our brilliance is our patents."

His statements echo earlier comments recognizing the genius of the American system.

□ 1740

In 1891, the London Times carried a story quoting Charles Leade that "American genius is at this moment ahead of all nations in mechanical inventions." Mr. Leade noted that "Americans patented new products at a faster rate than the British and were selling abroad very many of the products they invented."

Mr. Leade's own shirt was sewn on a Singer machine from America, most of his newspapers were printed on American presses, and Charles Leade walked on the Liverpool docks and inquired about the nationality of the smartest appearing ships, the reply always came back "Yankee, Sir—Yankee."

That certainly does not happen now. If we're lucky, it may be made in America, but who owns the company, and who patented the product? An American or a foreigner? And how was it shipped? By the year 2000 there will be not American bottoms to ship our products—and we are supposed to be a maritime nation.

Most everything we make or use in the United States has a patent whether it is pencils, cars, locks or combs. Now large American companies are causing the American patent system to be weakened even more by moving their research and development [R&D] out of

the country—to Japan. R&D can be a bonanza for patents, so it is important to properly protect that research.

There are many complaints of Japan's filing around a product with a number of patents so the original product or design becomes useless to the inventor. Japan is known for making incremental changes in a product and then claiming it as its own.

The Japanese treatment of Allied Signal's patent for Metglas, an amorphous metal alloy used in the cores of electronic transformers, is really a case to be studied. For some 11 years, Japan was the only country in the world that did not allow Allied Signal to file its patent. Then, finally, after 11 years it said, "You can file." It took more than 1½ additional years for that patent to be accepted. But even after it was accepted, Japan would not allow its electrical companies to buy Metglas from Allied Signal. It also had been pressuring other foreign countries not to buy from the United States, pointing out to them that in another 3 years the patent will have expired, and we have the product.

In other words, what they were doing, they were licensing their own technology, preparing for the day that the Metglas patent would be out, and then they could manufacture the product and sell it abroad.

Another American company, Therma-Systems Corp., received rough treatment at the hands of the Japanese. Therma-Systems is a manufacturer of ovenable and microwaveable containers and is a major manufacturer and distributor of hospital patient meal systems.

Edgar Otto, chief executive officer of Therma-Systems stated in testimony that he "was surprised to find the Japanese to be far behind the United States by at least 20 years, in assembling and delivering foods to patients."

Mr. Otto aligned his company with the Mitsui Co., hired a patent attorney and thought he was in business. Business with the Japanese seemed to be fine. Then one day, 5 years later, he received a phone call from his partner in Japan telling Mr. Otto the Japanese would not "be able to import Therma-Systems products through the Mitsui Co."

Mr. Otto was told the quality of his product was declining. The American company was replaced with a Japanese company which had been studying the American technology and infringing on Therma's patents. The experiences like this of American companies do not seem to bother other American companies.

Now IBM is moving its R&D to Japan and, according to newspaper accounts, many IBM employees are unhappy. Other large American companies also are considering the move.

Creativity goes with R&D—and even patents. Will any American innovations be patented in Japan? Who will own them? In Japan patent information is not protected but is laid open to public scrutiny for the first 18 months. In the United States that information is protected.

The moves of American companies for R&D is a psychological blow to the United States and an economic threat as well. We have been the world leader in patents—but Japan's Clarion call to be the world center of Research and Development is being answered by American companies.

If the Japanese center attracts, as Japan hopes, the best brains in research—then our patent system will receive another serious blow.

It is time for our Government to realize that the "right to patent" is fundamental. Our Founding Fathers recognize the importance of patents and trademarks. Only inventors as a class were protected in the Constitutional Convention documents.

The second session of the First Congress passed H.R. 41 which was an "act to promote the progress of the useful arts." It was signed by George Washington on April 10, 1790, 201 years ago. With that signing the U.S. Patent Office was created. Our patent system has been the secret of America's success in trade.

Our companies and government leaders need to realize that patents are the economic life blood of America's industry and our economy. Patents create jobs, and they are not just for the rich or big corporations. God did not ordain that only the rich are creative—talent is distributed throughout our society.

The American people have had enough of this nonsense. It is time to stop the dismantling of our economy under the guise of free trade.

Restoring the patent system for all Americans and not the privileged few is the place to start. The patent system must work for Americans and we must not give away our basic lives to the foreigners.

Mr. Speaker, I am including for the RECORD the articles referred to in this special order.

AN UNANTICIPATED, NONOBVIOUS, ENABLING PORTION OF THE CONSTITUTION: THE PATENT PROVISION—THE BEST MODE

(By Donald W. Banner)

We celebrate today the creation of our Constitution, a document defining a system of government which has lasted for two centuries; similar documents in scores of other countries have fallen into the scrap heap during that period. Our Constitution's durability stems from its inherent wisdom and its practical adaptability. Particularly, we today celebrate one phase of that document and the role it played in the past two hundred years.

To understand the unique group of men who created what was later called "The Miracle at Philadelphia," it is necessary to look at the circumstances in which they met. They gathered in the State House at Philadelphia. It is appropriate that Philadelphia was chosen as the site of their meeting for it was the largest city in America with a population of approximately 40,000. They worked in the very room where the framers of the Declaration of Independence had met.

Their mood was not happy, for their country was troubled. The states were in conflict over borders and shooting incidents had actually occurred; the country's ability to compete in the world economy was clearly inadequate. There was a growing threat of a popular revolt, symbolized by the recent rebellion led by former Revolutionary War captain, Daniel Shays. The New England farmers who participated in that rebellion were in despair over their indebtedness; they feared that their farms would be taken from them. They had taken up arms, shut down courts, and terrorized merchants. Something, obviously, had to be done.

The situation was particularly poignant because of the high hopes so recently held by all Americans. It was less than seven years before that the French fleet of Admiral DeGrasse had encountered the English ships of war off Yorktown. There, those rival navies competed in a struggle whose portent was beyond imagination. As Michener said in his book, *Chesapeake*, that naval engagement became "a battle without a name, a triumph without a celebration. It accomplished nothing but the freedom of America, the establishment of a new system of government against which all others would eventually compare themselves and a revision of the theory of empire." On the morning of September 6, 1781, the great ships of the English line turned slowly north in retreat; they never came back.

Despite the subsequent British surrender at Yorktown, and the ensuing Treaty of Paris giving freedom to the United States, the exciting dreams of Americans for a great country had not come to fruition. Indeed, in that twelfth year of their independence, and their fourth year under the Articles of Confederation, heads were not high. The proud hopes for government by free men were not realized because the United States had merely become a loose confederation of thirteen feuding entities. People, for the most part, spoke of the United States in the plural, saying, "the United States are" rather than "the United States is." So these delegates—fifty-five in number, but never present as more than thirty-five—met in the Philadelphia State House, now Independence Hall.

They met there for four hot months, except for a single break of eleven days. At that time George Washington's trip from his home in Mount Vernon to Philadelphia took four days.

Who were these fifty-five delegates? Over thirty of them were lawyers. At least thirty of them had participated in the drafting of various State Constitutions. Many of the delegates were well acquainted with one another. Nine were graduates of Princeton, eight had signed the Declaration of Independence in 1776, eleven were business associates of fellow delegate Robert Morris. Elbridge Gerry had served in Congress, at different times, with thirty-two of the delegates. Eight of the delegates had been together at Valley Forge. They ranged in age from twenty-six to eighty-one. It is interesting to note that in the years following the Constitutional Convention, two delegates became President of the United States (Washington and Madison); one became Vice President (Elbridge Gerry); four became cabinet officers; fourteen became U.S. Senators; and eight served in the House of Representatives. Five of the delegates served in both the House and Senate, twelve were elected state

governors, and five were named to the Supreme Court. (It is also interesting that two were subsequently killed in duels—Alexander Hamilton and Richard Spaight.) They obviously were all members of the country's established property class. Indeed, it is fair to say that they also represented the nation's intelligentsia.

As far as patent systems were concerned, they were not writing on a clean slate. Such systems has been operative, in one way or another for several centuries. For example, as early as the middle of the fourteenth century Venice had established a special fund from which payments were made to inventors who qualified under criteria set by a "General Welfare Board" which was responsible for examining certain types of technical improvements.[1] In 1474, Venice had adopted a Patent Act (preceding the English Statute of Monopolies by about 200 years) which provided, in part:

"Every person who shall build any new and ingenious device . . . shall give notice of it to our General Welfare Board when it has been reduced to perfection so that it can be used and operated; it being forbidden to every other person . . . to make any device conforming with and similar to said one, without the consent and license of the author."[2]

The great Galileo received a patent under that statute in 1594. The petition of Galileo stated that he had invented a machine for raising water and irrigating land and set forth the proposition that it was not "fit that this invention, which is my own, discovered by me with great labor and much expense be made the common property of everybody."[3] Indeed, in England, Edward III had encouraged the importation of new arts from abroad by granting letters of protection to foreigners such as John Kempe and his company of Flemish weavers, in 1331. The rise of the cloth industry in the 14th Century in England, giving to that country its first considerable manufacturing industry, is attributed to that policy.[4]

The assembled delegates were undoubtedly familiar with at least some of this history as well as with the English common law and its abhorrence of "monopoly." Sir Edward Coke had defined "monopoly" as a grant by the King to any person "for the sole buying, selling, making, working, or using anything; whereby any person or persons . . . are sought to be restrained of any freedom or liberty that they had before, or hindered in their lawful trade." (emphasis added)[5]

They undoubtedly knew that, in England, monopolies—so defined—had not been limited to those rising out of inventions. In the well-known case involving playing cards, for example, a royal patent had been granted to Edward Darcy giving him the sole right of importing, making and selling playing cards. A London haberdasher, Allen, infringed the patent and suit was brought by Darcy. The defense argued that if the Queen could not take a penny from a subject without an Act of Parliament, she could not take any moderate recreation from her subjects without similar authority. The defendant admitted to only one expression to the common law rule against monopolies and that was where "any man by his own charge and industry or by his own wit and invention, thus bring any new trade into the realm or any engine lending to the furtherance of a trade that never was used before; and that for the good of the realm; in such cases the King may grant to him a monopoly patent for a reasonable time until the subjects may learn the same, in consideration of the good that he does by his invention to the Commonwealth. . . ."

The patent to Darcy was held to be invalid. It was also declared that the Queen had been "deceived" in granting the patent in that it was contrary to the common law. (This, undoubtedly, was the first case of "fraud on the Patent Office.")

Some 20 years later (in 1694) the Parliament passed the Statute of Monopolies. It declared all monopolies invalid except that any such prohibition "shall not extend to any letters patent . . . to the true and first inventor. . . ." It should be noted, however, that under this Statute an inventor did not have a right to a patent, for the Statute did not confer any such right upon him. He was still in the position of a humble petitioner to the King.

The delegates undoubtedly were aware also that patents had been granted on the continent of North America for well over a century. The General Court of the Massachusetts Bay Colony granted the very first patent on this continent in 1641 to Samuel Winslow for a "Method of Making Salt;" the patent included a prohibition against others "for making this article except in a manner different from his."[6] It should be noted that the Winslow patent was granted only 21 years after the date on which the Pilgrims landed.

In that same year the General Court had adopted a rule that "there shall be no monopolies granted or allowed among us, but for new inventions that are profitable to the country, and only for a short time." Connecticut adopted a similar law in 1672. In 1646 the first patent granted in America for machinery was also given by the Massachusetts General Court. That patent was to Joseph Jenkes for the construciton of a certain type of mill. In his petition he asked for the right to exclude others for a period of 14 years "lest after your petitioner have expended his estate, study, and labor, and have brought things to perfection, another would he seeth it, maketh the like; and so I loose the benefit of that I have studied for many years before; which will tend to my great damage if not utter undoing. . . ."

Others of the colonies had similarly granted patents by special petition. In addition, British patents were recognized in the colonies.[8] Not surprisingly, after the revolution various states also had granted patents by special petition. The only state which had general patent legislation was South Carolina. In its Act providing for copyrights, it was stated that "the inventors of useful machines shall have a like exclusive privilege of making or vending their machines for the like term of fourteen years. . . ."[9] In practice, this section operated only as an invitation for inventors to request the legislature to grant patents, as was the case in other states.

Interesting state patents were those to James Rumsey for steamship who secured a patent for his invention in Virginia in 1784 and in Pennsylvania in 1785. Mr. Rumsey exhibited a model of his boat to George Washington who wrote a letter of recommendation saying that he had "been an eye witness to an actual experiment." He concluded that, "This discovery is of vast importance, it may be of the greatest usefulness in our inland navigation; and if it succeeds, in which I have no doubt, . . . the value of it has greatly enhanced by the simplicity of the works. . . ." (This letter was apparently the forerunner of affidavits under Rule 132.)

About the same time, John Fitch obtained a patent in Pennsylvania, one in New Jersey (in 3 days—record time for the grant of a patent), in Delaware, and in New York. His steamboat invention was successfully "reduced to practice" in August of 1787 when it travelled at 8 miles per hour in the Delaware River near Philadelphia. The delegates to the Convention were at that time in Philadelphia engaged in the formation of the Constitution. Many of those delegates actually observed the successful test of Fitch's steamboat.[10]

It was in this setting that the delegates met. Thomas Jefferson—who at that time was serving his country as Ambassador to France and therefore did not participate in the convention—later described it as "an assembly of demi-gods." There is much wisdom in that description, for there is little doubt that the delegates assembled at the Constitutional Convention formed the most outstanding deliberative body ever operated on our soil—or anyone else's. Theirs was a singularly difficult task. For more than a century and a half—some 167 years since the Pilgrims landed—Americans had lived in separate units; originally "colonies" and then, after 1776, "states" each of which had its own traditions, economy and government. Each state and each region, therefore, had its own ax to grind and its own long rooted biases to be satisfied. Such roots can run deep in 167 years; that is the length of time between the adoption of the Constitution and the presidency of Dwight Eisenhower.

On the day on which George Washington was elected—unanimously—the Chairman of this Constitutional Convention, he made a short speech. It concluded with the words "Let us raise a standard to which the wise and honest can repair. The event is in the hands of God."

The delegates faced the formidable task of turning thirteen very independent states into one lasting nation, while at the same time preserving the integrity of the original thirteen. They met in secrecy. Before they were finished they had rejected many more proposals than they accepted, including one by Benjamin Franklin, who suggested that practicing lawyers should choose the Justices of the Supreme Court. He said they will always select "the ablest of the profession in order to get rid of him and share his practice among themselves." It is obvious that Franklin's suggestion was one of those which was rejected.

The document they eventually produced was magnificent, even though not perfect. Its greatest deficiency, of course, was the omission of a Bill of Rights. The supporters of the Constitution had to promise, in order to get the Constitution ratified by the States, that the Bill of Rights would be added by the new government; that is exactly what happened. It is clear, therefore, that all of the delegates did not personally endorse the Constitution. For that reason, we find that while the Declaration of Independence had been boldly subscribed with the words "We mutually pledge to each other our lives, our fortunes and our sacred honor"—in contrast—the delegates to the Constitutional Convention signed the final document only to attest to the unanimity of the State delegations.

By minor historical coincidence it is almost exactly 200 years ago today—namely, August 18, 1787—that James Madison of Virginia and Charles Pinckney of South Carolina submitted individual recommendations to the Convention which were the first ones relating to the powers of Congress respecting copyrights and patents. Madison suggested that Congress should have the power:

"To secure to literacy authors, their copyrights for a limited time.

"To encourage by premiums and provisions, the advancement of useful knowledge and discoveries."

Pickney's suggestion was that Congress have the power:

"To grant patents for useful inventions.

"To secure to authors exclusive rights for a certain time."

There is no recorded debate concerning those suggestions, and on September 5, 1787, the Committee on Detail reported to the Convention that Congress should have the power:

"To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

That recommendation was unanimously adopted, once again without recorded debate, and the provision was incorporated into the final draft of the Constitution.

It should be noted that the recommendations of both Madison and Pinckney used the words "to secure." These words were also used in the Constitution. That Constitutional provision was, therefore, the first substantive law in history which affirmatively recognized property rights in the result of those mental acts which produce invention. The words "to secure" meant that there were rights that the inventor inherently possessed and which the Congress had the power to recognize and "secure." This is the same concept which we find, for example, in the Declaration of Independence, which states that men have certain inalienable rights and "among these are life, liberty and the pursuit of happiness: that *to secure* those rights, governments are instituted among men. . . ." Similarly, in the preamble of the Constitution, we find the words "to promote the general welfare and *secure* the blessings of liberty to ourselves and to our prosperity. . . ."[11]

Writing later in *The Federalist*, James Madison stated: "The utility of this power will scarcely be questioned. The copyright of authors have been solemnly adjudged in Great Britain to be a right of common law. The right to useful inventions seems with equal reason to belong to the inventors. The public good fully coincides in both cases with the claims of individuals."[12]

This concept of *securing* a right to the inventor was reflected in the debate subsequently on the adoption of the patent law of 1793. The Congressman from Maryland, William Murray, speaking for the patent bill pending before the House of Representatives said that there was a distinct feature distinguishing patents in England from those in the United States. He said that the English "patents had derived from the grace of the Monarch, not so much a right inherent as it is a privilege bestowed (by the King). Here, on the contrary, a citizen has a *right* in the inventions he may make. . . ." Thomas Ewbank, Commissioner of Patents, in his Report for 1849 also distinguished inventions in this country from those in England by saying that "Inventors abroad still pray for and accept patents as 'special acts of the sovereign's grace.' With us this insulting and debasing proposition is effectually ignored. Not subjects, but free men, inventors here claim and receive patents of right—their own right."

That Constitutional clause is highly unusual in that it instructs the Congress how to promote the progress of the useful arts—namely, by securing to inventors the exclusive rights to their discoveries. It is even more unusual in that nowhere else in the Constitution is there any provision for an exclusive right to be granted to any individual or group of individuals; only authors and inventors are so blessed.

It should also be noted that the provision constitutes an excellent example of 18th century balanced sentence construction in that it establishes the copyright power in the Congress by relating "science," "authors," and "writings" while at the same time establishing the patent power by relating "useful arts," "inventors," and "discoveries."

Several Supreme Court cases have described the patent grant as a "monopoly."[13] That suggests a possible lack of understanding of the Constitutional provision. The framers of the Constitution were knowledgeable of the English common law which found monopolies "odious." Since *Darcy* v. *Allen* and the Statute of Monopolies in 1624, monopolies had been anathema to the common law and certainly were to the framers of our Constitution. Earlier Supreme Court cases reflected a vastly different view.[14] For example, in *Seymour* v. *Osbourne*,[15] the Court placed the patent right in its appropriate perspective. It stated, "Letters Patent are not to be regarded as monopolies . . ." The Federal Circuit has adopted this more historically sound view.[16]

While Alexander Hamilton and James Madison preferred to encourage inventors by granting them prizes or funds—provisions subsequently adopted in France and much later in the Soviet Union—the Patent Laws in the United States since the outset utilize a different approach; namely, the right to exclude others from using the invention during the patent term without license.

The 1st Congress under the new Constitution opened on March 4, 1789. Almost immediately it was presented with petitions for copyrights and patents. The House of Representatives ordered that bills be brought in making "a general provision for securing to authors and inventors the exclusive right to their respective writings and discoveries." Thereafter all such individual petitions were tabled until the second session of the first Congress; it opened on January 4, 1790. In his address to the joint meeting of Congress on January 8, 1790, President Washington urged the passage of legislation which would give "effectual encouragement as well to the introduction of new and useful inventions from abroad as to the assertions of skill and genius in producing them at home." As a result, our First Congress in its second session passed a bill known as H.R. 41, an "Act to Promote the Progress of Useful Arts." President Washington signed it on April 10, 1790. The United States patent system was thereby created.

Under that legislation the Secretary of State, the Secretary of War and the Attorney General—or any two of them—were authorized to grant a patent for an invention which would have a lifespan "not exceeding 14 years," provided that the invention was not known or used before and that the invention was "sufficiently useful and important." President Washington's Secretary of State was Thomas Jefferson; his Secretary of War was Henry Knox; and his Attorney General was Edmund Randolph. These officials referred to themselves as the "Commissioners for the Promotion of Useful Arts." The patents granted by them were signed by President Washington. The first of these was issued to Samuel Hopkins on July 31, 1790. It covered "A Process of Making Pot Ash and Pearl Ash." Shortly after the enactment of this legislation, Thomas Jefferson wrote "An act of Congress authorizing the issuing of patents for new discoveries has given a spring to invention beyond my conception." He continued: "Many of them indeed are trivial, but there [are] some of great consequence which have been proved by practice, and others, which if they stand the same proof would produce great effect."[17]

Inasmuch as the patent statute required high officials of the federal government to determine whether the inventions presented to them were "sufficiently useful and important," this procedure was slow and rapidly became unsatisfactory. As a result, in 1793 a "registration system" was adopted so that no inspection of the inventions was required and patents were merely administratively granted.[18] During the next 43 years this created many difficulties. In the meantime, however, a "Patent Office" was created in the Department of State. In 1802 James Madison, then the Secretary of State, appointed Dr. William Thornton, the original designer of the U.S. Capitol, to the office of "Superintendent of Patents." Dr. Thornton was Mr. Madison's neighbor in Georgetown.

On July 4, 1836, the federal patent system was reorganized. A new Patent Office building was provided for, and that building—which is now the National Portrait Gallery and the National Museum of American Art—served as the Patent Office for over ninety years. Under the 1836 Act, the Patent Office was raised to a separate bureau in the Department of State. The new patent statute created the office of "Commissioner of Patents" and reinstated the requirement that patent applications be examined. The Act provided that if the Commissioner deemed an invention "to be sufficiently useful and important, it shall be his duty to issue a patent therefor." The Commissioner was further directed to display a collection of patent models in a gallery open to the public in the new building. The normal patent term was 14 years, but it could be extended for 7 more years under certain circumstances. (In 1861 Congress passed an act forbidding such extension, but increased the patent term to the present 17 years from the date of issuance.)

By the Act of 1839 the Commissioner was granted funds to collect agricultural statistics; this was the beginning of the United States Department of Agriculture. Seeds distributed to farmers were purchased by money from the patent fund for many years.

Also in 1839, the Patent Office was transferred from the Department of State to the then newly created Department of the Interior. Within 2 years after the Patent Office was placed under the jurisdiction of the Department of Interior, a complaint was made that the Patent Office had no logical connection with that department, and the recommendation was made that it be an independent bureau.[19] Shortly thereafter the copyright records and functions, previously maintained by the Department of State, were transferred to the Patent Office and placed under the supervision of the Commissioner of Patents. In 1870, the granting of copyrights was transferred from the Patent Office to the Library of Congress, which discharges this function today. In 1842, designs were made patentable.

On July 8, 1870, an act was passed codifying the various patent laws in existence at that time. In that act the Commissioner of Patents, subject to the approval of the Secretary of the Interior, was given power to establish regulations not inconsistent with law for the conduct of proceedings in the Patent Office; this was the genesis of the present Rules of Practice. That act contained a provision for caveats. The purpose of a caveat was to secure to the inventor, who was not

ready to file his application, the right to be heard before the Patent Office would grant a patent for the same invention to some other person. It was a full description of the invention and it was kept secret. The caveat remained in force for one year, but could be renewed from year to year. In case a rival inventor filed an application on the same invention, and that invention was found to be patentable, all action on the application of the rival inventor was suspended. The owner of the caveat was notified to file his application within three months if he desired to contest priority and institute an interference. Caveats were abolished in 1910.

On May 23, 1930, President Hoover signed the act providing for plant patents. To be patentable under that act, a plant invention must have been asexually reproduced and not tuber-propagated.

In 1952 the patent laws were revised and codified again; that Act, as amended, is applicable today.

Did it work? Did the constitutional provision, as implemented by the Congress, promote the progress of the useful arts? Did our country's technological position improve because of it, and did our economic and military strength benefit thereby?

Probably the first international recognition of the eminence of American invention came at the Crystal Palace Exhibition in London in 1851. The London Times said, "It is beyond all denial that every practical success of the season belongs to the Americans." Later, the English author, Charles Leade, echoed that opinion with the statement that "American genius is at this moment ahead of all nations in mechanical inventions." Americans, he noted patented new products at a faster rate than the British and were selling abroad very many of the products they invented. Indeed, he pointed out, his own shirt was sewn on a Singer machine from America, most of his newspapers were printed on American presses, and when he walked on the Liverpool docks and inquired about the nationality of the smartest appearing ships, the reply alwaly came back "Yankee, Sir—Yankee."[20] By the close of the American Civil War, only seventy-five years after the first U.S. patent act, the prodigious productive capabilities of the U.S.—both in the civil and in the military sense—were widely recognized. Its industrial capabilities were providing jobs for millions of people, not only those born in this country but also for the sea of immigrants who entered what all the world saw as "the golden door."[21]

At the Patent Centennial Celebration, in 1891, the Honorable Charles Mitchel, Commissioner of Patents, spoke on the subject of "Birth and Growth of the American Patent System." He noted that "It is invention which has brought the Pacific Ocean to the Alleghenys. It is invention which, fostered by a single sentence of their immortal work, has made it possible for a flag of one republic to carry more than 40 symbolic stars." Senator Platt speaking on "Invention and Advancement" at that Congress said "How little we have realized the progress of the century; how silent its footsteps have been, and how little we have stopped to analyze or appreciate its cause,"[22] And about the turn of the century, a Japanese official, Korekiyo Takahashi, was sent to the United States; he subsequently reported "We have looked about to see what nations are the greatest, so that we can be like them. We asked ourselves 'What is it that makes the United States such a great nation?' and we investigated and found that it was patents, and we will have patents."[23]

Nevertheless, one economist after studying the patent system said that if we did not have a patent system, it would be irresponsible to create one, but now that we do have a patent system, it would be irresponsible to destroy it.[24] The same thing would probably be said by some for the political system called representative democracy or, indeed, the institution of marriage.[25] Of course, the patent system may not be useful to some large companies in monopolistic or quasi-monopolistic positions. For example, the President of Bell Telephone Laboratories, Inc., once testified "While patents are still of very great importance to us . . . they have become less vital to the business than they were at the start. . . . The result of it is that I think I am safe in saying that not non-hundredth of one percent of the research and development work in the Bell Telephone Laboratories . . . is done with the idea of getting patents."[26] This, however, is not a common view of individual inventors of small innovative companies nor of large companies faced with very substantial research investment risks. As stated by Gustav Drews,[27] "Except for the patent right, men of limited means would be hopeless in negotiating with the large corporation. Without the patent right, if he did not have sufficient funds to market the invention himself, he would be compelled to submit his invention to financiers. If these financiers should decline to make a fair deal with the inventor and the inventor refused to accept a deal considered unfair, they would ignore him and proceed to market the invention without his consent and he would be helpless to stop them." This point was emphasized by the Commissioner of Patents when testifying at the TNEC hearings. He said, "A patent should function as a leveler whereby an individual or company of small means may be able to hold his or its rights of property against the pressure of the strongest adversary. It should have a protective character like that of a high powered rifle in the hands of a puny man beset by a wildly charging bull elephant."[28]

The importance of the individual and small company to our innovative strength should not be overlooked. For example, in the Report entitled *Technological Innovation: Its Environment and Management*,[29] the conclusion was that "independent inventors (including inventor-entrepreneurs) and small technologically based companies are responsible for a remarkable percentage of the important inventions and innovations of this century." The Report pointed out that Professor Jewkes had studied sixty-one of the most important inventions and innovations of the 20th century, finding that over half of them stemmed from independent inventors or small firms. Further, Professor Daniel Hamburg of the University of Maryland studied major inventions made during the period 1946 to 1955, and found that over two-thirds of them resulted from the work of independent inventors and small companies. The work of Professor Merton Peck of Harvard was also reported; he had studied 149 inventions in the aluminum industry; major producers accounted for only one of seven important inventions. Professor John Enos of the Massachusetts Institute of Technology had studied seven major inventions in the refining and cracking of petroleum—all seven were made by independent inventors.

Several well known independent inventors have commented on the role of the patent system in their efforts and the importance they see in it. For example, Chester Carlson, the inventor of xerography, said "The time scale of inventions is a long one. Results do not come quickly. Inventive developments have to be measured in decades rather than years. It takes patience to stay with an idea through such a long period. In my case, I am sure I would not have done so if it were not for the hope of the eventual reward through the incentives offered by the patent system."[30] Similarly, Edwin Land, inventor and founder of Polaroid, said "I must emphasize that the kind of company I believe in cannot come into being and cannot continue its existence except with the full support of the patent system."[31] He later said, "The only thing that keeps us alive is our brilliance. The only way to protect our brilliance is our patents."

Of course it is not only the independent inventors and small companies that have expressed such opinions; when the risks are great, even the biggest companies find the patent system important. For example Irving Shapiro, Chairman of the DuPont Company, said that Dupont had worked on the development of nylon for twelve years and had spent almost twenty-seven million dollars in research. The basic patents were developed by Wallace Caruthers. Mr. Shapiro said, "More than 3 million people have jobs in the production of nylon textile and plastic products, and all of this traces back to a handful of key patents behind the invention and development of this one product."[32]

Dayton H. Clewell, Vice President of Mobil Oil, said, "Since the first patents issued (on catalytic cracking) this technology has saved American refiners more than 4 billion dollars through reduced crude runs and increased the product yields to about a billion dollars in reduced operating costs. It has also saved U.S. refiners more than 500 million dollars in savings in capital costs which otherwise would have been necessary but for the new catalysts. Most important, this Mobil developed technology has effectively and appreciably increased the U.S.'s petroleum reserves. It has resulted in savings of more than 7 billion gallons of petroleum per year. . . . An important element in our decision to proceed with the costly R&D effort that produced this catalyst development was the expectation that patent protection would give us a fair return on our investment."[33]

The President of Smith, Kline and French Laboratories, Walter A. Munns, discussing development work on a life-saving drug that took over five years to develop and cost well over two million dollars in research, said, "We could never have justified this speculation without the exclusivity provided by a patent."[34]

And, as a final matter, the patent system has played a vitally important role in stimulating competitive technological invention. As was said in the *March Corporation* case, "The patent system encourages invention, not only in that it rewards the inventor with a patent, but it spurs the competitors to put forth their mightiest effort to produce a product as good, yet different, from the patent's . . . "[35] This is supported by the testimony of William S. Knudsen, President of General Motors Corporation, reported in part II, TNEC hearings, page 339.[36] Mr. Knudsen had been asked what General Motors would do if it were faced with a revolutionary patent in the automotive industry. He said, if such a thing were possible "we certainly would all either make a deal for license under this revolutionary patent or you will see a lot of people working seven nights a week until we found something."

Earlier in this paper reference was made to the hope expressed by George Washington at the beginning of the Constitutional Conven-

tion that the delegates would "raise a standard to which the wise and honest could repair." The delegates, in fact, did just that. Of course, being the work of human beings, it was not perfect. As delegate Benjamin Franklin expressed it at the Convention's close:

"When you assemble a number of men to have advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests and their selfish views. From such an assembly can a perfect production be expected? . . . I consent, Sir, to this Constitution because I expect no better, and because I am not sure that it is not the best."

It is fair to say, however, that the Constitution, together with its subsequent Bill of Rights, created the legal basis for a nation which was beyond even the dreams of those founding fathers. Abraham Linclon referred to that nation a half a century later as "the last, best hope of earth." In our day it is no less significant, for there is no doubt that it is now the bulwark of free men everywhere. Our governmental system is the standard against which all other nations must be compared.

George Washington expressed the hope that the Convention would create something noble, something truly great, something beyond itself. The patent system has played an important role in making that come to pass. By stimulating and encouraging both inventors and investors, it has brought new economic opportunities to our nation, new products to our people, and increased strength to our arms. The technological revolution which it fostered has made us the richest people in the history of the world.

When George Washington ended his address to his fellow delegates at the beginning of the Constitutional Convention, he said, "The event is in the hands of God." He was, of course, implicitly imploring divine protection for his country in the hope that he and his colleagues could pass on to their successors a nation which was even better, stronger, fairer, and more prosperous than the one he and his colleagues had inherited. We, too, share such a hope. We, too, know that "The event is in the hands of God."

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I certify that the statements made by me above are correct and complete.

ROLF HILLE, *Business Manager.*

FOOTNOTES

[1] Prager, "The History of Intellectual Property from 1545 to 1787," 26 J. Pat. Off. Soc'y 711 (1941).

[2] Prager, "The Early Growth and Influence of Intellectual Property." 34 J. Pat. Off. Society 106 (1952).

[3] *See* note 2. *supra.*

[4] Federico, "Origin and Early History of Patents." II J. Pat. Off. Soc'y 292 (1929).

[5] I *Deller's Walker on Patents.* §3, p. 9 (1937).

[6] Ramsey, "The Historical Background of Patents," 18 J. Pat. Off. Soc'y 6 (1936).

[7] *Id.* at 38–39.

[8] *See* note 6. *supra.*

[9] Federico. "State Patents," 13 J. Pat. Off. Soc'y 166 (1931).

[10] *Id., see also.* James McGregor Burns, *The Vineyard of Liberty.* p. 41 (Vintage Books 1933).

[11] Fenning. "The Origin of the Patent and Copyright Clause of the Constitution," 17 Georgetown Law Journal 109–17 (1929).

[12] *The Federation,* No. 43 at 267.

[13] *See* Motion Picture Patents Co. v. Universal Film Mfg. Co., 243 U.S. 502 (1917); Ethyl Gasoline Corp. v. United States, 309 US. 436 (1950); United States v. Line Material Co., 333 U.S. 287 (1948); and Mercoid Corp. v. Mid-Continent Inv. Co., 320 U.S. 661, 665 (1944).

[14] *See I Deller's Walker on Patents* 25–28 (1937).

[15] 78 U.S. 516, 533 (1870).

[16] Schenck v. Norton Corp., 713 F.2d 782, 786 n. 6 (Fed. Cir. 1983).

[17] In Vol. 3 of the *Shaping of America* by Page Smith at page 348, the author notes that one of these early inventions. Eli Whitney's cotton gin, could gin 1000 pounds of cotton a day—the output of almost a thousand slaves working by hand. The great English historian. Thomas Babington Macaulay, wrote "What Peter the Great did to make Russia dominant, Eli Whitney's invention of the cotton gin has more than equaled in its relation to the power and progress of the United States."

[18] Bugbee, *The Genesis of American Patent and Copyright Law,* Public Affairs Pres. 1967.

[19] The Section of Patent, Trademarks and Copyright Law of the American Bar Association recommended that the Patent and Trademark Office become independent in 1979.

[20] "The History of American Business and Industry," *American Heritage and Business Week,* page 135.

[21] Even Karl Marx was fascinated with American productive genius; he credited the bourgeoise with freeing productive forces, accomplishing "wonders far surpassing the Egyptian pyramids, Roman acqueducts, and Gothic cathedrals. "American railroads especially impressed Marx. *The Workshop of Democracy.* James MacGregor Burns, p. 76 (Knopf. 1985).

[22] *Patent Centennial Celebration, Proceedings and Addresses.* page 47 (1891).

[23] Congressional Record, page 901, Jaunary 20, 1962.

[24] Machlup, *An Economic Reveiw of the Patent System.* U.S. Senate Study, No. 15, Committee on the Judiciary, Subcommittee on Patents. Trademarks and Copyrights, p. 80 (1958).

[25] One is reminded of Harry Truman's remark that he was going to hire only one-armed economists because he was tired of having economists tell him that on the one hand something else would happen but on the other hand something else would happen.

[26] Frank B. Jewell. President, Bell Telephone Laboratories, Inc., TNEC hearings, Part III, pages 857–858 (1939).

[27] *The Patent Right in the National Economy of the United States,* page 140 (1952).

[28] Commissioner Coe. TNEC Hearings, Part III, page 856 (1939).

[29] The United States Department of Commerce Technical Advisory Board. 1967.

[30] Address upon receiving the Inventor of the Year Award. 1965.

[31] Address upon receiving the Kettering Award. 1965.

[32] Remarks before the Economic Club of Detroit. 1979.

[33] Meeting of the U.S. Energy Research and Development Administration Jan. 12, 1979.

[34] Testimony before the Subcommittee on Patents. Trademark and Copyrights of the Committee on the Judiciary, United States Senate, Aug. 19, 1965.

[35] James P. Marsh Corporation v. United States Gage Co., 129 F.2d 161, 165 (7th Cir. 1942).

[36] *See* Frost, "The Patent In The Modern Economy" Study No. 2, 84 Cong. 2nd Sess., Part 1, "The Patent System As A Stimulus to Competitive Effort in Research and Development."

PATENT OFFICE COST IS PEANUTS

To the Editor:

I am very much interested in the questions raised in your editorial in the May 25, 1964, issue of PRODUCT ENGINEERING which just came to my attention. I agree entirely with your suggestion that the entire approach in the matter of Patent Office fees is wrong.

The sentence, "It's obvious that our economy has gained far more from patented ideas than the Patent Office has cost," suggests additional questions;

1. If the economy has gained more than the cost of the Patent Office, does not this, in effect, make the Patent Office self-supporting?

2. Why should inventors who make these contributions to the economy with the assistance of the Patent Office also have to support the Patent Office by their fees?

3. How many other Government agencies which are not self-supporting have contributed as much to the economy as the Patent Office? For example, does the Department of Agricultrue charge a fee to farmers for advising them how many pigs not to raise or how much wheat not to produce? On the contrary, the farmer is paid for following its advice.

Patent Office fees should be nominal and should have no direct relation to the cost of operation of the Patent Office. Because the entire nation benefits from the services of the Patent Office, it should, through the Government, pay the greater part of the expense of providing this service. Incidentally, the expense of operating the Patent Office is peanuts compared to the cost of some agencies which do not make comparable returns, if any to the economy.

HUGH N. ROCKS,
Waynesboro, PA.

TAF SPECIAL REPORT—ALL TECHNOLOGIES

[Patent activity (January 1963 to June 1990) by date of patent grant]

	1963–76	1990	Total
Total	926,833	47,429	1,862,961
U.S. origin	675,702	24,830	1,206,938
Foreign origin	251,131	22,599	656,023
Japan	43,567	10,093	194,441
West Germany	63,450	4,043	149,391
United Kingdom	38,982	1,530	72,381
France	25,148	1,557	56,281
Canada	14,727	1,012	32,156
Switzerland	15,416	684	32,070
Italy	8,194	669	20,270

TAF SPECIAL REPORT—ALL TECHNOLOGIES—Continued

[Patent activity (January 1963 to June 1990) by date of patent grant]

	1963–76	1990	Total
Sweden	9,521	416	20,097
Netherlands	7,917	487	17,838
Austria	2,798	208	6,799
Belgium	3,248	166	6,733
Australia	2,266	217	6,619
U.S.S.R.	3,136	78	6,493
Denmark	1,806	90	3,952
Finland	762	168	3,053
Israel	804	161	3,040
China (Taiwan)	52	354	2,696
Norway	968	63	2,249
South Africa	840	56	2,039
Spain	859	69	2,003
Czechoslovakia	1,307	19	1,979
Hungary	507	54	1,873
Mexico	890	16	1,402
New Zealand	258	35	885
South Korea	51	92	675
East Germany	53	19	675
Poland	290	9	581
Ireland	186	31	574
Brazil	219	17	569
Argentina	309	10	568
Hong Kong	140	26	504
Luxembourg	105	9	432
Bulgaria	117	15	428
Liechtenstein	207	10	398
Romania	255	1	342
Other (92)	1,776	115	3,537

TRIBUTE TO DOWNED WARRIORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. HUTTO] is recognized for 30 minutes.

Mr. HUTTO. Mr. Speaker, The impact of Desert Storm hit home hard in northwest Florida when an AC-130H gunship went down on a combat mission in southeastern Kuwait on January 31. The 14 members of the crew were listed as missing in action. The aircraft was found in the Persian Gulf after the coalition victory. On Friday, March 15, I attended a memorial service held for the crew at Hurlburt Field. It was a beautiful service in honor of these heroes.

The following statement was made by Maj. Gen. Thomas Eggers, commander of the Air Force Special Operations Command:

Today we gather to honor the men of Spirit 03 and to recognize the ultimate price for freedom a commando will be asked to pay. Air Commandos have an extremely proud heritage, starting with the vision of men like General Hap Arnold. With missions like Desert One—the guts to try; just cause—those who cared and those who dared; and then Desert Storm giving yet another country and its people a chance for freedom. The men we remember, the appreciation we show to them here today, touches our heart but also leaves us saddened and stunned.

When we depart from this place, let's reflect and say that these men, these Air Commandos had the courage and the sense of personal duty which made them face up to the tough tasks of each day. Each possessed an unfailing formula for accomplishing the mission; those key elements of patriotism, self-respect, discipline and self-confidence. Men with very different backgrounds, yet bound together by a sense of mission and a spirit of teamwork that only those who have served their country in a special way can hope to know.

We could ask, what did our Air Commandos think was so important and what inspired them to serve this great country?

The answer may lie buried in our feelings and hidden in our emotions. If ever you have stood alone and watched from along the sound, the shadows of the setting sun deepen and change the western sky, then you know the great beauty they sought. If ever you have walked a lonely sea shore and felt the chill of salt air that the evening wind sends to the shore, you have felt the peace they yearned for.

If ever you have watched a seagull soar silently through clear blue skies, then you have known the freedom they sought.

If ever you remember the security and love you felt, when as a young child you were rocked softly to sleep, then you know the tremendous trust they had in one another.

If ever you have watched the stars and stripes dip and tug at the lanyard, while from somewhere deep within you a shiver of pride welled up within your chest, then you know the endless love they had for God, for country, and for the brotherhood of free men everywhere.

These dedicated military professionals—these quiet professionals met the demands of the United States of America in its finest tradition. Their courage and sacrifice will stand the test of time, because we will make sure that it does.

These men who gave their lives were called home by a loving creator. We believe and we know that their spirits live on, and that the spirit that bound them together lives on in each of us present here today.

In times like this, we think of the words of our Lord, from the prophet Isaiah * * * "Be strong and of good courage. Be not afraid, neither be thou dismayed. They that wait upon the Lord shall renew their strength. They shall mount up with wings as eagles, they shall run, and not be weary."

And now, I ask each of you * * * every time you hear words like—"God Bless America, land that I love," and "I'm proud to be an American where at least I know I'm free," to think of these Air Commandos that we honor here today and the cause that they found for and believed in. And remember that Air Commandos will continue to answer a call for help "any time—any place," in the cause of freedom. These were the words of General Eggers.

The following statement was delivered by Col. George Gray, commander of the First Special Operations Wing:

These 14 airmen came to Hurlburt for one primary reason—they wanted to serve their country. You never had to ask them to go defend freedom for millions of Panamanians or Kuwaitis—they were always ready and eager to support our country's national policy. They were magnificent!

These people and this squadron have built a trust and confidence in our ground forces that make them a particularly effective member of our Country's Armed Forces.

I remember last year at the Squadron Christmas party, Barbara and I were hosting some good friends at our home. His name was Colonel Joe Hunt, the Third Ranger Battalion Commander. When I mentioned the 16th was having their Christmas party that evening, he asked if he could go and talk to the Squadron. We, of course, went. Joe had two messages: Thanks for saving the lives of my troops at Rio Hato and just as importantly, thanks for letting them sleep. They had been up for two days and engaged in combat for 24 hours. Most of his troops had never seen combat before and were too scared to sleep. But when they saw Spectre overhead, they knew someone they trusted was watching over them and they slept like babies.

The morning of January 31 wasn't much different. Our Marines were engaged with a large Iraqi force during the first major incursion of the war. The first two had destroyed numerous enemy APC's and trucks. Spirit 03 was almost at the end of their block of time of 0600. It was starting to get light, but the Marines were extremely concerned about a Frog missile battery which had moved into position several miles south of the Kuwait border. They knew heavy Triple A was in the area and they also knew the Frog missile was capable of delivering chemical munitions on our Marines. Despite the known risks, Spirit 03 elected to engage and destroy this major threat to our Marines. They were where they were supposed to be—they knew that they had to do and nobody could support our ground forces when they were in trouble better than they could.

Today we remember these heroes.

Today is also the beginning of the healing process for the Wing and the Squadron and the families. The Wing and the Squadron will heal quickly since we know we will be called on again soon to defend freedom. We only pray that healing process for our families will be a quick one. These were the words of Colonel Gray.

The following comments were made by Lt. Col. Donn P. Kegel, commander of the 16th Special Operations Squadron:

As I flew back to the States on Saturday, I wondered what I could say or do to lessen the pain many of you have today. I realized, however, that there was no way I could take away the hurt and loss you as family and friends would suffer. I do hope today's ceremony can bring some comfort—some consolation into your lives.

A soldier always looks for peaceful solutions before any hostilities begin. When the time comes, however, a commander's duty is to order men into battle. As commanders, we also eulogize these same men when they do not return.

The heroes of Spirit 03 were good men and good soldiers. Their actions speak of the very finest qualities in men: loyalty, courage, and devotion to duty. When called to fight, they did so willingly, I could even say eagerly, with the knowledge that their cause was just. They were selflessly serving the cause of peace and freedom in a historic and unprecedented United Nation's effort. They fought for freedom and fulfilled their duty with what Abraham Lincoln called, "The last full measure of devotion." They were what good men aspire to be. Our memory of them will forever be that of men who stepped to the front—who answered the call of duty and made the ultimate sacrifice.

Major Paul Weaver, the pilot, was dedicated to the Air Force mission. He was a quiet fellow, with determination in his heart to always do the best for his Country—his unit. The Air Force was not a job to Paul, it was his life, his call to duty.

First Lieutenant Cliff Bland, the copilot. I remember my first acquaintance with Cliff as Vice at last year's dining in. A witty fellow with a sparkling smile, he made people happy. As many members of the Squadron, he wanted to fly at every opportunity. You didn't put this guy behind a desk and not hear about it.

Staff Sergeant Damon Kanuha, the Flight Engineer. A very pleasant, energetic, can-do person—always a polite man. He kept the hub of Squadron operations moving working at the mission control center—give him a task and it would be done. He was professional in every aspect.

Captain William Grimm, the Navigator, was a man of few words. I can remember first meeting him, when he made it very clear that he was William and not Bill. He spoke with authority and was respected in the Squadron for his airmanship ability.

Captain Art Galvan, the Fire Control Officer, one of the Squadron's key planners in setting up operations. A former combat control team member, he understood the ground commander's problem in war. He was instrumental in training people on how to effectively use the gunship's capability in wartime as a member of the Wing's OFFOR team.

Captain Dixon Walters, the Electronic Warfare Officer. A determined officer with tenacity. He left civilian life to find increased challenges in the Air Force. He spent many long hours as an executive officer to make formal functions such as retirements, a first class event. Always studying the capability of the enemy, he was smart at applying his technical knowledge to the electronic combat surroundings.

Senior Master Sergeant Paul Buege, the Television Operation, with ten years experience in the gunships. Paul was the First Sergeant when I first met him—always concerned for his people and willing to take on the extra tough jobs. He was always thorough in his duties and dedicated to the Air Force way of life.

Staff Sergeant John Blessinger, the Infrared Sensor Operator. He was a conscientious fellow always looking for the extra things to be done in the Squadron. He wanted the best for this section and the guys he worked with daily. He worked hard at self improvement in his professional flying duties. He was very, very good and always strove to be the best.

Staff Sergeant Mark Schmauss was the Illuminator Operator on Spirit 03. He was an outstanding airman very dedicated to his job, his fellow aircrew members, and friends. Whenever there was a job to be done he was always ready and willing to volunteer to ensure success of the mission. A former crew chief working on gunships, he had several interviews with former commanders to come and fly gunships. He never gave up in his pursuit of flying—he was always volunteering for any mission.

The next five men were a Gunner Team. Our gunner teams are strong and Technical Sergeant Bob Hodges was one of the best lead and instructor gunners in the Squadron. He was very active in Squadron and section sports programs. He'll be remembered as the one guy to establish a gunner section basketball league to unify gun crews.

Master Sergeant Jim May was our best flight chief in our gunner section. He was a lead and instructor gunner with extensive knowledge of the gunship weapons and related systems. He always had a smile on his face and a friendly hello with an easygoing manner and close interpersonal relationships with his subordinates and supervisors. A true leader among NCOs—active in the Unit's Top 3 Council.

Staff Sergeant John Oelschlager was truly an all American winner in the Americanism Award while attending the NCO Leadership School. I relied on his expertise in our reports section and could always count on a flawless product. He was a stickler for detail no matter how small the task as was evident in our Squadron's revised program which improved accountability of tools used on the airplanes.

Staff Sergeant Tim Harrison one of the few staff sergeants upgraded for Instructor Duty. He was best known for his outgoing personality. Tim was a good solid performer and as one of our supply sergeants always kept the books balanced and critical supplies on hand. He loved to fly and volunteered to be included in any mission at any TDY location.

Sergeant Barry Clark was a solid team player always willing to help the Squadron accomplish its mission. He worked long hours in supporting me and former commanders in the awards and decorations program. His words on many award packages benefit many people sitting here today. Barry was active in sports programs and always the first to volunteer for any special project in the Squadron.

In memory of these 14 heroes I would like to dedicate the following poem by John Gillespie Magee, Jr. which is titled High Flight:

Oh, I have slipped the surly
Bonds of earth
And danced the skies on
Laughter-silvered wings;
Sunward I've climbed, and
Joined the tumbling mirth
Of sun-split clouds—
And done a hundred things
You have not dreamed of—
Wheeled and soared and swung
High in the sunlit silence.
Hovering there, I've chased the
Shouting wind along, and flung
My eager craft through
Footless halls of air.
Up, up the long, delirious,
Burning blue,
I've topped the windswept
Heights with easy grace
Where never lark, or even
Eagle flew
And, while with silent.
Lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched
The face of God.

On behalf of all the men and women on the 16th Special Operations Squadron, who share in your grief, I remind you that you are not alone—we and a grateful Nation, pray with you and for you. The words of Lt. Col. Dann Kegel.

In closing, I say to the loved ones of these brave men—you can be proud. The crew of Spirit of 03 paid the supreme sacrifice for a cause—that is the cause of freedom. They were heroes who gave their all for our great Nation. We remember and pay tribute to all of them for this sacrifice. America continues as a strong nation because of their service.

□ 1800

KISSINGER ASSOCIATES, BNL, AND IRAQ

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

Mr. GONZALEZ. Mr. Speaker, during a special order last week, I revealed that Henry Kissinger was a paid member of the Banca Nazionale del Lavoro Consulting Board for International Policy. Mr. Kissinger held this position during the height of the biggest banking scandal in United States history—$4 billion in unreported loans to Iraq by the Atlanta branch of BNL. This week I will reveal some new information regarding Mr. Kissinger and his relationship with BNL. I will also include in the RECORD a detailed list of Mr. Brent Scowcroft's stock holdings.

MORE ON KISSINGER AND BNL

In order to learn more about Mr. Kissinger's role at BNL, committee investigators contacted an attorney representing BNL in the United States and asked him to contact BNL in Rome. The BNL employee in Rome told BNL's attorney the following:

> Mr. Kissinger has been a member of the BNL International Advisory Board since 1985. Mr. Kissinger is paid $10,000 for appearing at an Advisory Board meeting and he is paid extra for speaking at BNL functions. It is important to bring these facts out because BNL is owned by the Italian government. In effect, Mr. Kissinger's fees are indirectly paid for with Italian taxpayer money.

Banking Committee investigators were also told that Mr. Kissinger may still be a member of BNL Advisory Board. His term does not expire until next month. This information conflicts with what Mr. Kissinger was quoted as stating in a Financial Times article on April 26. In that article Mr. Kissinger stated that he resigned from BNL's advisory board on February 22, 1991. I will write BNL and Mr. Kissinger in order to clear up this discrepancy.

Mr. Kissinger went on to state in the same Financial Times article:

> I resigned earlier this year because I don't want to be connected, I don't want to be asked about this sort of thing.

But it should be noted that Mr. Kissinger supposedly did not resign his BNL post until over 18 months after the BNL scandal became public in August 1989.

Another interesting point to note is the timing of Mr. Kissinger's supposed resignation from BNL on February 22, 1991. That date is just days before the Justice Department announced a 347-count indictment against the former employees of BNL after an exhaustive 18-month investigation. This is quite a coincidence.

BNL ACTUALLY A CLIENT OF KISSINGER ASSOCIATES

BNL was actually a client of Kissinger Associates at the same time BNL's former employees in Atlanta were providing Iraq with billions in unreported loans. This solidifies Mr. Kissinger's link to BNL and raises the question of whether Mr. Kissinger had knowledge of the BNL loans to Iraq.

As I stated last week, many Kissinger Associates clients were doing business with the Iraqis as a direct result of the unreported $4 billion in BNL loans to Iraq. Volvo, whose chairman serves on the Kissinger Associates board of directors, was doing big business in Iraq and it was the beneficiary of BNL loans.

BNL was also the largest participant in the $5.5 billion CCC program for

Iraq. Between $800 and $900 million in BNL loans to Iraq were guaranteed by the CCC. BNL was also the second largest participant in the Export-Import [Eximbank] program for Iraq. Over $50 million in BNL loans to Iraq were guaranteed by Eximbank. Through these programs it became common knowledge in the export community that BNL was Iraq's prime banker in the United States.

I also reported last week that Mr. Lawrence Eagleburger had ties to BNL. While he was serving as president of Kissinger Associates, Eagleburger was a board member of a Yugoslavian bank that had a substantial and even incestuous relationship with BNL. BNL was a main factor in the growth of that Yugoslavian bank's operations in the United States.

Despite the many linkages between Kissinger Associates and BNL, Mr. Kissinger still maintains that he had no knowledge of the $4 billion in BNL loans to Iraq.

The fact that BNL was a client of Kissinger Associates also solidifies the link between BNL and two very high ranking Bush administration employees, NSC Director Brent Scowcroft and Deputy Secretary of State Lawrence Eagleburger. Mr. Lawrence Eagleburger and Mr. Brent Scowcroft were both high ranking employees of Kissinger Associates during the period BNL was a client of Kissinger Associates. In other words, part of their paychecks was derived from fees paid by BNL.

The fact that BNL was a client of Kissinger Associates also raises the question of how Mr. Eagleburger and Mr. Scowcroft reacted to the BNL scandal once it became known to them in the fall of 1989. I wonder if either thought it necessary to recuse himself from making decisions on Iraq once the BNL scandal was uncovered?

COMMITTEE ON BANKING,
FINANCE AND URBAN AFFAIRS,
Washington, DC, May 2, 1991.

Hon. GEORGE BUSH,
President of the United States,
Washington, DC

DEAR MR. PRESIDENT: The House Banking Committee is conducting an investigation into over $4 billion in unreported loans the former employees of the Atlanta branch of Banca Nazionale del Lavoro (BNL) provided to the government of Iraq between 1985 and 1990. The Committee's investigation has uncovered the fact that Henry Kissinger was on the International Advisory Board of BNL during that same time period and that BNL was a client of Kissinger Associates.

As you are aware, Mr. Brent Scowcroft and Mr. Lawrence Eagleburger were high ranking officials of Kissinger Associates—Mr. Scowcroft as Vice Chairman and Mr. Eagleburger as President. Kissinger Associates represents many large multinational companies involved in various aspects of international trade, including the arms business. Since these firms sell their wares worldwide, they often are the beneficiaries of U.S. policy towards foreign countries. I am deeply concerned over the potential influence Mr. Kissinger may exert over the decisions and actions of Mr. Scowcroft and Mr. Eagleburger, and am especially troubled by a potential conflict of interest involving Mr. Scowcroft.

The National Security Advisor is in a position to strongly influence our national security and foreign policies, including the U.S. export licensing process. These policies often have a direct influence on individual corporations doing business abroad. Until October 4, 1990, Mr. Scowcroft owned stock in approximately 40 U.S. corporations, many of which were doing business in Iraq. Those companies received more than one out of every eight U.S. export licenses for exports to Iraq. Several of the companies were also clients of Kissinger Associates while Mr. Scowcroft was Vice Chairman of that firm.

Mr. Scowcroft's stock holdings, particularly in corporations that are clients of Kissinger Associates, present the potential for serious conflicts of interest and cause one to question whether or not his decisions as National Security Advisor are completely disassociated from the interests of his former boss and longtime colleague.

Mr. Eagleburger, the current Deputy Secretary of State, as well as Mr. Scowcroft, may also be involved in a conflict of interest related to their role in promoting military sales abroad. The Legal Times recently reported that Mr. Eagleburger and Mr. Scowcroft (a lifelong Air Force Officer) are strong advocates of using $1 billion in Export-Import Bank resources to finance the sale of U.S. military articles overseas. The Legal Times also reported that Mr. Eagleburger actually sent a classified memorandum to all U.S. Embassies urging that U.S. defense firms be given more help selling weapons abroad. Many corporations, including Mr. Eagleburger's past employer, the ITT Corporation, stand to benefit if the U.S. foreign service is forced to take a greater role in selling U.S. military articles abroad. For your information, I have attached a copy of the Legal Times article referring to Mr. Eagleburger's and Mr. Scowcroft's roles in expanding military sales abroad. I am concerned that their attempts to use the foreign service and the Export-Import Bank to assist corporations in financing military sales abroad may have been prejudiced by their past associations.

Mr. Scowcroft's and Mr. Eagleburger's actions seem out of step at a time when the U.S. should be leading a worldwide effort to limit arms proliferation. The positions held by these men are of the utmost importance to the national security of the United States. Persons filling such important positions must be independent from past associations which could cloud their judgment.

I trust you will consider the issues I have raised in this letter and, if necessary, take appropriate action to ensure that potential conflicts are eliminated.

Thank you for your time and consideration. With best wishes.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

SCOWCROFT STOCK OWNERSHIP

The BNL scandal is not the only instance of Kissinger Associates affiliations having had the potential of placing Mr. Scowcroft in a potential conflict of interest situation involving U.S. national security and foreign policy.

Last week I noted that Brent Scowcroft joined Mr. Kissinger in setting up Kissinger Associates in 1982. Mr. Scowcroft served as vice chairman of Kissinger Associates until being appointed as National Security Advisor to President Bush in January 1989. In that position, Mr. Scowcroft advises the President on matters involving national security including export control policies.

I also revealed last week that Mr. Scowcroft owned stock in approximately 40 companies while acting in those capacities for President Bush. These stocks were valued at well over $1 million.

The chart is pretty much self-explanatory. As the chart indicates, on October 4, 1990, the Office of Government Ethics required Mr. Scowcroft to divest some of his stock holdings. But that was almost 2 years after he took office and several months after the Iraqi invasion of Kuwait.

MANY LARGE DEFENSE CONTRACTORS

Many of the companies Mr. Scowcroft owned stock in are large defense contractors. The Department of Defense recently released a list of the top 100 prime defense contractors. Mr. Scowcroft owned stock in 11 of these companies including General Electric, General Motors, ITT, and Lockheed while acting as the President's National Security Adviser.

Several of the companies Mr. Scowcroft owned stock in are reported clients of Kissinger Associates. These connections raise the question of Kissinger Associates' influence over the decisions of Mr. Scowcroft as well as the issue of whether or not Mr. Scowcroft can remain independent from the interests of his former boss and longtime colleague Henry Kissinger.

I am deeply concerned by Mr. Scowcroft's stockholdings, particularly those in corporations that are clients of Kissinger Associates. Given the position of Mr. Scowcroft, his stockholdings present the potential for serious conflicts of interest.

As an example consider that together, the companies he owned stock in received over one in every eight United States export licenses for sales to Iraq. No doubt these companies benefited from United States policy toward Iraq. Mr. Scowcroft was instrumental in setting and carrying out that policy and, at the same time, owned stock in companies benefiting directly from that same policy. Can Mr. Scowcroft be providing the President with independent judgment given those circumstances?

BACKGROUND ON NATIONAL SECURITY COUNCIL [NSC]

In order to better understand these issues it would help to learn more about the role Mr. Scowcroft plays in setting, coordinating, and carrying out the national security and foreign policies of the United States. As we will see, the NSC can have considerable influence over an individual company's ability to obtain an export license to sell goods abroad.

During his tenure at Kissinger Associates, Mr. Scowcroft was appointed by President Reagan to various special commissions on national security issues. One such appointment was to the President's Special Review Board. The President directed the Board to examine the proper role of the National Security Council staff in the development, coordination, and conduct of foreign and national security policy following the Iran-Contra scandal. The following background on the NSC is taken from that report.

The National Security Council was established by the National Security Act of 1947. The NSC functions as an advisory body to the President on national security issues and to improve coordination between the military services and other executive departments. The President is the head of the NSC with other members being the Vice President, the Secretary of State, and the Secretary of Defense.

Statutory advisers to the NSC include the Chairman of the Joint chiefs of Staff, the Director of the Central Intelligence Agency, and the Director of the Arms Control and Disarmament Agency. Other members of executive branch agencies may serve as de facto members of the NSC at the invitation of the President. All members are supposed to provide their best advice to the President, not merely serve as advocates for their own bureaucracies.

Perhaps the greatest misconception regarding the NSC is that the Assistant to the President for National Security Affairs, commonly referred to as the National Security Adviser, is not a formal member of the NSC. There is no legislative provision for Mr. Scowcroft's present position.

Originally, under President Eisenhower, the National Security Adviser served as the executive secretary of the NSC—setting the agenda, briefing the President, and supervising staff. It was not until President Kennedy, with McGeorge Bundy, and also President Nixon, with Henry Kissinger, that the National Security Adviser took on its current role. Bundy and Kissinger transformed the position from one of coordinator and administrator to one of policy advocate, personal adviser, spokesman and negotiator for national security issues.

The National Security Act also established a National Security Staff. The role and size of the staff has changed considerably since 1947, but has come to serve the dual role of coordinating and monitoring the implementation of national security policy as well as providing independent advice, options, and ideas to the President. Mr. Scowcroft is the current Director of the NSC staff. The role of the NSC staff received its greatest notoriety from the actions of felonious staff member Oliver North.

NSC INFLUENCE OVER EXPORT LICENSING FOR IRAQ

One of the responsibilities of the NSC is to ensure that the national security decision directives issued by the President are properly carried out. Take for example the case of Iraq. Both Presidents Bush and Reagan were determined to improve relations with Iraq, and both considered the best way to achieve that goal was to expand trade with Iraq. Since trade was the foundation on which improved relations were to be achieved, increased importance was placed on the export licensing process.

The export licensing process controls the export of U.S. goods and technical data in order to achieve certain national security and foreign policy goals. For example, in order to protect our national security, the export licensing process is used to limit the export of sophisticated United States computer technology to the Soviet Union that could be used to improve weapons systems. In the case of export licensing, the National Security Act of 1947 and subsequent legislation, provide the President, through the National Security Council [NSC], with ample authority to establish policies on export controls.

To get a feel for the NSC's role in achieving the President's objective regarding Iraq, we can look to the comments of Paul Freedenberg. He was the chief export licensing official at the Commerce Department during the latter half of the Reagan years and the beginning of the Bush administration.

Mr. Freedenberg recently testified that Iraqi use of poison gas against the Kurds, as well as the Iranians, did not suppress the zeal of the NSC to approve technology transfers to Iraq. In testimony before Congress, he stated:

> In the summer of 1988, a number of licenses were pending with regard to technology transfer to Iraq. I asked for official guidance with regard to what the licensing policy would be towards Iraq since by that time there was credible evidence of the use of poison gas by the Iraqis against their own people and also against the Iranians. I suggested that the imposition of foreign policy controls be considered as a way of justifying the denial of export licenses to Iraq. I was told by the National Security Council that the licensing policy with regard to Iraq was that of normal trade and that under normal circumstances and that I should clear the licenses that were pending. I passed that information on to my licensing officers and the few dozen licenses that were pending at that time were approved and licenses were issued for exports to Iraq.

This provides clear insight into the power of the NSC and points to the influence it can have over the export licensing process. Yet another example is provided by Dr. Stephen D. Bryen, former Deputy Under Secretary of Defense for Trade Security Policy and Director of Trade Technology Security Administration [DTSA]. DTSA helps review export licenses to determine if exports should be denied because of their potential military applications.

While testifying before the Banking Committee, Dr. Bryen stated:

> Generally speaking, the Defense Department's strongest objections for Iraq concerned the potential use of exported goods for Iraq's nuclear program, for missile testing and construction, and for chemical and biological weapons development. In most cases when we raised these issues we ran into strong opposition from the State and Commerce Departments. In July 1987, at the urging of the State Department, the National Security Council directed DTSA to be "more forthcoming" with respect to Iraq. The NSC singled out a number of cases DTSA held up, and urged us to revisit them. We decided, in all but two or three cases identified by NSC to stick by our guns and not give in because we had evidence the technology was going into strategic military programs.

While Mr. Scowcroft was not the NSC Director at the time of the above incidents, you can get a feel for the enormous influence the NSC can exercise over individual export licensing decisions.

The NSC provides crucial input into the President's foreign policy and national security decisions. These decisions often affect trade between the United States and foreign nations, which in turn affects a corporation's ability to sell its goods overseas. As the Iraq example illustrates, the NSC can exercise considerable sway over export licensing decisions that directly determine whether or not a corporation's export license is approved. This is one of the prime reasons Mr. Scowcroft's stock ownership presents the potential for a conflict of interest.

Mr. Scowcroft's past affiliation with Kissinger Associates also raises the question as to whether or not Mr. Scowcroft can truly provide independent advice to the President in matters of national security or foreign policy when those policies can run against the interest of corporations that he owns stock in or that are affiliated with Kissinger Associates.

SCOWCROFT AND EXIMBANK MILITARY SALES

Last week I placed in the RECORD a Legal Times article that illustrated how Mr. Scowcroft and Mr. Lawrence Eagleburger have been instrumental in formulating the recent administration proposal to use $1 billion in Export-Import Bank credits to sell defense articles overseas. This week I revealed that Mr. Scowcroft until very recently owned stock in many of our largest defense contractors. The fact that Mr. Scowcroft was even involved in a decision to promote military sales while he owned stock in several huge defense contractors strikes me as being a conflict of interest.

The President's proposal to use the Export-Import Bank to finance military sales is an example of a policy decision that has the potential to directly benefit corporations Mr. Scow-

croft owns stock in or that are affiliated with Kissinger Associates.

CONCLUSION

To summarize, I am deeply concurned that Mr. Scowcroft's stockholdings, particularly in corporations that are clients of Kissinger Associates, present the potential for serious conflicts of interest. These stock-holdings also raise the question of Kissinger Associates influence over the decisions of Mr. Scowcroft and whether or not Mr. Scowcroft can remain independent from the interests of his former boss and longtime colleague. I will be writing President Bush to express my concern over these issues.

[From the Financial Times, Apr. 26, 1991]

CONGRESSIONAL INQUIRY: KISSINGER'S FIRM LINKED TO BNL

(By Alan Friedman and Lionel Barber)

WASHINGTON.—Mr. Henry Kissinger, the former US secretary of state who heads the international consulting firm Kissinger Associates, had business links with Banca Nazionale del Lavoro (BNL), the Italian bank whose branch in Atlanta, Georgia made $4bn in unauthorized loans to Iraq, according to the chairman of the US House banking committee.

BNL's activities in the US are at the center of a wideranging congressional inquiry into how its funds were used to buy militarily useful US technology and equipment until as late as June 1990, a few weeks before the invasion of Kuwait.

Mr. Kissinger last night denied knowledge of the improper Iraqi loans. He confirmed, however, that he served until early this year as a paid member of BNL's international advisory board.

He resigned the BNL position on February 22, 1991 because of the BNL Atlanta scandal. Mr. Kissinger said last night: "I didn't have any idea of what BNL was doing in Iraq. All I know was what I read in the papers. I resigned earlier this year because I don't want to be connected, I don't want to be asked about this sort of question".

Congressman Henry Gonzalez, the Texan Democrat who is investigating the BNL affair, also claimed that Kissinger Associates advised US companies exporting to Iraq, several of which were BNL-financed.

Kissinger Associates is an international consultancy with blue-chip clients, advising on political and commercial risk. Among its early recruits were Mr. Brent Scowcroft, currently President George Bush's national security adviser, as well as Mr. Lawrence Eagleburger, a veteran diplomat, who currently serves as deputy US secretary of state. Both resigned on taking office.

In a lengthy statement on the floor of the House of Representatives, Mr. Henry Gonzalez—chairman of the banking committee—described how Mr. Alan Stoga, a Kissinger Associates executive, met Mr. Saddam Hussein in Baghdad in June 1989.

At the meeting, Mr. Saddam apparently expressed interest in expanding commercial relations with the US. "Many Kissinger Associates clients received US export licenses for exports to Iraq. Several were also the beneficiaries of BNL loans to Iraq," said Mr. Gonzalez.

In response, Mr. Kissinger said his firm "derived no income from Iraq". To his knowledge, Mr. Stoga did not advise Iraq on any financial matters, but he recalled that Mr. Stoga told him that he was identified at the Saddam meeting "as an expert on debt and could advise."

Mr. Kissinger, who has rarely spoken about his clients or his business, said his firm would not have interceded with the US government to secure export licenses for clients, but that "it is possible that somebody may have advised a client on how to get a license."

In his congressional statement Mr. Gonzalez said Mr. Eagleburger, who worked for Kissinger Associates until two years ago, served on the board of Ljubljanksa Bank (LBS), the Yugoslav bank.

Mr. Gonzalez said he wished to make clear that he was not accusing anyone of any illegalities.

Stock Holdings of National Security Director Brent Scowcroft

Stocks	*Value of stock*[3]
Advanced Display Technology	B
Allegran, Inc.	B
Allied Signal, Inc.[1]	B
ARMCO, Inc.	C
AT&T[1 2]	D
Bank America Corp.[1]	C
CSX Corp.	A
DBA Systems, Inc.[1]	F
E.I. Dupont[1]	D
First Security Corp.	D
General Motors Corp.[1]	B
General Electric Co.[1]	G
Great Atl. & Pac. Tea Co.	B
Great American Communications	B
Halliburton Company	C
Hanson PLC Sponsored ADR	E
Hewlett Packard Co.[1]	D
IBM[1 2]	D
Intergraph Corp.[1]	E
International Paper Company	B
ITT Corp.[1 2]	B
Kimberly Clark[1]	B
Lehman Corp.	D
Lockheed Corp.	A
McKessen, Inc.	B
MCN Corp.	B
Merck & Co.[1]	D
Minnesota MNG MFG[1 2]	B
Mobil Oil Company[1]	B
Monsanto Company	C
PacificCorp	C
Phillips Petroleum Co.	B
Pfizer, Inc.[1]	D
Primark Corp.	B
Questar Corp.	C
Reynolds Metals[2]	B
Storage Technology CP[1]	C
Shell TRNS & TR[1 2]	D
SmithKline Beackman Corp[2]	A
Weyerhaeuser Co.[1]	D
Westinghouse Electric[1]	B
Wicor, Inc	B
Xerox Corp.[1]	D
Washington BanCorp.	F

Notes:

[1] On October 4, 1990, the Office of Government Ethics required divestiture of these stocks.

[2] Held by Spouse.

[3] Value of Holding: A=under $1,001, B=$1.001–5,000, C=$5,001–15,000, D=$15,001–50,000, E=50,001–100,000, F=$100,001–250,000, G=over $250,000.

Source: Brent Scowcroft Financial Disclose Report Office of Government Ethics (202) 523-5757.

□ 1820

TRIBUTE TO LT. THOMAS CLIFFORD BLAND, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BYRON] is recognized for 10 minutes.

Mrs. BYRON. Mr. Speaker, I would like to commend the gentleman from Florida [Mr. HUTTO] for the special order that he took this evening in addressing those 14 young men in the AC-130 which were a part of our Operation Desert Storm and Desert Shield. The gentleman from Florida [Mr. HUTTO] talked about the quality of the young people that we have. I would like to join him in his special order.

One of those young individuals was a constituent of mine from near Washington, Darnestown, MD, a young man just 26 years of age; 1st. Lt. Thomas Clifford Bland, Jr., was the copilot of that aircraft. It is interesting to note that the friends of his from his high school days as a 1982 graduate of Seneca High School, spearheaded by Pat McGrath, one of his classmates, have taken it upon themselves to perpetuate his memory in a scholarship. It is one that will be awarded shortly on May 19.

His community also has rallied behind him as a pilot. We all know how much it means to a community when someone leaves and goes off, but his community will not forget him because of the dedication of the Darnestown Regional Park will be changed in its name on May 19 and it will become the Clifford Bland Memorial Park.

□ 1830

So I think we will probably find a large gathering of young people that once again have been touched by Operation Desert Storm, who will be gathering that Sunday afternoon to remember a spark in their community, a young man who volunteered to put on the uniform, went off and did what his dream was, that was to join the Air Force and learn to fly. His mother, Dede McMahan, is also a pilot. So his love of flying came from within his family.

So although he is gone from us, that scholarship fund in his memory will continue in his community to educate those young individuals who are coming behind.

I think as we look, as Congressman HUTTO did, to those individuals who were constituents of his and had taken off from his Florida base, we know this Nation, across the board, has been affected by that loss. I think we are also finding the memory of him, of those young people, will be enriched by a scholarship fund and a local park for the young people to come to play ball, the little ones to play on the equipment.

Although Thomas Clifford Bland is gone, his memory is not going to be forgotten.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. KOLBE) to revise and extend their remarks and include extraneous material:)

Mr. DORNAN of California, for 5 minutes, today.

Mr. MCEWEN, for 5 minutes, today.

(The following Members (at the request of Ms. SLAUGHTER of New York) to revise and extend their remarks and include extraneous material:)

Mr. GEREN of Texas, for 5 minutes, today.

Mr. ECKART, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. KLECZKA, for 5 minutes, today.

Mr. POSHARD, for 5 minutes, on May 7.

Mr. DEFAZIO, for 60 minutes each day, on May 8, 15, 22, and 29.

Mr. GONZALEZ, for 60 minutes, on May 7.

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

Mr. GUARINI, for 5 minutes, today.

(The following Member, at her own request, to revise and extend her remarks and include extraneous material:)

Mrs. BYRON, for 10 minutes, today.

(The following Members (at the request of Mrs. BYRON) to revise and extend their remarks and include extraneous material:)

Mr. DICKS, for 60 minutes, on May 6.

Mr. FALEOMAVAEGA, for 30 minutes, on May 7.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. YATES, and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $2,864.

Mr. PENNY, during debate on Zimmer amendment to H.R. 1988, in Committee of the Whole, today.

(The following Members (at the request of Mr. KOLBE) and to include extraneous matter:)

Mr. MACHTLEY in nine instances.

Mr. SAXTON in two instances.

Mr. SENSENBRENNER.

Mr. VANDER JAGT.

Mrs. BENTLEY in two instances.

Mr. HUNTER.

Mr. GINGRICH.

Mr. GRANDY.

Mr. SOLOMON.

Mr. DREIER of California.

Mr. BROOMFIELD.

Mr. GALLEGLY in three instances.

Mr. GEKAS in three instances.

Mr. THOMAS of California in two instances.

Mr. RHODES.

Mr. DORNAN of California.

Mr. JAMES in four instances.

Mr. BLILEY.

Mr. CAMP.

Mr. CUNNINGHAM.

Mr. COUGHLIN.

(The following Members (at the request of Ms. SLAUGHTER of New York) and to include extraneous matter:)

Mr. REED.

Mr. ATKINS.

Mr. VISCLOSKY.

Mr. LANTOS.

Mr. JONTZ.

Mr. SCHEUER.

Mr. CARDIN.

Mr. PALLONE.

Mr. ECKART.

Mr. LEVINE of California.

Mr. MILLER of California.

Mr. KENNELLY.

Mr. MANTON.

Mr. JACOBS in two instances.

Mr. BONIOR.

Mr. ORTIZ.

Mr. SWETT.

Mr. BRUCE.

Mr. COLEMAN of Texas in two instances.

Mr. NEAL of Massachusetts.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Monday, May 6, 1991, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1199. A letter from the Chief, Office of Legislative Liaison, Department of Army, transmitting an initial decision to retain the Directorate of Logistics at Fort Rucker, AL, as an in-house operation, pursuant to 10 U.S.C. 2304 note; to the Committee on Armed Services.

1200. A letter from the Chief, Office of Legislative Liaison, Department of Army, transmitting an initial decision to retain the commissary storage and issue function at Fort Ruker, AL, as an in-house operation, pursuant to 10 U.S.C. 2304 note; to the Committee on Armed Services.

1201. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for the U.S. Mint for fiscal years 1992 and 1993; to the Committee on Banking, Finance and Urban Affairs.

1202. A letter from the Secretary of Education, transmitting a summary of the administration's legislative proposals for reauthorization of the Higher Education Act of 1965; to the Committee on Education and Labor.

1203. A letter from the Director, Office of Management and Budget, transmitting a report on the implementation of section 7507 of the Single Audit Act, pursuant to 31 U.S.C. 7507(b); to the Committee on Government Operations.

1204. A letter from the Chairman, U.S. Sentencing Commission, transmitting a report of amendments to the sentencing guidelines together with the reasons for these amendments, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

1205. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting on behalf of the Secretary of State certification required under section 609(b) of Public Law 101-162, pursuant to Public Law 101-162, section 609(a)(5)(C) (103 Stat. 1038); jointly, to the Committees on Appropriations and Merchant Marine and Fisheries.

1206. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1992 and 1993 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal years 1992 and 1993, and for other purposes; jointly, to the Committees on Armed Services and Post Office and Civil Service.

1207. A letter from the Director, Central Intelligence Agency, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1992 and 1993 for intelligence and intelligence-related activities of the U.S. Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; jointly, to the Committees on Intelligence (Permanent Select), Armed Services, Post Office and Civil Service, Energy and Commerce, Ways and Means, and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BROOKS: Committee on the Judiciary. H.R. 7. A bill to amend title 18, United States Code, to require a waiting period before the purchase of a handgun; with an amendment (Rept. 102-47). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ECKART (for himself, Mr. SCHAEFER, Mr. SWIFT, Mr. BLILEY, Mr. GEPHARDT, Mr. BILIRAKIS, Mr. DINGELL, Mr. RINALDO, Mr. SLATTERY, Mr. SOLOMON, Mr. WAXMAN, Mr. SHARP, Mr. MARKEY, Mr. HORTON, Mrs. COLLINS of Illinois, Mr. SYNAR, Mr. PORTER, Mr. TAUZIN, Mr. WYDEN, Mr. RICHARDSON, Mr. SIKORSKI, Mr. BRYANT, Mr. BOUCHER, Mr. COOPER, Mr. BRUCE, Mr. HEFLEY, Mr. ROWLAND, Mr. MANTON, Mr. STUDDS, Mr. FAWELL, Ms. SLAUGHTER of New York, Mr. BILBRAY, Mr. BENNETT, Ms. MOLINARI, Mr. MACHTLEY, Mr. DELLUMS, Mr. FOGLIETTA, Mr. HERTEL, Mr. KLUG, Mr. BUSTAMANTE, Mr. HOCHBRUECKNER, Mr. EVANS, Mrs. BOXER, Mr. MILLER of Washington, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. ROE, Mr. BROWN, Mr. LAFALCE, Mr. JONES of North Carolina, Mr. CONYERS, Mr. FAZIO, Mr. GEJDEN-

SON, Mr. AUCOIN, Mr. MINETA, Mr. JENKINS, Mr. HAMILTON, Mr. OBERSTAR, Mr. OBEY, Mr. MAVROULES, Mr. SANDERS, Mr. FRANK of Massachusetts, Mr. WOLPE, Mr. MCDERMOTT, Mr. GALLO, Mr. GUARINI, Ms. PELOSI, Mr. ACKERMAN, Mr. SERRANO, Mr. ZIMMER, Mr. ZELIFF, Mr. RAVENEL, Mr. PAYNE of Virginia, Mr. PEASE, Ms. KAPTUR, Mr. LEWIS of Florida, Mr. LANTOS, Mr. SKAGGS, Mr. DWYER of New Jersey, Mr. VALENTINE, Mr. MOODY, Mr. HENRY, Mr. BERMAN, Mr. JEFFERSON, Mr. VENTO, Mr. PAYNE of New Jersey, Mr. NEAL of Massachusetts, Mr. OLIN, Mrs. PATTERSON, Mr. SANGMEISTER, Mrs. UNSOELD, Mr. DAVIS, Mr. YATES, Mr. SABO, Mr. LEVINE of California, Mr. KENNEDY, Mr. PALLONE, Ms. NORTON, Mr. FISH, Mr. STOKES, Mr. SCHEUER, Mr. BACCHUS, Mr. WALSH, Mr. HARRIS, Mr. TORRES, Mrs. LOWEY of New York, Mr. KOLBE, Mr. NAGLE, Mr. DEFAZIO, Mr. MORAN, Mr. LEHMAN of Florida, Mr. OWENS of Utah, Mr. THOMAS of Georgia, Mr. ESPY, Mr. KOLTER, Mr. STALLINGS, Mr. WILLIAMS, Mr. SWETT, Mr. JOHNSTON of Florida, Mr. JONES of Georgia, Mr. CARDIN, Ms. DELAURO, Mr. COLEMAN of Texas, Mr. JONTZ, Mrs. MEYERS of Kansas, Mr. TALLON, Mr. CAMPBELL of Colorado, Mr. GILLMOR, Mr. SAWYER, Mr. ENGEL, Mr. SCHIFF, Mr. LAROCCO, Mr. FEIGHAN, Mr. ROEMER, Mr. LUKEN, Mr. MRAZEK, Mr. KOPETSKI, Mr. ANDREWS of Texas, Mr. PICKLE, Mr. ALLARD, and Mr. BAKER):

H.R. 2194. A bill to amend the Solid Waste Disposal Act to clarify provisions concerning the application of certain requirements and sanctions to Federal facilities; to the Committee on Energy and Commerce.

By Mrs. BENTLEY:

H.R. 2195. A bill to amend the Shipping Act of 1984 to provide for equitable treatment of U.S. ocean freight forwarders by ocean carrier conferences; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOKS:

H.R. 2196. A bill to modify the flood control project for Clear Creek, TX, to direct the Secretary of the Army to remove a railroad bridge, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. CONDIT:

H.R. 2197. A bill to require military bases which are scheduled to be closed and which are on the National Priorities List under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to be cleaned up completely not later than 2 years after they are closed or after substantial reductions in their operations have occurred; jointly, to the Committees on Armed Services and Energy and Commerce.

By Mr. DOOLEY:

H.R. 2198. A bill to amend the Immigration and Nationality Act to suspend the ban on public assistance for legalized aliens during a federally declared national emergency; to the Committee on the Judiciary.

By Mr. DORGAN of North Dakota (for himself, Mr. BILIRAKIS, Mr. PENNY, Mr. PAXON, Mr. PANETTA, and Mr. LEHMAN of Florida):

H.R. 2199. A bill to direct the Secretary of Veterans Affairs to conduct a pilot program to provide hospice care for terminally ill veterans; to the Committee on Veterans' Affairs.

By Mr. DORNAN of California:

H.R. 2200. A bill to amend title 10, United States Code, to revise the rules relating to the payment of retired pay of retired members of the Armed Forces to former spouses pursuant to court orders; to the Committee on Armed Services.

By Mr. DWYER of New Jersey:

H.R. 2201. A bill to amend the Hazardous Liquid Pipeline Safety Act of 1979 to require the Secretary of Transportation to issue regulations to ensure the safety of underwater hazardous liquid pipelines, to identify chronic violators of hazardous liquid pipeline regulations, to enhance inspection, monitoring, and enforcement activities, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. GALLEGLY:

H.R. 2202. A bill to amend title 11 of the United States Code with respect to the interest of the debtor as a tenant under a month-to-month rental of residential real property; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 2203. A bill to amend title 18, United States Code, respecting the use in undercover operations of official representatives that property is stolen or counterfeit; to the Committee on the Judiciary.

By Mr. HAMMERSCHMIDT:

H.R. 2204. A bill to amend the Fair Labor Standards Act of 1938 to clarify the application of such act, and for other purposes; to the Committee on Education and Labor.

H.R. 2205. A bill to amend the Internal Revenue Code of 1986 to restore the prior law exclusion for scholarships and fellowships and to restore the deduction for interest on educational loans; to the Committee on Ways and Means.

H.R. 2206. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Mr. KLECZKA (for himself, Mr. SANDERS, Mr. PENNY, Mr. DORGAN of North Dakota, Mr. PETRI, Mr. DEFAZIO, Mr. MORAN, Mr. VENTO, Mr. OBEY, Mr. JONTZ, Mr. SENSENBRENNER, Mr. KLUG, Mr. MOODY, Mr. PETERSON of Minnesota, and Mr. LANCASTER):

H.R. 2207. A bill to amend the Federal Deposit Insurance Act to include foreign deposits and certain nondeposit liabilities in the assessment base for purposes of determining deposit insurance premium payments; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LAGOMARSINO (for himself, Mr. MICHEL, Mr. SOLARZ, and Mr. EVANS):

H.R. 2208. A bill to amend titles 5 and 37, United States Code, to provide procedural due process in determining the status of members of the uniformed services and Federal employees listed in a missing status and to require the Secretary of Defense to review procedures regarding the determination and resolution of that status; jointly to the Committees on Post Office and Civil Service and Armed Services.

By Mr. LEVINE of California (for himself and Mr. BERMAN):

H.R. 2209. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and pursuant to the reclamation laws, to participate in the design, planning, and construction of reclamation and reuse projects in Los Angeles and El Segundo, CA; to the Committee on Interior and Insular Affairs.

By Ms. OAKAR:

H.R. 2210. A bill to establish an additional authorization of appropriations for fiscal year 1992 for basic and clinical research on breast cancer; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 2211. A bill to amend the act of March 3, 1931 (known as the Davis-Bacon Act) to provide that the requirements of that act shall apply to contracts for construction, alteration, repair, renovation, rehabilitation, or reconstruction of a facility under lease to the United States or the District of Columbia; to the Committee on Education and Labor.

By Ms. PELOSI (for herself, Mr. SOLOMON, Mr. RUSSO, Mr. STARK, Mr. BARTON of Texas, Mr. WOLF, Mr. PORTER, Mr. MILLER of Washington, Mr. GEPHARDT, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BACCHUS, Mr. BEILENSON, Mr. BERMAN, Mrs. BOXER, Mr. BRYANT, Mr. BURTON of Indiana, Mr. DELLUMS, Mr. DERRICK, Mr. DURBIN, Mr. EDWARDS of California, Mr. ERDREICH, Mr. FAZIO, Mr. FRANK of Massachusetts, Mr. FEIGHAN, Mr. FOGLIETTA, Mr. FROST, Mr. GREEN of New York, Mr. HERGER, Mr. HORTON, Mr. JEFFERSON, Mr. KENNEDY, Mr. LANTOS, Mr. LEWIS of Georgia, Mrs. LLOYD, Mr. MCNULTY, Mr. MARTINEZ, Mr. MARKEY, Mr. MILLER of California, Mr. MINETA, Mrs. MINK, Mr. MORAN, Ms. OAKAR, Mr. PANETTA, Mr. PAYNE of New Jersey, Mr. RICHARDSON, Mr. RITTER, Mr. ROSE, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SIKORSKI, Ms. SLAUGHTER of New York, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. SPRATT, Mrs. UNSOELD, Mr. VALENTINE, Ms. WATERS, Mr. WAXMAN, Mr. WEISS, Mr. YATRON, and Mr. SWETT):

H.R. 2212. A bill regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes; to the Committee on Ways and Means.

By Mr. PENNY (for himself, Mr. OBERSTAR, Mr. VENTO, Mr. SABO, Mr. SIKORSKI, and Mr. PETERSON of Minnesota):

H.R. 2213. A bill to amend title XIX of the Social Security Act to provide for a child health program in each State to assure the provision of basic outpatient services to needy children; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. ROBERTS:

H.R. 2214. A bill to amend the Internal Revenue Code of 1986 to prevent recapture of the special estate tax valuation benefit when a qualified heir rents on a net cash basis to another family member; to the Committee on Ways and Means.

By Mr. SAWYER (for himself, Mr. LEWIS of Georgia, Mr. REGULA, Mr. TOWNS, Mr. WHEAT, Mr. BERMAN, Mr. BILBRAY, Mr. BRYANT, Mr. DE LUGO, Mr. DYMALLY, Mr. EDWARDS of California, Mr. ESPY, Mr. ENGEL, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FUSTER, Mr. GRAY, Mr. HAYES of Illinois, Mr. KILDEE, Mr. MCDERMOTT, Mrs. MORELLA, Mr. OWENS of New York, Mr. RANGEL, Mr. RICHARDSON, and Mr. WEISS):

H.R. 2215. A bill amending the law relating to the Martin Luther King, Jr., Federal Holiday Commission; to the Committee on Post Office and Civil Service.

By Mr. SPRATT:

H.R. 2216. A bill to amend the Comprehensive Environmental Response, Compensa-

tion, and Liability Act of 1980 to impose sanctions on any State that does not have, or is in violation of, a capacity assurance plan under that act, and to amend the Solid Waste Disposal Act to give certain States authority to deny permits for hazardous waste facilities which provide unneeded capacity and to impose restrictions on the interstate transportation of waste; to the Committee on Energy and Commerce.

By Mr. TRAFICANT:

H.R. 2217. A bill to withhold a portion of law enforcement Federal financial assistance to States that do not have in effect a law that permits imposition of the death penalty, and requires imposition of the death penalty or life imprisonment without parole, for any conviction of premeditated murder and for any conviction of murdering a law enforcement officer under certain circumstances; to the Committee on the Judiciary.

By Mr. VANDER JAGT (for himself and Mr. JACOBS):

H.R. 2218. A bill to amend the Internal Revenue Code of 1986 to promote savings for qualified higher education expenses; to the Committee on Ways and Means.

By Mr. WISE:

H.R. 2219. A bill to direct the Secretary of Defense to issue a special identification card to each member of the Armed Forces who was deployed in the Persian Gulf theater of operation, or was ordered to active duty, in connection with the Persian Gulf conflict; to the Committee on Armed Services.

By Mr. ATKINS (for himself, Mr. BILIRAKIS, Mr. MARKEY, Mr. PANETTA, Mr. SCHEUER, and Mr. STUDDS):

H.R. 2220. A bill to amend the Energy Policy and Conservation Act to provide for Federal energy conservation standards for showerheads and faucets, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DICKS:

H.R. 2221. A bill to amend the Federal Water Pollution Control Act relating to the water quality of Puget Sound; to the Committee on Public Works and Transportation.

By Mr. FEIGHAN (for himself, Mr. HYDE, Mr. BRYANT, Mr. BERMAN, Mr. GOSS, Mr. LEHMAN of Florida, Mr. ACKERMAN, Mr. DORNAN of California, Mr. COBLE, Mr. HORTON, Mr. APPLEGATE, Mr. LAFALCE, Mr. HUGHES, Ms. KAPTUR, Mr. LENT, Mr. LIPINSKI, Mrs. JOHNSON of Connecticut, Mr. DANNEMEYER, Mr. MCNULTY, Mr. STARK, Mr. HERTEL, Mr. KENNEDY, Mr. SOLOMON, Mr. BEREUTER, Mr. KLUG, Mr. LAGOMARSINO, Mr. HANSEN, Mr. PACKARD, Mr. HERGER, Mr. GLICKMAN, Mr. SMITH of Florida, and Mr. BILBRAY):

H.R. 2222. A bill to provide a new civil cause of action in Federal law for international terrorism that provides extraterritorial jurisdiction over terrorist acts abroad against U.S. nationals; to the Committee on the Judiciary.

By Mr. KILDEE (for himself and Mr. CLAY):

H.R. 2223. A bill to amend the National Labor Relations Act to give employers and performers in the live performing arts, rights given by section 8(e) of such act to employers and employees in similarly situated industries, to give such employers and performers the same rights given by section 8(f) of such act to employers and employees in the construction industry, and for other purposes; to the Committee on Education and Labor.

By Mr. MARKEY (for himself, Mr. MOORHEAD, Mr. BOUCHER, Mr. DANNEMEYER, and Mr. STUDDS):

H.R. 2224. A bill to amend the Federal Power Act to provide more equitable access to electric transmission services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. OBEY (for himself, Mr. AUCOIN, Mr. CARDIN, Mr. ECKART, Mr. FRANK of Massachusetts, Mr. FROST, Mr. MAZZOLI, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. PRICE, Mr. SABO, Mr. TORRES, and Mr. WHEAT):

H.R. 2225. A bill to strengthen public confidence in the integrity of the legislative process and reform campaign practices for elections to the House of Representatives by providing for a voluntary system of spending limits, reducing the allowable contributions by political action committees, establishing tax credits for individual campaign contributions, requiring a maintenance fee for political action committees, and the creation of a public fund, and for other purposes; jointly, to the Committees on House Administration, Ways and Means, and Post Office and Civil Service.

By Mr. TAUZIN:

H.R. 2226. A bill to transfer the ownership of the Ship Shoal Lighthouse to the city of Berwick; to the Committee on Merchant Marine and Fisheries.

By Mr. BILIRAKIS (for himself, Mr. BLILEY, Mr. DORNAN of California, Mr. ESPY, Mr. CLEMENT, Mr. TRAXLER, Mr. HORTON, Mr. WILSON, Mr. COSTELLO, Mr. POSHARD, Mr. OWENS of Utah, Mr. PERKINS, Mr. SKEEN, Mr. MRAZEK, Mrs. MINK, Mr. HUGHES, Mr. BROWN, Mr. SMITH of Florida, Mr. LENT, Mr. RANGEL, Mr. ACKERMAN, Mr. BORSKI, Mr. BOUCHER, Mr. BUSTAMANTE, Mr. CALLAHAN, Mr. DE LUGO, Mr. DICKS, Mr. MILLER of Washington, Mr. WOLF, Mrs. VUCANOVICH, Mr. GUARINI, Mr. LIPINSKI, Mr. PAXON, Mr. EVANS, Mr. SOLOMON, Mr. MINETA, Mr. FUSTER, Mr. ERDREICH, Mr. LAGOMARSINO, Mr. SISISKY, Mr. SERRANO, Mrs. LLOYD, Mr. MCNULTY, Mr. TAYLOR of Mississippi, Mr. QUILLEN, Mr. LEWIS of Florida, Mr. ROE, Ms. PELOSI, Mr. ANDERSON, Mr. RAMSTAD, Mr. MCEWEN, Mr. BATEMAN, Mr. CAMP, Mr. GONZALEZ, Mr. HAYES of Louisiana, Mr. HOCHBRUECKNER, Mr. DERRICK, Mr. SANGMEISTER, Ms. SLAUGHTER of New York, Mrs. COLLINS of Illinois, Mr. JONTZ, Mr. KASICH, Mr. MCDADE, Mr. OWENS of New York, Mr. MCDERMOTT, Mr. MONTGOMERY, Mr. SCHEUER, Mr. MCGRATH, Mr. STOKES, Mr. KOLTER, Mr. FISH, Mr. ROYBAL, Mr. WALSH, Mr. HARRIS, Mr. HAMMERSCHMIDT, Mr. ABERCROMBIE, Mr. REGULA, Mr. MILLER of California, Mr. HYDE, Mr. IRELAND, Mr. JONES of North Carolina, Mr. MARTIN, Mr. RINALDO, Mr. LANCASTER, and Mr. DICKINSON):

H.J. Res. 242. Joint resolution designating the week beginning November 10, 1991, as "National Women Veterans Recognition Week"; to the Committee on Post Office and Civil Service.

By Mr. MFUME:

H.J. Res. 243. Joint resolution designating the week beginning April 19, 1992, as "Big Brothers/Big Sisters Appreciation Week"; to the Committee on Post Office and Civil Service.

By Mr. SERRANO (for himself, Mr. OWENS of New York, Mr. MILLER of California, Mr. PAYNE of New Jersey, Mr. TORRES, Mrs. UNSOELD, Mr. MARTINEZ, Mr. DE LA GARZA, Mr. HAYES of Illinois, Mr. RICHARDSON, Mr. DE LUGO, Mr. FORD of Michigan, Mr. ORTIZ, Mr. ROYBAL, Mr. BLAZ, Mr. BUSTAMANTE, and Mr. FUSTER):

H.J. Res. 244. Joint resolution to designate May 1992 as "American Hispanic Literature Month" in celebration of the Hispanic writers of the United States; to the Committee on Post Office and Civil Service.

By Mr. MARLENEE (for himself, Mr. STUMP, and Mr. WILSON):

H.J. Res. 245. Joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriations bills; to the Committee on the Judiciary.

By Mr. RITTER (for himself, Mr. HERTEL, Mr. FEIGHAN, Mr. COX of California, Mr. ROHRABACHER, and Mr. MCCOLLUM):

H. Res. 142. Resolution to express the sense of the House of Representatives that the United States should recognize the Government of the Republic of Lithuania; to the Committee on Foreign Affairs.

H. Res. 143. Resolution to express the sense of the House of Representatives that the United States should recognize the Government of the Republic of Lithuania; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

98. By the SPEAKER: Memorial of the General Assembly of the State of New Jersey, relative to the recommendations proposing the scaling down of military operations at Fort Dix; to the Committee on Armed Services.

99. Also, memorial of the Legislature of the State of Kansas, relative to the Native American Library services; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. GONZALEZ introduced a bill (H.R. 2227) for the relief of Manuel Bojorques-Pico; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 1 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 53: Mr. DICKS, Mr. SWETT, Mr. CHAPMAN, Mr. PORTER, Mr. TRAXLER, Mr. HERTEL, and Mr. GILMAN.

H.R. 187: Mr. LANCASTER.

H.R. 193: Mr. MILLER of Washington.

H.R. 200: Mr. GUARINI, Mr. ABERCROMBIE, Mrs. JOHNSON of Connecticut, Mr. COX of California, Mr. STALLINGS, Mr. PALLONE, Mr. BUNNING, Mr. SUNDQUIST, Mr. DANNEMEYER, and Mrs. KENNELLY.

H.R. 310: Mr. FISH, Mr. COX of California, Mr. THOMAS of Wyoming, and Mr. JAMES.

H.R. 311: Mr. DOOLITTLE.

H.R. 328: Mr. ERDREICH.

H.R. 330: Mr. GUARINI.

H.R. 344: Mr. ENGEL and Mr. ECKART.

H.R. 381: Mr. FEIGHAN and Mr. RAMSTAD.
H.R. 382: Mr. FEIGHAN.
H.R. 385: Mr. ENGEL.
H.R. 413: Mr. BEVILL, Mr. CLEMENT, Mr. DONNELLY, Mr. CAMP, Mr. BROOMFIELD, Mr. DURBIN, Mr. DE LUGO, Ms. NORTON, and Mr. TAYLOR of Mississippi.
H.R. 479: Mrs. VUCANOVICH.
H.R. 543: Mr. DIXON.
H.R. 553: Mr. FALEOMAVAEGA.
H.R. 560: Mr. SKAGGS.
H.R. 561: Mr. ECKART.
H.R. 565: Mr. DONNELLY and Mr. DURBIN.
H.R. 573: Mr. SERRANO, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. RANGEL, Mr. BILBRAY, Ms. KAPTUR, Mr. LANCASTER, Mr. MARTINEZ, Mr. EMERSON, and Mr. STARK.
H.R. 574: Mr. ENGEL.
H.R. 576: Mr. MACHTLEY, Mr. ROSE, Mr. EDWARDS of California, Mr. GONZALEZ, Mr. DWYER of New Jersey, Mrs. UNSOELD, Mr. PICKETT, Mr. GIBBONS, and Mrs. BYRON.
H.R. 610: Mr. FRANK of Massachusetts, Mr. KOPETSKI, Mr. ABERCROMBIE, Mr. JEFFERSON, Mr. GORDON, and Mr. WILSON.
H.R. 637: Mr. GRANDY, Mr. SANTORUM, and Mr. ENGEL.
H.R. 652: Mr. OWENS of New York and Mr. BILBRAY.
H.R. 673: Mr. WISE, Mr. MAVROULES, Mr. HOCHBRUECKNER, and Mr. ESPY.
H.R. 680: Mr. ENGEL and Mr. MFUME.
H.R. 701: Mr. HUNTER.
H.R. 713: Mr. BEVILL, Mr. HERTEL, Mr. NEAL of Massachusetts, and Mr. LEWIS of Georgia.
H.R. 765: Mr. SLATTERY, Mr. ENGEL, and Mrs. LOWEY of New York.
H.R. 784: Mr. DOOLITTLE, Mr. ROSE, Ms. SLAUGHTER of New York, Mr. SCHIFF, Mr. MCDADE, Mr. YATRON, and Mr. MURPHY.
H.R. 825: Mr. DE LUGO.
H.R. 828: Mr. DERRICK, Mr. JEFFERSON, and Mr. REED.
H.R. 841: Mr. GONZALEZ and Mr. STUDDS.
H.R. 945: Mr. ROE, Mrs. LLOYD, Mr. ENGEL, Mr. MACHTLEY, Mr. ERDREICH, Mr. MILLER of Ohio, Mr. DE LUGO, Mr. OXLEY, Mr. SKEEN, Mr. PURSELL, Mr. HEFNER, Mr. SABO, Mr. BROOMFIELD, Mr. SARPALIUS, Mr. RAY, Mr. STUMP, and Mr. PAYNE of Virginia.
H.R. 1000: Mr. FROST, Mr. ENGEL, Mr. GONZALEZ, and Mr. FEIGHAN.
H.R. 1004: Mr. OLIN, Mr. LEACH, Mr. COUGHLIN, and Mrs. MEYERS of Kansas.
H.R. 1063: Mr. BORSKI, Mr. LAFALCE, Ms. OAKAR, and Mr. EDWARDS of California.
H.R. 1084: Mrs. LLOYD, Mr. JEFFERSON, Mr. ESPY, Mr. HYDE, and Mr. CAMP.
H.R. 1089: Mr. THOMAS of Wyoming.
H.R. 1137: Ms. NORTON.
H.R. 1146: Mr. DYMALLY, Mr. ESPY, Mr. RAMSTAD, Mr. ECKART, Mr. BENNETT, Mr. JOHNSTON of Florida, Mr. KANJORSKI, Mr. ENGEL, Mrs. MEYERS of Kansas, and Mr. SAVAGE.
H.R. 1184: Mr. PAYNE of Virginia, Mr. COBLE, Mr. SMITH of Texas, Mr. PICKETT, Mr. TAUZIN, and Mr. RAVENEL.
H.R. 1235: Mr. KOLTER, Mr. FISH, Mr. SWETT, and Mr. BORSKI.
H.R. 1241: Mr. ARMEY, Mr. GOSS, Mr. HERGER, Mrs. MEYERS of Kansas, Mr. OWENS of Utah, and Mr. RAMSTAD.
H.R. 1242: Mrs. LOWEY of New York.
H.R. 1263: Mr. HERTEL and Mr. FEIGHAN.
H.R. 1264: Mr. HERTEL and Mr. FEIGHAN.
H.R. 1292: Mr. GALLEGLY and Mr. LAROCCO.
H.R. 1322: Mr. BEREUTER.
H.R. 1341: Mr. MINETA, Ms. SLAUGHTER of New York, Mr. ANDERSON, Mr. HORTON, and Mr. EMERSON.
H.R. 1375: Mr. BLAZ.
H.R. 1380: Mrs. UNSOELD.
H.R. 1396: Mr. CONDIT and Mr. HUNTER.
H.R. 1398: Mrs. BOXER, Mr. ACKERMAN, Mr. EVANS, Mr. LEWIS of Georgia, Mr. WASHINGTON, Mr. FORD of Tennessee, Mrs. LOWEY of New York, Ms. DELAURO, and Mr. JACOBS.
H.R. 1400: Mr. BLAZ, Mr. MCEWEN, Mr. GALLO, and Mr. KOLBE.
H.R. 1406: Mr. SCHAEFER, Mr. HYDE, Mr. ANDERSON, Mr. SCHUMER, Mr. COX of California, Mr. DICKS, Mr. VALENTINE, Mr. CAMPBELL of California, Mr. MILLER of Washington, Mr. BURTON of Indiana, Mr. MOLLOHAN, Mr. GALLO, Mr. LAFALCE, Mr. ANDREWS of Maine, Mr. MCDADE, Mr. LUKEN, Mr. LEWIS of Georgia, Mr. WILLIAMS, Mr. RITTER, Mr. RINALDO, Mr. HUNTER, Mr. LANTOS, Mr. LEVINE of California, Mr. MCCLOSKEY, Mr. FRANKS of Connecticut, Mr. MARTIN, and Mr. MCNULTY.
H.R. 1414: Mr. MORRISON, Mr. RAMSTAD, Mr. LANTOS, Mr. ZELIFF, Mr. SWIFT, Mr. RITTER, Mr. RINALDO, Mr. JAMES, Mr. ROSE, Mr. MINETA, Mr. NEAL of Massachusetts, Mr. FRANKS of Connecticut, Mr. LEVINE of California, Mr. KASICH, Mr. HAMILTON, and Mr. MAVROULES.
H.R. 1422: Mr. LANCASTER, Mr. FLAKE, Ms. NORTON, Mr. BRYANT, and Mrs. VUCANOVICH.
H.R. 1450: Mr. HATCHER, Mr. MAZZOLI, Mr. ROEMER, Mr. LEACH, Mr. EDWARDS of Oklahoma, Mr. SOLOMON, and Mr. DORNAN of California.
H.R. 1454: Mr. FROST, Mr. BATEMAN, Mr. TRAXLER, Mr. DURBIN, Mr. POSHARD, Mr. RUSSO, Mr. LUKEN, and Mr. HUGHES.
H.R. 1456: Mr. SCHAEFER, Mr. GLICKMAN, Mr. RAMSTAD, Mr. COMBEST, Mr. LEWIS of Florida, and Mr. STUMP.
H.R. 1472: Mr. HEFLEY, Mr. OLIN, Mr. ROGERS, Mr. LAUGHLIN, Mr. RAMSTAD, and Mr. MCNULTY.
H.R. 1473: Mr. SLAUGHTER of Virginia, Mr. MACHTLEY, Mr. GLICKMAN, Mr. ENGLISH, Mrs. VUCANOVICH, and Mr. WYDEN.
H.R. 1474: Mr. LEWIS of Georgia.
H.R. 1551: Mr. FRANK of Massachusetts.
H.R. 1552: Mr. HORTON, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. ESPY, and Mr. SMITH of Florida.
H.R. 1598: Mr. COLEMAN of Texas, Mr. NOWAK, Mr. FISH, Mr. MAVROULES, Mr. LAFALCE, Mr. PETERSON of Minnesota, Mr. EVANS, Mr. DWYER of New Jersey, Mr. RINALDO, Mr. DE LA GARZA, Mr. MARKEY, Mr. BLILEY, and Mr. KOSTMAYER.
H.R. 1618: Mr. BURTON of Indiana, Mr. MCCLOSKEY, Mr. TOWNS, Mr. CAMPBELL of California, Mr. ROWLAND, and Mr. RAMSTAD.
H.R. 1635: Mr. OLIN, Mr. WISE, Mr. SIKORSKI, Mr. TORRES, Mr. ROYBAL, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. BRYANT, and Mr. HAMILTON.
H.R. 1658: Mr. HEFNER, Mr. BEVILL, Mr. SMITH of Oregon, Mr. WOLF, and Mr. WILSON.
H.R. 1669: Ms. SLAUGHTER of New York and Ms. WATERS.
H.R. 1718: Mr. ROBERTS and Mr. BURTON of Indiana.
H.R. 1719: Mrs. BYRON, Mr. COX of California, Mr. DUNCAN, Mr. DURBIN, Mr. ESPY, Mr. FAWELL, Mr. KLUG, Mr. KOLBE, Mr. MARTINEZ, Mrs. MEYERS of Kansas, Mr. OXLEY, Mrs. PATTERSON, Mr. SERRANO, Mr. THOMAS of Wyoming, Mr. VALENTINE, Mr. WILSON, and Mr. ZIMMER.
H.R. 1745: Mr. SMITH of Florida.
H.R. 1791: Mr. FRANK of Massachusetts and Mr. NEAL of Massachusetts.
H.R. 1795: Mr. MACHTLEY and Mr. SCHEUER.
H.R. 1800: Mr. SMITH of Texas, Mr. RIGGS, Mr. SHAYS, Mr. KLUG, and Mr. ZELIFF.
H.R. 1816: Mr. MANTON, Mr. KOPETSKI, Mr. HORTON, Mr. PAXON, Mr. LEWIS of Florida, Mr. BOEHNER, Mr. GOSS, Mr. BEREUTER, Mr. HERTEL, Mr. LIPINSKI, Mr. GILCHREST, and Ms. MOLINARI.
H.R. 1860: Mr. PENNY, Mr. COOPER, Mr. VOLKMER, Mr. EMERSON, Mr. LANCASTER, Mr. DARDEN, Mr. STENHOLM, Mr. HARRIS, Mr. ROGERS, and Mr. COMBEST.
H.R. 1918: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BLAZ, Mrs. BOXER, Mr. BROOMFIELD, Mr. BRUCE, Mr. BRYANT, Mr. COSTELLO, Mr. CUNNINGHAM, Mr. DEFAZIO, Mr. DE LA GARZA, Mr. DIXON, Mr. DYMALLY, Mr. EMERSON, Mr. ENGEL, Mr. EVANS, Mr. FASCELL, Mr. FISH, Mr. FROST, Mr. GALLEGLY, Mr. GINGRICH, Mr. HALL of Texas, Mr. HUBBARD, Mr. HUGHES, Mr. INHOFE, Mr. JOHNSON of South Dakota, Mr. LEVIN of Michigan, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LLOYD, Mr. MCNULTY, Mr. MFUME, Mr. MILLER of California, Mr. MINETA, Mr. MOORHEAD, Mr. NATCHER, Ms. OAKAR, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PALLONE, Mr. PERKINS, Mr. PETERSON of Minnesota, Mr. QUILLEN, Mr. RANGEL, Mr. RAVENEL, Mr. RICHARDSON, Mr. ROBERTS, Mr. SCHEUER, Mr. SHAW, Mr. SMITH of Florida, Mr. SOLOMON, Mr. SPENCE, Mr. TOWNS, Mr. TRAFICANT, Mrs. UNSOELD, Mr. VANDER JAGT, Mr. WALSH, Mr. WAXMAN, Mr. WISE, Mr. WOLPE, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, and Mrs. MEYERS of Kansas.
H.R. 1920: Mr. ANDERSON.
H.R. 1921: Mr. ANDERSON.
H.R. 1970: Mr. SAXTON, Mr. DURBIN, Mr. CONDIT, Mr. SABO, Mr. FOGLIETTA, Mr. YATES, and Mr. ANDREWS of Maine.
H.R. 2027: Mr. RANGEL and Mr. VALENTINE.
H.R. 2072: Mr. HAMILTON and Mr. ROGERS.
H.R. 2098: Mr. DE LUGO, Mr. SKAGGS, and Mrs. UNSOELD.
H.R. 2157: Mr. BILBRAY, Mr. MCMILLEN of Maryland, Mr. FLAKE, Mrs. VUCANOVICH, Mr. DIXON, Mr. WHEAT, Mr. ESPY, Mr. COLEMAN of Texas, Mr. MARTINEZ, Mr. CHAPMAN, Mr. OWENS of New York, Mr. DYMALLY, Mr. MFUME, Mr. LEWIS of Georgia, Mr. LEVIN of Michigan, Mr. MCCLOSKEY, Mr. DELLUMS, Mr. KENNEDY, Mr. ALEXANDER, Mr. TORRES, Mr. HUBBARD, Mr. LEVINE of California, Mr. DURBIN, Mr. LEHMAN of California, Mr. CAMPBELL of Colorado, Mr. BERMAN, Mr. MINETA, and Mr. ROYBAL.
H.J. Res. 56: Mr. THOMAS of Georgia, Mr. SAXTON, Mr. WEBER, Mr. IRELAND, Mr. MRAZEK, Mr. YATRON, Mr. SAWYER, Mr. WYLIE, Ms. WATERS, Mrs. ROUKEMA, Mr. FASCELL, Mr. WASHINGTON, Mr. GILMAN, Mr. WAXMAN, Mr. SOLARZ, Mr. STAGGERS, Mr. VANDER JAGT, Mr. WILSON, Mr. JENKINS, Mr. DYMALLY, Mr. CARPER, Mr. DOOLITTLE, Mr. DELLUMS, Mr. NICHOLS, Mr. ESPY, Mr. CALLAHAN, Mr. BORSKI, Mr. HENRY, Mr. FRANK of Massachusetts, Mr. SANGMEISTER, Mr. WOLPE, Mr. WELDON, Mr. VALENTINE, Mrs. UNSOELD, Mr. SKELTON, Mr. VOLKMER, Mr. TAUZIN, Mr. CONYERS, Mr. HASTERT, Mr. HALL of Texas, Mr. DICKS, Mr. DIXON, Mr. DE LUGO, Mr. NOWAK, and Mr. SLATTERY.
H.J. Res. 72: Mr. MOODY, Mr. ERDREICH, Mr. BATEMAN, Mrs. BENTLEY, Mr. BUNNING, Mr. CUNNINGHAM, Mr. GALLO, Mr. GUNDERSON, Mr. HENRY, Mr. HERGER, Mr. HUNTER, Mr. KYL, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. LOWERY of California, Mr. TAUZIN, Mr. SARPALIUS, Mr. LEVINE of California, Mr. RIGGS, Mr. ECKART, Mr. FISH, Mr. TORRICELLI, Mr. MANTON, Mr. KANJORSKI, Mr. LEWIS of Florida, Mr. MILLER of Ohio, Mr. FOGLIETTA, Mr. ALEXANDER, Mr. BROOMFIELD, Mr. REED, Ms. MOLINARI, Ms. HORN, Mr. KLUG, Mr. MCCOLLUM, Mr. MAZZOLI, Mr. ASPIN, Mr. BRYANT, Mr. PAYNE of New Jersey, Mr. WELDON, Mrs. VUCANOVICH, Mr. NOWAK, Mr. SMITH of New Jersey, Mr. SMITH of Oregon, Mr. SKEEN, Mr. HERTEL, Mr. WIL-

SON, Mr. MOORHEAD, Mr. WISE, Mr. HEFNER, Mr. DOWNEY, Mr. INHOFE, and Mr. WEISS.

H.J. Res. 140: Mr. TRAFICANT, Mr. YATRON, Mr. RIGGS, Mr. JONES of North Carolina, Mr. MFUME, Mr. HERTEL, Mr. MCDERMOTT, Mr. ANNUNZIO, Mr. MORAN, Mr. HOBSON, Mr. WILSON, Mr. JOHNSON of South Dakota, Mr. DOWNEY, Mr. PRICE, and Mr. OWENS of Utah.

H.J. Res. 143: Mr. MARLENEE and Mr. SOLOMON.

H.J. Res. 179: Mr. VOLKMER, Mr. DORNAN of California, Ms. DELAURO, Mr. KLECZKA, Mr. ABERCROMBIE, Mr. WAXMAN, Mr. LAGOMARSINO, Mr. BRUCE, Mr. HORTON, Mr. WOLF, Mrs. MINK, Ms. SNOWE, Mr. FRANK of Massachusetts, Mr. PENNY, Mr. PORTER, Mr. GORDON, Mr. GRANDY, Mr. RICHARDSON, and Mr. WELDON.

H.J. Res. 185: Mr. DURBIN, Mr. FALEOMAVAEGA, Mr. SHUSTER, Mr. ROWLAND, Mr. VALENTINE, Mr. SHAW, and Mr. CARPER.

H.J. Res. 195: Mr. MARKEY, Mr. KOLBE, and Mr. MATSUI.

H.J. Res. 199: Ms. PELOSI, Mr. HYDE, Mrs. KENNELLY, Mr. HERTEL, Mr. MARTINEZ, Mr. GALLO, Mr. FISH, and Mr. MOORHEAD.

H.J. Res. 200: Mr. SWETT.

H.J. Res. 211: Mr. MCDERMOTT, Mr. LIPINSKI, Mr. MOORHEAD, Mrs. COLLINS of Illinois, Mrs. ROUKEMA, Mr. MCGRATH, Mr. CLEMENT, Mr. SKELTON, Mr. LEWIS of California, Mr. SMITH of Florida, Mr. HANSEN, Mr. RANGEL, Mr. HOUGHTON, Mr. RIGGS, Mr. FUSTER, Mr. MARTINEZ, Mr. QUILLEN, Mr. SPENCE, Mr. WALSH, Mr. WILSON, Mr. SERRANO, Mr. SCHIFF, Mr. JEFFERSON, Mr. OWENS of Utah, Mr. VENTO, Mr. POSHARD, Mr. LAFALCE, Mr. ESPY, Mr. SAVAGE, and Mr. LANCASTER.

H.J. Res. 228: Mr. JEFFERSON, Mr. ESPY, Mr. CLEMENT, Mr. DELLUMS, Mr. HORTON, Mrs. MCDERMOTT, Mrs. VUCANOVICH, Mr. WOLF, Mr. DORNAN of California, Mr. HARRIS, Mr. HASTERT, Mrs. ROUKEMA, Mr. RANGEL, Mr. PANETTA, Mr. DWYER of New Jersey, Mr. LIPINSKI, Mr. SERRANO, Mr. ACKERMAN, Mr. MARKEY, Mr. ASPIN, Mr. POSHARD, Mr. HUGHES, Ms. NORTON, Mr. MCGRATH, Mr. RAMSTAD, and Mr. LANCASTER.

H.J. Res. 231: Mr. TRAFICANT, Mr. CHANDLER, Mr. MCDADE, Mr. DORNAN of California, Mr. RIGGS, Mr. SAXTON, Mr. SAWYER, Mr. SKEEN, Mr. GUNDERSON, Mr. WYDEN, Mr. TAYLOR of Mississippi, Mr. BRUCE, Mr. SCHEUER, Mr. MURPHY, Mr. SPRATT, Mr. SKELTON, Mr. TANNER, Mr. MCGRATH, Mr. RAMSTAD, Mr. BEVILL, Mr. NEAL of North Carolina, Mr. DURBIN, Mr. BILBRAY, Mr. STAGGERS, Mr. STARK, Mr. JONES of Georgia, Mr. MOLLOHAN, Mr. HAMMERSCHMIDT, Ms. PELOSI, Mr. FISH, Ms. DELAURO, Mr. ENGEL, Mr. MOODY, Mr. FORD of Michigan, Mr. BREWSTER, Mr. VALENTINE, Mr. BALLENGER, Mr. BOEHLERT, Mr. COX of California, Mr. COSTELLO, Mr. KOLTER, Mr. INHOFE, Mr. HOBSON, Ms. HORN, Mr. RAHALL, Mr. NOWAK, Mr. MINETA, Ms. MOLINARI, Mr. CLINGER, Mr. SHAW, Ms. LONG, Mrs. LLOYD, Mr. HOYER, Mr. KANJORSKI, Mr. PAYNE of Virginia, Mrs. LOWEY of New York, Mr. MARTIN, Mr. MORAN, Mr. SISISKY, Mr. STUMP, Mr. SWIFT, Mr. TOWNS, Ms. WATERS, Mr. WISE, Mr. BUNNING, Mrs. BYRON, Mr. EMERSON, Mr. FLAKE, Mr. HARRIS, Mr. HENRY, Mr. DICKS, Mr. FEIGHAN, Mr. COBLE, Mr. NEAL of Massachusetts, Mr. SCHIFF, Mr. FAWELL, Mr. DREIER of California, Mr. MCNULTY, Mr. YOUNG of Alaska, Mr. PICKETT, Mr. CARPER, Mr. BATEMAN, Mr. NAGLE, Mr. ENGLISH, Mr. HASTERT, Mr. HOAGLAND, Mr. LIGHTFOOT, Mr. MANTON, Mr. SMITH of Florida, Mr. DORGAN of North Dakota, Mr. DOOLEY, Mrs. BENTLEY, Mr. ANDREWS of Maine, Mr. ANDREWS of New Jersey, Mr. DE LA GARZA, Mr. GALLEGLY, Mr. DELAY, Mr. GEPHARDT, Mr. GILLMOR, Mr. HALL of Ohio, Mr. LEVIN of Michigan, Mr. MCEWEN, Mr. OWENS of New York, Mr. OWENS of Utah, Ms. ROS-LEHTINEN, Mr. SCHULZE, Mr. TORRICELLI, Mr. SOLARZ, Mr. BARTON of Texas, Mr. BROWDER, Mr. GOSS, Mr. GRANDY, Mrs. KENNELLY, Mr. ARCHER, Mr. HATCHER, Mr. LENT, Mr. MACHTLEY, and Mr. HUNTER.

H.J. Res. 233: Mr. LEWIS of California and Mr. WOLPE.

H. Con. Res. 42: Mr. FALEOMAVAEGA.

H. Con. Res. 101: Mr. KOLTER, Mr. ENGEL, and Mrs. LOWEY of New York.

H. Con. Res. 105: Mr. CARPER, Mr. JONTZ, Mr. LEWIS of Florida, Mr. MAVROULES, Mrs. KENNELLY, Mr. BEREUTER, Mr. LAGOMARSINO, Mr. WEISS, and Mr. HYDE.

H. Con. Res. 111: Mr. VALENTINE, Mrs. BENTLEY, Mr. RIGGS, Mr. DE LUGO, Mr. HORTON, Mr. MCMILLEN of Maryland, Mr. QUILLEN, Mr. MRAZEK, Mr. LEWIS of Florida, Mr. KLECZKA, Mr. TORRES, Mr. PETERSON of Florida, Mr. POSHARD, Mr. FASCELL, and Mr. SKAGGS.

H. Con. Res. 118: Mr. SMITH of Florida, Mr. GLICKMAN, Mr. WOLF, Ms. MOLINARI, Mr. SMITH of Texas, Mr. SPRATT, and Mr. SWETT.

H. Con. Res. 124: Mr. LEVINE of California and Mr. ABERCROMBIE.

H. Con. Res. 130: Mr. DE FAZIO, Mr. VOLKMER, Mr. TRAFICANT, Mr. PEASE, Mr. BREWSTER, Mr. GAYDOS, Ms. NORTON, Mr. BEVILL, Mr. ROE, Mr. MACHTLEY, Mr. JEFFERSON, Mr. FUSTER, Mr. COSTELLO, Mr. HUCKABY, and Mr. RITTER.

H. Res. 99: Mr. EMERSON.

H. Res. 101: Mr. STAGGERS, Mr. FOGLIETTA, Mr. THOMAS of Georgia, Mr. MCNULTY, Mrs. MINK, Mr. ACKERMAN, Mr. FLAKE, Mr. TOWNS, Ms. NORTON, and Ms. OAKAR.

H. Res. 116: Mr. REED, Mr. BRYANT, Mr. WAXMAN, Mr. PANETTA, and Mr. FROST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 173: Mrs. LOWEY of New York.

EXTENSIONS OF REMARKS

ROSTENKOWSKI URGES YOUNG PEOPLE TO GET INVOLVED IN POLITICS

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CARDIN. Mr. Speaker, we serve in the Congress at a time when politics as a profession, never high in the public's regard, is viewed with greater than usual public cynicism. Not surprisingly, confidence in Government's ability to address the many serious problems facing our country is at a low ebb.

I would like to bring to the attention of my colleagues a recent speech by the chairman of the Ways and Means Committee. The speech was prepared for delivery to the Latin School in Chicago, and its theme was the importance of politics and government in American life.

The chairman advances his belief that "however imperfect it is, the political system is the only mechanism we have to deal with many of our community problems * * * and that government can solve people's problems."

It's a message of optimism, determination, and faith in the American system. I commend the speech to my colleagues:

SPEECH BY HON. DAN ROSTENKOWSKI

I welcome this opportunity to be with you today and return a favor. Back when I was in school, assembly was one of my favorite subjects. If they had awarded a letter for assemblies, I would have won one. Frankly, I don't remember exactly what happened at any of the assemblies. But I do know that they forced us to skip our normal classes, a sacrifice I always made graciously, perhaps even entusiastically.

So I appear before you today repaying a debt to the people who spoke at assemblies back in the olden days when I went to school.

Let me state my theme clearly at the start. I believe that politics is an important and exciting line of work. I won't be doing it forever. So I'd suggest that some of you who are wondering about career choices think about politics. To steal a slogan, your government needs a few good men and women. There are worse things you could do. Some of them are even legal. So I'm here on a recruiting mission.

That probably strikes some of you as a bit odd. After all, politics is the Rodney Dangerfield of professions. Politicians get no respect. They're viewed as crooked or stupid or both. And some are, if the truth be told.

The working conditions are less than ideal. You have obligations in two cities. The work is seasonal. There are months when very little is accomplished. And then there are weeks when you work round the clock.

You are part of a system where compromise is a way of life. There are so many participants that most legislators can only have influence at the margins. It is surprising how many hard-working career politicians there are whose accomplishments defy summary. They were just there, helping get the job done.

And while there are always those who will carp at Congressional salaries, the fact is that anyone who is smart enough to do well in Congress can make a lot more money in the private sector. In addition, you get to be a punching bag for members of the press who believe you have an obligation to entertain them.

The payoff is often subtle—it is a belief, a sense that you are helping create a better nation for your fellow citizens. A belief that government can solve people's problems. And a hope that those solutions will be a little bit better because you were there. Somebody once said that all that's ncessary for evil to triumph is for good men to do nothing. That's one reason I'm in politics. I want to do something. And I hope what I'm doing is right.

Nearly four months ago I faced one of the toughest votes in my congressional career when I voted to give the President the power to go to war in the Persian Gulf. Had I known then what we know now, that would have been an easy decision. But we didn't know then.

Everyone agreed that Saddam Hussein was a bad actor who should be resisted or even removed. But the strategy for achieving that goal was less than obvious.

I'm not an expert on foreign policy. While I had a chance to visit Saudi Arabia last fall, I am not a student of the region. I don't speak Arabic or understand the politics of the region, if indeed they can be understood. Is Syria America's friend or enemy? What about Iran?

The President was telling me about atrocities committed by Saddam's army. He was deeply offended and I was too. On the other hand, my colleagues were arguing for continuing sanctions that could conceivably ultimately strangle the Iraqi economy.

I voted for war, deciding to spend billions of dollars that could be very well spent on social problems here in this country. I was fully aware that my vote could result in bloodshed. Americans. Chicagoans. Friends from my own Congressional district could be killed in combat as a result of my vote.

It wasn't an easy decision. But there are few decisions more important to our society than whether to go to war. And I was proud to be one of those who had an opportunity to make that decision.

Last year I promoted the so-called Rostenkowski Challenge, a budget proposal designed to convince the President that there was no way to solve our budget problems unless we embraced tax increases.

Six years ago I invested more hours than I can count in creating a new income tax system for America. Despite the usual overpromising that leaves Americans so cynical, that bill made some major positive steps.

It removed more than six million poor taxpayers from the tax system completely. It simplified or eliminated many complex issues that had frustrated taxpayers for years. It nearly ended a government bias toward certain types of businesses.

There were some highs in the process. I went on television in response to the President and asked people to "Write Rosty" for tax reform. Getting more than 70-thousand letters does wonders for your ego. Especially if you don't have to answer them personally.

There were some low moments. Like the time the members of my own committee—a group which I am alleged to have total control over—rejected my suggestion that we lower the boom on banks and decided instead to give them a more liberal tax break than they already had.

And there were the totally outrageous moments, like when the Time Magazine photographer got to me early in the morning after about three hours of sleep and me to jump like a cheerleader with the capitol in the background to symbolize our victory. I didn't jump. And didn't make the cover of Time either.

When it was all over, I was tired and happy. I felt I had helped lead the nation forward. Of course, legislation is a bit like a sand castle. People have been nibbling away at the tax code ever since in an effort to reinstate their special privileges. And some have succeeded, despite my best efforts.

One of the biggest failures of tax reform was that it didn't raise additional revenues to reduce our federal budget deficit.

If working to enact tax reform was the best of times, service in Congress generally during the Reagan years was the worst of times. Here we had a President—the man who symbolizes our government—telling the American people that the government was their enemy.

There were years of wandering in the wilderness, trying to come up with a strategy that would make the President—and the American people face reality. In 1982, when you were just beginning your schooling, we had the worst depression this country has seen during my adult lifetime. No one seemed to care.

There were two very disturbing trends occurring simultaneously. The first was that the rich were getting richer while the poor sunk more deeply into poverty. The second was that the rich came to believe they had no obligation to help the less fortunate members of our society.

For years, we collected statistics and I made speeches about the polarization of our society. There was no visible response until, as the Reagan years came to a close, people began to get the message.

Now we at least say we're concerned about the plight of the poor, although we seldom manage to bestir ourselves to actually do anything about it. Translating that commitment into meaningful action will be a big job.

My purpose here is not to entertain you with stories on the lifestyle of the allegedly powerful. Rather it is to suggest that decisions made by politicians have an impact on every one of you. And the best way to assure that stupid decisions aren't made is to make them yourself by running for elected office. The second best way is to be an active voter who demands a role in the process.

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

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

The message is the same regardless of what level of government is involved. If Mayor Daley's efforts to build a third major airport in Chicago succeed, the entire area will prosper.

If Dick Phelan succeeds in rebuilding Cook County Hospital as an institution where the quality of care reflects the heroic efforts made by the staff there, we will all live in a more humane community.

All of these decisions are important. None of them are made by one person alone, but one person can make a real difference.

I don't know what they're teaching you in American history here and whether that lesson would support my view. There are some historians who believe that the story of our past is a tale of trends that are too sweeping to be significantly influenced by any one individual.

If George Washington hadn't been available to become father of our country, someone else equally good would have been found. If Abraham Lincoln hadn't freed the slaves, someone else would have done it eventually. That's what they say.

While there are historical trends that only a fool would dare to buck, I strongly disagree with that perspective on history. Without Lyndon Johnson, there would have been no war on poverty. Perhaps there wouldn't have been a war in Vietnam either.

Ideally the political system is what holds our community together. It adjudicates differences between groups and searches for priorities that are shared by all.

Most of you come from fairly comfortable families. A few miles from here there is a community so different than your environment that it could be on another planet. In a recent book, reporter Alex Kotlowitz describes the life at Henry Horner homes. It is called There Are No Children Here and tells the sad tale of kids who are more concerned with staying alive than getting into college.

Yet they are from Chicago just as you are. Despite your differences, there is a need for mechanisms that allow you and them to realize that you come from the same community.

That is the basis of the Chicago political organization that I grew up in. There was a sense that everyone was represented. If you lost today, you could win tomorrow. It was an inclusive rather than exclusive group. It took a while for the Irish to share power with the Poles in Chicago, and a bit longer before blacks were included, but the important thing to remember is not the wait, but that these groups were ultimately included in the power structure.

Unfortunately, that sort of politics doesn't translate to the national level very well. In fact, it doesn't work here the way it used to. You can criticize the old organization all you want—and lord knows, it had plenty of warts—but it was ultimately an organization that allowed us to avoid the interest group politics that now nearly paralyze government at all levels.

The decline of our political parties and the rise of narrow interest groups is one of the greatest problems now faced by government. Note that I said narrow, rather than special interests. I think narrow interests are often legitimate. The term special interests sounds corrupt, but that's not the problem.

The real problem is an inability to view things broadly and compromise. The citizen action groups that promise disruption if their priority isn't put at the top of the list are perverting the process. The political action groups that try to defeat a Member of Congress because he or she voted wrong on a single issue are an impediment to the political process.

Once I get started, I could go on for hours about what's wrong with our political system. It certainly has its share of flaws, but that's not my point today.

However imperfect it is, the political system is the only mechanism we have to deal with many of our community problems. If we become cynical and reject the political process because we consider it dirty, we assign ourselves to the sidelines of community life.

Some say Chicago is the second city. When it comes to politics, though, our city is clearly number one. It is our only all-weather sport. If Chicago truly is the city that works—and I believe it is, relatively speaking—then we must acknowledge that it is only as good as its political system.

That system is not a perpetual motion machine. Invest your interest, perhaps even a part of your life in politics. It will pay ample dividends to us all.

TRIBUTE TO ROY AND FRED JASWELL

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate Roy and Fred Jaswell, of Jaswell Drill Corp. from Greenville, R.I., for being selected as the Rhode Island Small Business Persons of the Year by the Small Business Administration. As Rhode Island winners, the Jaswell's have been invited to Washington, DC, for special ceremonies saluting the Nation's 20 million small businesses.

Jaswell Drill Corp. was founded in 1927 by Roy Jaswell, Sr. They began with drilling operations exclusively in Rhode Island. However, today they are accessing markets worldwide. Jaswell Drill's foreign sales amount to 65 percent of the companie's business. These markets are primarily in Korea, however, they are beginning to expand into other areas such as Chile, Mexico, and the Soviet Union. Because of the companies global business philosophy, they aim to further expand in the global marketplace.

Jaswell Drill began and remains a family-oriented business. Roy and Fred Jaswell are shining examples of Rhode Island's small business persons. I wish them and Jaswell Drill the best of luck in all their future endeavors.

E. ROBERT GOODKIND: A DISTINGUISHED LEADER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, tonight the American Jewish Committee will honor E. Robert Goodkind with their National Distinguished Leadership Award. There is no doubt that Bob Goodkind's leadership has made a significant contribution to more people than we will ever know. For 30 years, he has provided the Jewish community with truly thoughtful and dedicated service.

His leadership has been tireless. He has served the AJC as its national treasurer, Westchester County chapter president, chair of the Jewish Communal Affairs Commission, of the advisory board of the William Petschek National Jewish Family Center, of the Family Policy Task Force, and the South Africa Task Force. Currently, he serves as a member of the board of governors and board of trustees, of the administrative board on American Jewish-Israeli relations, and of the executive committee of the National Polish American-Jewish American Council.

In addition to his efforts for the AJC, Bob is the president of the Foundation for Christian Rescuers of the Anti-Defamation League of B'nai B'rith. He is a trustee of the Jewish Museum, chairman of the board of trustees of the American Academy of Dramatic Arts, a director of the International Center for Peace in the Middle East, and a trustee of MAZON, a Jewish Response to Hunger.

No description of Bob Goodkind would be complete without taking note of his commitment to the community in which he lives, and to making a difference at the local level. He served for a decade on the board of trustees of the YMHA–YWHA's of greater New York, and for 15 years on the board of Community Synagogue of Rye. In addition, he has been a cochairman of the Rye JUA-Federation Campaign twice, and has consistently been an active participant in Rye's Israel Bond effort.

In addition to his extensive community service, Bob Goodkind always finds time for his very special family. With his wife, Barbara, he has three wonderful children, Elisa, John, and Peter. He is devoted to them and their support has been instrumental to his unceasing ability to serve others in a multitude of ways.

His family and friends, the American Jewish Committee, and all of the other worthwhile organizations that benefit from the affectionate, generous, and distinguished service of Bob Goodkind are indeed fortunate. They, and all of us, are truly lucky to have this wonderful man, with all of his energy and talent, dedicating himself to making the world a better place. I'm sure that all of my colleagues join me in offering our warmest congratulations on this well deserved honor.

BONNET HOUSE: A STERLING EXAMPLE OF THE HISTORIC PRESERVATION FUND IN ACTION

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SHAW. Mr. Speaker, I rise today in support of an increase in funding for the historic preservation fund [HPF], a program which benefits all Americans by preserving our Nation's cultural heritage. This issue is currently being debated by the House Interior Appropriations Subcommittee, and I urge the subcommittee to fully fund this worthy program.

In Florida, due to a concerned State government and the activism of many Floridians, the State has taken the lead in restoring and rehabilitating many of Florida's historic sites. An adequately funded HPF could make the dif-

ference in saving the structures which preserve America's history for future generations.

One such project, which was partially funded by the HPF, is Bonnet House, located in Fort Lauderdale, FL. Bonnet House is a plantation style house that was built in 1921, when cypress trees and mangroves were abundant in Fort Lauderdale. The house and the surrounding area have a long and varied history. Archeological finds indicate that native Americans roamed and camped there, probably because of a freshwater spring that feeds a lagoon nearby. Remains of European explorers from the 17th century have also been found, and the lagoon was also reportedly a watering hole for pirates.

Bonnet House, which is now a museum, is situated on 35 acres, complete with large gardens of orchids, wild monkeys, and parrots. Nestled among a subtropical forest with an ocean view, Bonnet House is a break from the busy metropolis that is now Fort Lauderdale. It offers the visitor a step back in time that Florida will sadly never see again. I have been to Bonnet House many times, and I never fail to leave the estate uplifted in spirit. I consider Bonnet House but one small example of the good work the HPF can accomplish when properly utilized.

Additionally, I would like to share with my colleagues some observatioins I made last year during a stay in England for a NATO conference. While there, I gained a new appreciation for historic preservation. Many hamlets and small towns had beautifully restored buildings, homes, and churches, many dating back several centuries. Entire towns were testaments to the values of proper historic preservation, with the benefits being increased tourism or an enhanced quality of life. Haphazard development, which is seemingly so common in America, was practically nonexistent, mainly because of strict zoning laws. I feel our Nation can learn something about this approach from the English, who zealously guard their nation's long and colorful history.

Mr. Speaker, President Bush included a $35.8 million request in his budget for fiscal year 1992. I am glad the President recognizes the importance of historic preservation, but I urge this subcommittee to do even more, if the budget permits.

CHRISTOPHER GARRETT RECEIVES EAGLE SCOUT

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating a fine young man from San Mateo, FL.

Christopher Garrett recently joined an elite group of individuals when he earned the Eagle Scout, the highest and most prestigious honor in the Boy Scouts of America. Christopher is a member of Troop 223 in San Mateo.

Christopher joined the Scouts in September 1982. During the past 9 years, one thing stands clear: Christopher is a doer and a leader.

He has attended camps at Camp Shands and Daniel Boone in North Carolina. He also took trips down the Santa Fe and Suwannee Rivers.

Christopher was elected into the Order of Arrow in 1988, he has completed the mile swim, attained the 50-miler award, the Arrow of Flight Award, and the God and Country Award. Christopher is a sophomore at Palatka High School where he is active in the choral department.

A local business and community service organization have also been impressed with Christopher's leadership capabilities. In 1989, he received the American Legion School Award and the Georgia Pacific Certificate of Achievement for top scholars in Putnam County. He is also a member of San Mateo Presbyterian Church where he is the Sunday school treasurer.

For his Eagle Scout project, Christopher cleaned and painted the fellowship hall at his local church.

Mr. Speaker, as you can see, Christopher is well deserving of the rank of Eagle Scout. He's made a difference in his community, in his church, and at school. He is a fine young man.

I join Christopher's family and his friends in congratulating him on a job well done, and wish him the best of luck in all of his future endeavors.

SALUTE TO THE FREEDOM TREE ORGANIZATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I rise today to honor a group of residents from my hometown of Simi Valley, CA, as they launch an ambitious salute to our Armed Forces.

The Freedom Tree Organization hopes to plant or dedicate 500,000 trees—10,000 in each State—as permanent markers dedicated to past, present, and future members of the Armed Forces. Each tree would have a plaque commemorating it as a freedom tree.

The group, led by Mary C. McCurdy, will formally begin its efforts on May 11 with the dedication of the first 50 trees at a park in Simi Valley, and hopes to soon expand to other areas. Among those areas is Kuwait, where group members hope to soon plant 50 trees.

Mr. Speaker, these volunteers have launched an ambitious plan, but one that with public and corporate support can become a reality—freedom trees standing proud, constant reminders of the men and women who have fought for freedon for more than 200 years.

I ask my colleagues to join me in saluting the Freedom Tree Organization as it begins its work, and in wishing its members success in reaching their goal.

SACRED HEART ALUMNAE ASSOCIATION OF CUBA ANNUAL SCHOLARSHIP LUNCHEON

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, on Saturday, November 23, 1991, the Sacred Heart Alumnae Association of Cuba will hold its annual luncheon at the Radisson Hotel in Miami, FL, to raise funds for its scholarship fund and other worthy causes.

The scholarship will be given to Carrollton School, the Miami School of the Sacred Heart, to give a deserving young girl a good start in life.

The Society of the Sacred Heart was founded in France by Madeleine Sophie Barat, RSCJ, on November 21, 1800. Since then, the school has been committed to the education of girls in the elementary and high school level. The absence of Christian education after the French Revolution was the force that stimulated the foundation of the Society of the Sacred Heart, so that the students could take part in the renewal of faith.

Mother Barat's aim for the society was the perfection of its members and the salvation of others through education in both boarding and day schools and schools for the poor. She focused on the value of the individual and individual training, worth of character, strength of principles, and an anchorage in faith. Mother Barat believed that these young women should be able to judge wisely of persons and things in questions of literature, art, taste, conduct, and manners.

Her mission was carried to the New World in 1817 by Phillipine Duchesne, RSCJ, and South America by Mother du Rousier, RSCJ, both of whom have been canonized.

Strong ties exist between the girls of Sacred Heart and their mentors. An apparent family likeness develops, evident among all nationalities, with the variety of expression which is proper to each.

Recognition must go out to Mrs. Tensy Gimenez, president of the Delegacion de Antiguas Alumnas del Sagrado Corazon de Cuba, for keeping those important ties alive and well. The Sacred Heart Schools produce women which become valuable assets to the community.

CONGRESSMAN KILDEE PAYS TRIBUTE TO NURSES OF FLINT OSTEOPATHIC HOSPITAL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the dedicated nursing professionals of Flint Osteophathic Hospital in my hometown of Flint, MI.

The nurses of Flint Osteopathic Hospital never forget that the most important part of nursing is the patient. They are responsible for the patient's care from the initial assessment

to developing the care plan to planning the discharge. They are committed to treating the patient and the patient's family with compassion. Nurses strengthen communication between the patient and the physician. They treat every patient with dignity, oftentimes in the midst of overwhelming, heartbreaking crises. As a group, the nurses of Flint Osteopathic Hospital evaluate and care for every patient with ethical integrity.

These nurses never forget that they practice their profession within a larger community. They understand that nursing extends far beyond the bedside. They have accepted the awesome responsibility of providing care to the physically and emotionally traumatized with compassion and commitment. Their dedication has immeasurably enriched the Flint area.

Nurses are valuable and essential part of the health-care provider community. They meet the challenge of working in a sophisticated medical environment every day. In an atmosphere of fast changing ideas and procedures, nurses have consistently remained at the center of quality patient care.

Mr. Speaker, as we celebrate National Nurse Week, I would like to take this opportunity to thank these dedicated professionals for the work they do. Their commitment is an inspiration to everyone who serves the public and they deserve our gratitude.

TRIBUTE TO ALAYNA E. PAQUETTE

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Alayna E. Paquette, of Portsmouth, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Portsmouth High School, in Portsmouth, RI.

This award is presented to the student chosen by Portsmouth High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Alayna Paquette has certainly filled this criteria. She is graduating with a grade point average of 3.8, which is especially impressive on account of her rigorous course load. She also was a member of the Spanish, Rhode Island, and National Honor Societies. She participated on the track team and was the team captain of the soccer team. In addition, Alayna has been director of the Rhode Island Students Protecting Our Environment.

I commend Alayna Paquette for her outstanding achievements and wish her all the best in her future endeavors.

UNITED COMMERCIAL TRAVELERS OF AMERICA

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to the United Commercial Travelers of America for their outstanding charitable efforts that project their caring and giving heritage.

United Commercial Travelers of America has a laudable Ten Star Outreach Program, that includes being proud sponsors of local, grand, and International Special Olympics. In fact, UCT of America contributed a quarter of a million dollars to the 1987 International Special Olympics.

UCT is involved in scholarship programs, junior golf competitions, drug-free awareness programs, cancer projects, safety programs, and stresses the family as the most important resource in our society for happiness and peace.

I want to salute the Pennsylvania chapter of United Commercial Travelers of America, and I am very glad that they are able to host UCT's 88th Annual Grand Session in Williamsport, PA, from May 8 through 11.

The supreme counselor of UCT of America, Peter Sworin, should also be commended for making UCT's theme this year "Reach for a Star," in keeping with President Bush's Thousand Points of Light Program.

I ask my colleagues to join me in paying tribute to United Commercial Travelers of America for all their efforts in helping to make our world a better place to live.

TRIBUTE FOR THE REDEDICATION OF THE SHIAWASSEE COUNTY COURTHOUSE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CAMP. Mr. Speaker, I rise today in honor of the rededication of the Shiawassee County Courthouse in Corunna, MI. The people of the Shiawassee County community are to be commended for their time, effort, and perseverance in making this dream become a reality.

The courthouse, first dedicated on May 4, 1904, has been restored to its original condition at the time of its construction 87 years ago. However, the elements of time began to take their toll on this monumental structure and a few years ago, the Shiawassee County Courthouse Preservation Committee was formed. Its members, the Honorable Gerald Lostracco, George Hoddy, Kaye Seward, Barb Clatterbaugh, and Arnold Dunchock, have toiled many hours on this project. They are joined by many in the community who have contributed their time and money to make this project happen.

Mr. Speaker, it is with a great sense of pride that I am able to recognize all these men and women who have made this courthouse what it is today. Long from now, this courthouse will stand as a symbol for future generations to look back to and share in the pride and commitment their ancestors displayed for their community.

GORHAM HIGH SCHOOL WINS NEW HAMPSHIRE BICENTENNIAL COMPETITION

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SWETT. Mr. Speaker, I take great pride in announcing that Gorham High School, located in Gorham, NH, is the New Hampshire State winner of the We the People * * * National Bicentennial Competition on the Constitution and the Bill of Rights.

The national bicentennial competition is an outstanding education program developed by the Center for Civic Education, and cosponsored by the Commission on the Bicentennial of the U.S. Constitution. This advanced program provides high school students with a course of instruction on the development of our Constitution and the basic principles of a constitutional democracy. In both the instructional and the competitive segments of the program, students work together to strengthen their understanding of the American constitutional system.

I would like to commend Ray Neeland, who is responsible for implementing and supervising the national bicentennial competition in my district. Also deserving of recognition is the State coordinator, Carter Hart, Jr., who is responsible for the administration of the program at the State level.

I especially want to congratulate the teacher, Mike Brosnan, who did an outstanding job of working with these students to prepare them for this competition.

The names of the outstanding winning class from Gorham High School are:

Kristen Boucher, Jennifer Burill, Marcia Chamberlin, Patrick Cloutier, Emily Danforth, Sean Gilligan, Adam Henne, Nathan Lavertue, Jacqueline Metz, Daniel Pake, Kyle Parent, Christine Partenope, Christie Rainville, Angie Reichert, Lynda Renes, Brien Riff, Jennifer Terew, Catherine Toth, and Pamela Wintturi.

This class from Gorham just completed a national competition held here in Washington, DC. They displayed a strong understanding of our Government and its foundation and performed admirably against difficult competition. As I spoke with these students on the Capitol steps on May 1, 1991, I found them to be extremely knowledgeable and impressive.

Mr. Speaker, the instructional materials developed by the Center for Civic Education which prepare students for the competition are being used throughout our Nation. While the competitive part of the program advances the winning teams at various levels, the benefits of this excellent educational project are extended to every student who participates. In this respect all the students are winners, because they gain valuable civic and intellectual skills enabling them to make informed and reasoned political decisions in today's society.

APPOINTMENT OF LARRY J. WILKER, CHIEF OPERATING OFFICER, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. OAKAR. Mr. Speaker, it is my distinct honor and privilege to announce to my colleagues the appointment of Mr. Larry J. Wilker as chief operating officer of the John F. Kennedy Center for the Peforming Arts. Presently, Mr. Wilker serves as president and chief operating officer of Playhouse Square Foundation in my district, Cleveland, OH. He will assume his new position on July 1, 1991.

Even though the Cleveland arts and business community will be losing a valued and trusted friend, the Kennedy Center, our national cultural center, will be gaining an individual ready to create, nurture, and present the best in performing arts.

With an undergraduate degree in economics, a master's degree in acting and directing, and a Ph.D. with a major in theater and an emphasis on theater administration, Larry joined the Playhouse Square Foundation in 1982. In this capacity, he was responsible for the largest theater restoration project in the world. Mr. Wilker was instrumental in helping to raise $40 million to finance this construction and renovation. Due in large part to Mr. Wilker's selfless determination to see this project succeed, the performing arts experienced a renaissance in the Cleveland community.

Managed by Larry Wilker, Playhouse Square Foundation owns and operates three theaters with a seating capacity of more than 7,000 seats and 750,000 annual patrons. The theaters host and/or produce more than 500 performances annually, covering music, opera, ballet, and theater. The foundation has had great success with its musical incubator program, which develops and produces new American musical theater works and the revival of lesser known works. In fact, two of them, "The Secret Garden" and "Song of Singapore" are currently in major production in New York. The annual operating budget for the theater is $10 billion of which 87 percent is derived from box office, shops, parking, and concessions.

Additionally, Mr. Wilker has been responsible for implementing the vision for the Playhouse Square Foundation, which was developed by civic and business leaders in Cleveland. Mr. Speaker, it is obvious that Mr. Wilker is an outstanding professional in the performing arts field.

Larry Wilker spent the first years of his career at the University of Delaware in various capacities, including that of assistant professor. During his tenure there, he managed and directed a touring company for children and was also responsible for organizing and managing a statewide festival of theater, dance, and music.

From 1971 through 1977, he was executive director of the Grand Opera House in Wilmington, DE. He was instrumental in saving and restoring this historic theater, which subsequently became the Delaware Center for the Performing Arts.

From 1977 to 1980, Mr. Wilker served as vice president of the Eugene O'Neill Memorial Theater Foundation, which supported a variety of performing arts institutions and projects throughout the United States.

Prior to joining the Playhouse Square Foundation, he spent 2 years with the Shubert Organization as director of properties, responsible for all facilities, which included 23 theaters and extensive commercial real estate holdings in six cities across the United States.

Mr. Speaker, let me conclude by saying we all wish Mr. Larry Wilker success, and the best of luck in his future endeavors at the John F. Kennedy Center for the Performing Arts.

TRIBUTE TO DAVID WILLIAM DAME

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate David William Dame, of Pawtucket RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Charles E. Shea Senior High School, in Pawtucket, RI.

This award is presented to the student chosen by Shea High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

David William Dame has certainly met these criteria. He has consistently performed well academically, including first place in the National Mathematics League in geometry. He has also participated all 4 years on the basketball team and the baseball team, which he captained his senior year. In addition, David has been an Evening Times Honor Carrier and participated in In-Site Rhode Island.

I commend David William Dame for his outstanding achievements and wish him all the best in his future endeavors.

A TRIBUTE TO THE KEY WOMEN OF MOUNT VERNON

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, the Key Women of Mount Vernon, part of a nationwide network of women concerned about children and senior citizens, are holding their annual scholarship and awards luncheon this Saturday. I would like to take this opportunity to congratulate this marvelous organization and the individuals who they are recognizing.

The Key Women provide a number of exemplary services that have been very important to the Mount Vernon community. Under the leadership of Blanche Woodley, their current president, they continue a long history of service. Every year, they give two $1,000 scholarships to graduates of the Mount Vernon school system and send five local children to summer camp for 2 weeks. In addition, they provide Thanksgiving baskets for senior citizens and host a seniors Christmas party at the Doles Center in Mount Vernon. Last year, over 200 people attended that festive event.

At the awards luncheon on Saturday, the guest speaker will be a man who has seen close up the good work that the Key Women do. Andrew Jones is a product of the Mount Vernon public school system. Now he is its high school principal. He knows the importance of commitment to the community, the kind of commitment that both he and the Key Women bring to bear in making their city a better place to grow up in.

Another man who has done a great deal for Mount Vernon youth will be present on Saturday. Edward Williams is retired now, but for years he was a stalwart of the Mount Vernon school system, teaching its children both in the classroom and out. This weekend he will receive the Key Women's Humanitarian Award. Receiving the Community Service Award will be two members of the Key Women: Margaret Gant and Araminta Miller. Without their tireless efforts, none of the wonderful programs that the Key Women provide could happen. The city of Mount Vernon is indeed fortunate to count these women among its citizens.

Perhaps the most fortunate award recipients on Saturday are the two Mount Vernon High School graduates who are receiving the Key Women's annual scholarships. Cleveland Pearce and Nicole Grant have earned their scholarships through hard work and dedication, and deserve every bit of praise that can be given them. The same is true of Karen Baker, a Mount Vernon student who is receiving the Louise Richardson Award, given by the Key Women in memory of the mother of one of their members.

Mr. Speaker, community service is one of the highest values of our society. The Key Women of Mount Vernon, and all of the people that they are honoring, know that well. For that, they deserve our sincere and lasting appreciation.

PRESS SALUTED BY NEARBY FRATERNAL CONGRESS

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. BENTLEY. Mr. Speaker, on Saturday, May 18, 1991, at the Sheraton Inn in Hagerstown, MD, the Maryland-District of Columbia Fraternal Congress will be holding its 84th annual session.

The Maryland-District of Columbia Fraternal Congress is composed of over 30 fraternal societies which have a long and distinguished record of charitable and benevolent works. Over the years, more than one-third of the presidents of the Maryland-District of Columbia Fraternal Congress have been women so in one sense, the congress is inconsistent in using the term "fraternal"—but what's in a

name when it comes to helping others and avoiding sexual biases in selecting officers?

Throughout the years, the congress has sponsored programs designed to upgrade family living standards, prevent the spread of diseases, aid victims of disaster, help the indigent, and to assure good practices in regulating the insurance industry in Maryland and the District of Columbia.

This year, under the leadership of Paul Fenchak, a director of the congress and a lifelong scholar of cultural groups in America, the congress is sponsoring an innovative program, "Salute to the Ethnic Press." As fraternal associations are among the leading publishers of ethnic newspapers, journals, and books, the congress is drawing upon two long-time ethnic publishers: The First Catholic Slovak Union of the United States and Canada and the Ukrainian National Association, Inc.

The Slovak Jednota (Union), a weekly newspaper in both Slovak and English, is celebrating 100 years of publication during 1991 while the Ukrainian language daily Svoboda (Liberty) has appeared for 94 years and is complemented by the Ukrainian Weekly in English.

Dr. Edward Tuleya, curator/archivist of the Slovak Museum and Archives in Middletown, PA, and emeritus professor of history at Millersville University of Pennsylvania will describe this fraternal's publishing endeavors while Ukrainian activities will be related by Eugene Iwanciw, supreme adviser and director of the Washington office of the Ukrainian National Association, Inc. Both fraternals will be recognized for their various publications and the congress plans to recognize two more ethnic presses next year.

Many of the 900-plus ethnic newspapers and journals in the United States are sponsored by fraternal groups and serve as a kind of nervous system of the world in writing and disseminating ethnic analyses. The ethnic press in often ahead of the general press in explaining world affairs.

In promoting expanded cultural, religious, and historical awarness among its members the congress concurrently helps to preserve values central to the development and strength of our Nation. Over the years, the following groups have been affiliated with the maryland-district of Columbia Fraternal Congress: Aid Association for Lutherans, Artisans Order of Mutual Protection, Ben Hur Life Association, Catholic Family Life Insurance, Catholic Knights of St. George, Catholic Order of Foresters, Croatian Fraternal Union of America, CSA Fraternal Life, First Catholic Slovak Union of the United States and Canada, Greater Beneficial Union of Pittsburgh, Greek Catholic Union of the U.S.A. Hungarian Reformed Federation of America, Independent Order of Foresters, Knights of Columbus, Life Insurance Society of America, Loyal Christian Benefit Association, Lutheran Brotherhood, Modern Woodmen of America, Mutual Beneficial Association of Rail Transportation Employees, National Fraternal Society for the Deaf, North American Benefit Association, North American Union Life Assurance Society, Polish Beneficial Association, Polish Roman Catholic Union, Polish Women's Alliance of America, Royal Arcanum, Royal Neighbors of Amereica, Sons of Norway, Travelers Protestive Association of America, Ukrainian National Association, Inc. United Transportation Union Insurance Association, William Penn Association, Woodmen of the World, and the Workmen's Benefit Fund of the U.S.A.

Mr. Speaker, my fellow colleagues, I request that you join me in congratulating the Maryland-District of Columbia Fraternal Congress on the occasion of its 84th session, and in commending their loyalties and contributions to America and to their prticular communities as they deliberate and plan for the future under the leadership of President William Harris of the Aid Association for Lutherans.

THE ELECTRIC POWER FAIR ACCESS ACT OF 1991

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MARKEY. Mr. Speaker, I am pleased to- day to introduce, along with Representatives MOORHEAD, BOUCHER, STUDDS, and DANNEMEYER, the Electric Power Fair Access Act of 1991. This important legislation will help promote competition in the $170 billion-a-year electric power industry, providing enormous potential benefits for consumers nationwide.

In the past decade competition has grown tremendously in the generation of electricity, already providing lower rates for consumers. But, despite this heightened competition in the generation sector, in the electric industry monopolistic power is maintained through the control of transmission lines. Transmission is the highway—the rail line—the pipeline of electric flows and of competitive opportunities. But transmission lines have too often remained in monopoly hands, with utilities often using the lines in an anticompetitive manner.

The Electric Power Fair Access Act of 1991 will improve the competitiveness of our electric utility system by providing for more equitable access to transmission lines and transmission services by electric utilities, independent power producers, and others. As the Nation continues to reduce dependence on imported oil, renewable energy resources such as wind, solar, geothermal, biomass, and hydropower, which are available only at fixed sites, need to be encouraged through better access to markets. In order to economically exploit these resources, as well as other independently developed powerplants, their developers must have access to transmission facilities to more the power to utilities that most need additional sources of power.

The current situation has led many participants and observers in the electric industry to conclude that the transmission system needs reform. President Bush's national energy strategy states that "although competition is developing in electricity generation, electricity transmission remains a monopoly service." The NES also states that "greater access to transmission facilities also would increase competition in wholesale markets and ensure that the Nation's industries, shops, and residences have access to electricity at the lowest reasonable cost." Moreover, the "Annual Report of the Council of Economic Advisors," in the 1991 Economic Report of the President recommends that "steps should be taken to ensure that access to the high-voltage transmission networks in not controlled in a manner that restricts competition."

But, unfortunately, neither the Federal Energy Regulatory Commission [FERC] nor any other Federal agency has authority to require utilities to provide fair access to the companies' transmission systems. FERC has made some modest progress recently to encourage utilities to provide greater access to their transmission systems. But FERC can only do so when a utility comes to FERC asking for something else that requires Federal approval—such as a merger or permisison for special market-based rates.

The Electric Power Fair Access Act of 1991 takes a two-tiered approach to clarify FERC's authority and codify the recent FERC decisions in this area. First, this bill will give FERC the authority to order transmission, on a case-by-case basis. Second, the bill will establish a new standard: If a utility chooses to sell power at market-based rates that are above its own regular rates, or, if a utility voluntarily enters into certain mergers or acquisitions, then that utility must provide transmission services to all qualified applicants, on a nondiscriminatory basis. In all cases, the owners of the transmission facilities will be fully compensated for the use of their lines.

In issuing transmission orders under this legislation, FERC must be certain not to impair system reliability or to economically disadvantage the transmitting utility's customers. Furthermore, the bill authorizes FERC to require the enlargement of transmission facilities, subject to environmental approvals, and encourages FERC, the Department of Energy, and the States to conduct interstate transmission planning.

It is important to note that this bill will allow for transmission for wholesale transactions only—it will not allow retail wheeling. Unlike wholesale transmission activities, the wheeling of electric power directly for retail customers can lead to undue uncertainty in the planning for generation facilities and in some cases to stranded utility investments.

It is also important to note what the bill is not. This bill is not an open access bill, that would require all utility companies to transmit power for all comers. Additionally, this bill does not call for the joint ownership of transmission lines, but only for greater contractual access to utility lines. Instead of major changes in the regulation of utility companies, this bill builds on recent FERC decisions and activities in the electric utility industry to promote evolutionary progress for the industry as a whole.

I would also like to point out that this bill amends only the Federal Power Act. As such it does not address issues associated with the administration's proposal to rewrite the Public Utility Holding Company Act [PUHCA]. During the consideration of any legislation to reform PUHCA, the issue of transmission access will be at the forefront, and transmission policy will be addressed again in that setting.

Consumers nationwide—from homeowner to the largest industrial firms—will benefit from the Electric Power Fair Access Act of 1991. I encourage other Members of the House to

joint us in cosponsoring this important legislation.

ELECTRIC POWER FAIR ACCESS ACT OF 1991

(Amendments to the Federal Power Act)

1. Short Title (Sec. 1) and Findings (Sec. 2).

2. FERC Authority to Order Interconnections or Transmission on a Case-by-Case Basis (Sec. 3-4).

Amends Sections 210 and 211 of the Federal Power Act to clairfy FERC's authority with respect to interconnections and transmission services, establishing the following authority:

FERC can order transmission and provide for compensation, on a case-by-case basis, for wholesale transactions only, in cases meeting certain specified standards. In exercising this authority, FERC may order the filing of general transmission tariffs and/or may order the enlargement of transmission capacity.

3. Voluntary Provision of Transmission Access by Utilities (Sec. 5).

This section establishes the following standard:

IF a utility (or its affiliate) chooses to sell power on a non-cost-of-service basis, of, IF a utility enters certain mergers or acquisitions:

THEN that utility shall file a general tariff providing rates, terms and conditions for transmission services for wholesale transactions (meeting the standards described in #4 below).

Participating in this section is up to each utility company; this provision provides FERC no authority to mandate transmission access nor to rquire that this section is used.

4. Standards for Transmission Tariffs and Orders (Sec. 5).

Any general transmission order (#2) or transmission tariff (#3) shall meet the following standards:

a. Transmission access only when it does not impair system reliability, does not impair adequate service to customers, and does not economically disadvantage ratepayers of the host utility.

b. Transmission rates shall be based upon the cost of providing the transmission services.

c. Retail wheeling may not be ordered under this bill.

5. Additional Provisions.

a. Filing of an access to information about transmission capacity. (Sec 6).

b. Encouragement of inter-state transmission planning. (Sec. 7).

H.R. 2224—ELECTRIC POWER FAIR ACCESS ACT OF 1991

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MOORHEAD. Mr. Speaker, I am pleased to cosponsor the Electric Power Fair Access Act. This bill clarifies and assures the Federal Energy Regulatory Commission's jurisdiction over transmission, an important step for Congress to take in ensuring that competition in the electricity industry advances efficiently and fairly.

Increased transmission access for wholesale electricity sellers and buyers will enhance competition in several ways. It will facilitate efficient use of existing power plants by providing larger markets for low/cost power suppliers. It will also provide additional supply options for wholesale buyers. A vigorously competitive wholesale market will force utilities to compete more strenuously not only to retain their current wholesale customers but also to expand their sales to other wholesale buyers. Over time, regional wholesale power prices will be driven down by this competition.

Additionally, increased transmission access will encourage construction of the best combination of new generating units. Access will enhance competition in bidding solicitations for new generating capacity, because a utility seeking additional capacity will not be limited to prospective suppliers located in its service territory. Potential suppliers will be able to locate power plants at the overall best locations in a large region, rather than just the local utility's service area. More open transmission service will also enable independent power producers to sell to several utility buyers. By doing so, IPP's can build larger plants and take advantage of economies of scale, thereby lowering the cost per kilowatt of new capacity.

CONGRESSMAN KILDEE HONORS MS. AILENE BUTLER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today before my colleagues in the U.S. House of Representatives to pay tribute to an outstanding individual in my hometown of Flint, MI, Ms. Ailene Butler.

Ailene Butler was born in Americus, GA, and moved to Flint as a child. She is a graduate of Flint Northern High School, Sienna Heights College, and obtained a degree in mortuary science from Wayne State University. As Flint's first female funeral director, she was also the first female to own and operate her own funeral home. She has been awarded the Annual Business Award from the Flint Club of the National Association of Negro Business Professional Women as the outstanding Business Woman of the Year. She has also received the Women of Wayne Headliner Award and the Zeta Phi Beta Sorority Woman of the Year Award. She has received recognition from the Governor of the State of Michigan, the common council of the city of Detroit, the Michigan Department of Education, Mott Community College, the Internal Institute, the Genesee Area Skill Center as well as a special tribute from the Michigan House of Representatives.

Ailene Butler has been a pioneer for the African-American community in Flint, MI. She was the first, and only, African-American female elected to the Flint City Council. Elected to office in November 1973, Ailene was chairperson of the social programs committee. Through her tireless efforts on this committee she was able to obtain assistance for day care centers, the Opportunities Industrialization Center, and the Urban League On-The-Job Training Program among others. She was on the forefront of leading the effort to combat drugs and crime, long before the current efforts were undertaken. She was appointed to the original Flint mayor's advisory committee which established the Flint Human Relations Commission. Ms. Butler helped establish and was elected first chairperson of the open occupancy committee whose work made Flint the first city in the United States to pass a fair housing law by popular vote. She was founder and first chairperson of the National Black Women's Political Leadership Caucus of the State of Michigan.

Ailene Butler was also the first African-American Girl Scout leader and helped to integrate the Flint Young Womens Christian Association Summer Camp. She was the first woman elected as vice president and board member of the Flint chapter of the National Association for the Advancement of Colored People and assisted in the creation of the NAACP Credit Union as well as serving as the first loan officer.

Ms. Butler was also affiliated with many public service-oriented organizations such as the Flint Branch of Child and Family Services of Michigan, Genesee County Funeral Director's Association as well as many, many other fine organizations. There is no question that Ailene Butler has been one of the most inspirational leaders of the Flint community. She has left an indelible imprint on the citizens of this community.

Mr. Speaker, it is indeed an honor and a pleasure to rise before my colleagues in this august house to pay tribute to a pioneer, Ailene Butler. Ailene Butler has served as an inspiration to me and to other elected officials in Michigan. She is truly unique and is deserving of all the tributes that may come her way. I pay tribute to her and wish her continued success.

A GREAT LEADER

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. OAKAR. Mr. Speaker, it is my honor and pleasure to stand before the House today to honor a man who truly embodies service to the great State of Ohio: Speaker Vern Riffe. Since he was first elected to be the State Representative of Ohio's 89th House District in 1958, Mr. Riffe's career has been distinguished by achievements that have genuinely benefited all Ohioans. In January of this year, Mr. Riffe took office for his 17th consecutive 2-year term; a record in my home State of Ohio. Indeed, Mr. Riffe holds the record for serving as speaker of the Ohio House of Representatives longer than any other speaker in Ohio's history. I am proud to commend Speaker Riffe and to celebrate his ninth term as speaker this year.

Vern Riffe often cites his father, Vernal Riffe, Sr., as his role model in both politics and life. For more than 20 years, Vernal Riffe, Sr., served his community of New Boston, OH, as mayor. It was during these years that Vernal, Jr. learned the true value of serving and working with his fellow man. It is evident that this training in public life has helped make Speaker Riffe the distinguished man he is today.

In the Ohio House of Representatives, Vern Riffe has brought an untiring work ethic and sense of fairness to the speaker's chair. As chairman of the rules committee, he has demonstrated uncommon leadership in advancing key legislation which has helped literally millions of Ohioans. Speaker Riffe has a proven track record of operating closely with all State representatives and officials in Ohio, regardless of party affiliation. His extraordinary ability to work with his colleagues earned him a citation by Republican Gov. James Rhodes, in 1980, as "One of the leaders who gets things done in Ohio." As the leader of the Ohio State House's majority party, Speaker Riffe has toiled selflessly for all Democrats throughout the State. On the national level, he is presently serving as a member of the Democratic National Committee. Democrats in Ohio and across the Nation—myself included—look to Speaker Riffe for his expertise and guidance on the critical issues facing our State and country.

The number of accolades that have been deservedly accorded Speaker Riffe over his distinguished career are almost too numerous to mention. Fittingly, the groups who have chosen to honor him are as varied and diverse as Ohio itself. He has been named Legislator of the Year by the Disabled American Veterans, Ohio Sportsmen, State Press Corps, Ohio Association of Local School Superintendents, and Community Mental Health and Retardation Association, just to name a few. Other groups which have honored Speaker Riffe for his commitment to Ohio include the AFL–CIO, Veterans of Foreign Wars, Prosecuting Attorneys Association, Public Relations Society, National Conference of State Legislatures, Jewish National Fund, Ohio Farm Bureau, and literally scores of others. He has received honorary degrees from distinguished educational institutions in Ohio such as Ohio University, the Ohio State University, Rio Grande College, University of Akron, Kent State University, Miami University, Central State University, University of Cincinnati, and Shawnee State University. The list could truly go on and on.

At home, Vern Riffe and his loving wife Thelma have been married for 43 years. They are blessed with four outstanding children—Cathy, Verna Kay, Mary Beth, and Skip (Vernal III)—and seven grandchildren. A lifelong resident of Scioto County, Speaker Riffe is still active in his local community. In New Boston, OH, he acts as president of the Riffe and Bennett Insurance Agency. He is a member of the Portsmouth Area Chamber of Commerce, Kiwanis Club, American Legion, Veterans of Foreign Wars, Shriners, and other vital community organizations.

On May 16, 1991, ceremonies will be held in Columbus, OH, to dedicate a bust of Vern Riffe. Speaker Riffe is one of those rare people in public service who are true living legends. While the bust of Speaker Riffe will stand as a symbol of his accomplishments and his deserved place in Ohio's history, it is only prologue. For Speaker Riffe and all Ohioans, the future holds promises of even greater achievements.

I am pleased to be able to stand before this House and mark the occasion of this dedication. Speaker Riffe's judgment and experience is unmatched in the Ohio House, and his presence continues to pay dividends for all citizens of Ohio. As we honor Vern Riffe's career and contributions to our great State of Ohio, I look forward to his continuing excellent public service to our great State and to the Nation.

TRIBUTE TO JENNIFER WALKER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Jennifer Walker, of Pawtucket, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Bishop Keough Regional High School, in Pawtucket, RI.

This award is presented to the student, chosen by Biship Keough High School, who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Jennifer Walker has more than fulfilled this criteria. She is a National Honor Student and a member of the Rhode Island Honor Society. She also participated 3 years on the tennis team and 4 years on the softball team. In addition, Jennifer is her school's yearbook editor and her classmates elected her junior class president.

I commend Jennifer Walker for her outstanding achievements and wish her all the best in her future endeavors.

THE EARTH OBSERVING SYSTEM AND ITS IMPORTANCE TO GLOBAL CHANGE RESEARCH PROGRAM

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RHODES. Mr. Speaker, The complex issues of global change will not disappear overnight or even in the lifetime of the current generation of scientists. Among these are a diminishing supply of water of adequate quality, a greenhouse effect caused by increasing concentrations of atmospheric trace gases, reduction in the stratosphere's ozone concentration, and feedbacks in the biosphere that perhaps reduce its ability to help cleanse the atmosphere of trace gases.

Policy measures are required today, so that we may adapt to or mitigate environmental changes at extensive regional and global scales. These require improving our understanding of the dynamics of the Earth system. NASA's Earth observing system [EOS] will advance the Global Change Research Program through the study of global-scale problems and global environmental change in an integrated, interdisciplinary approach covering the atmosphere, oceans, snow and ice masses, terrestrial vegetation, smaller water bodies, and the solid Earth. EOS supports investigations of the Earth system with four distinct mission objectives:

Creation of an integrated scientific research program that will support the study of the Earth's climate system, hydrologic cycle, and biogeochemical cycles, requiring observations of the atmosphere, oceans, land surface, snow and ice masses, and solid Earth;

Acquisitions and assembly of a global data base of established quality and reliability, mainly from remote sensing measurements, over a 15-year period to support the research program;

Development of a comprehensive data and information system to serve the needs of scientists from a variety of disciplines studying planet Earth; and

Improvements of our predictive models of the Earth system that involve interaction of system componets—such as air-sea coupling or biological effects on climate—a longer-term goal only attainable if the other objectives are successfully achieved.

The U.S. Global Change Research Program will not succeed unless there is a working and vital EOS at its core. The global measurements of the Earth that can only be provided by satellite observations are absolutely essential to understanding the Earth's environment and predicting its future course. Without the continuous, distributed measurements and the coordinated scientific interpretation of those measurements that EOS is designed to give, the U.S. commitment to global-change research, including components such as hydrology and biogeochemistry that are of particular importance to the arid western United States, will be sorely lacking.

Global-change research in the United States, Europe, and Japan addresses critical questions on the interconnected processes of the Earth systems, rather than simply focusing on the issue of whether or not global warming is occurring. For example, in the western United States where our water resources facilities have been designed based on historical, stationary climatic conditions. At this point, we lack a sufficient understanding of how the relevant hydrologic and biogeochemical processes work, severely limiting our ability to evaluate future modifications to our infrastructure and management practices. EOS will provide us information needed to do solid, physically based assessments that are global and regional as well as local in scale.

The Mission to Planet Earth, with EOS at its core, and other agencies' global-change research programs are not undertaken to satisfy our intellectual curiosities; rather, they are cohesive elements designed to enable informed, reasoned decisionmaking regarding the future of our global environment and our lives in it. We must make every effort to ensure that NASA's EOS Program remains a vital element of our Nation's global-change research.

Mr. Speaker, in summary, I urge Members of this body as well as those on the Commerce, Science, and Transportation Committee in the other body to carefully examine the importance of NASA's EOS Program in light of its role in our national global-change research. The result of such an evaluation will inevitably lead to a recognition of EOS's importance to the Global Change Research Program.

THE RETIREMENT OF CHESTER CASE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MILLER of California. Mr. Speaker, at the conclusion of the 1991 academic year Los Medanos Community College in Antioch, CA, will say goodbye to its president, Chester "Chet" Harold Case after 6 years of strong leadership and dedication to the school and student body. I would like to take this time to share with you the remarkable accomplishments of Mr. Case during his 37-year career in education.

After receiving his general secondary credential from the University of California, Berkeley, in 1954, Mr. Case undertook his first position at Sacramento High School in Sacramento, CA, teaching history, government, and English. Realizing a desire to achieve excellence in teaching and to further his education and studies to higher degrees, Mr. Case obtained both his masters in history and doctorate in higher education from the University of California, Berkeley. Meanwhile, Mr. Case continued to teach history and social sciences, from 1956–62 at Los Lomas High School in Walnut Creek, CA, and 1963–69 at Chabot Community College in Hayward, CA, and devoted 4 years to director and supervisor positions in community college education at University of California, Berkeley, before joining the staff at Los Medanos College.

In 1973, Mr. Case began what would evolve into two decades of commitment and contribution to Los Medanos College. During his time with the college, and as its president, Mr. Case demonstrated innovative ideas for the student community. Mr. Case was always in the forefront of promoting a healthy and well-rounded evnrionment by encouraging faculty and student involvement in campus and community affairs.

Mr. Speaker, on May 10, 1991, the faculty and students of Los Medanos College will join with Mr. Case's family and friends to pay tribute to the many achievements that dominate his career. Mr. Case will be missed by his staff and students as he is so much a part of the college. I know that they join me and my colleagues in the House of Representatives in wishing him well in his retirement.

AMERICAN HISPANIC LITERATURE MONTH

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SERRANO. Mr. Speaker, I rise today to introduce a joint resolution to designate the month of May 1992 as "American Hispanic Literature Month" in celebration of the Hispanic writers of the United States.

Among the earliest explorers and settlers of the United States, Hispanics have greatly contributed to the literary heritage of this Nation, in folklore, travel memoirs, and epic poetry. In addition, with an understanding of the recent 1990 census, we see that Hispanic-Americans in the United States, now numbering 25 million, are an increasingly powerful voice in our Nation. As this population continues to grow, fertile ground for a new generation of American literature is created. These authors add to the canon of American literature by merging Latin American themes—diverse in thought, culture, ideas and religion—with North American settings.

Mr. Speaker, during the past 25 years, the popularity of many Latin American writers, such as Gabriel Garcia Marquez, Mario Vargas Llosa, and Carlos Fuentes has been firmly established in the United States. Major publishers successfully offer the works of such authors to the general public. However, unlike their Latin American counterparts, Hispanic writers in the United States have not achieved such success outside their own communities.

For example, how many of us are aware that Oscar Hijuelos, a Cuban-American, won the 1990 Pulitzer Prize for fiction for his work "The Mambo Kings Play Songs of Love?" This truly is an accomplishment worthy of congressional recognition. Mr. Speaker, this resolution serves to recognize all the Hispanic authors of the United States who have so eloquently created a vision of the American way of life through words.

Having just celebrated National Library Week it is appropriate to emphasize the importance of the written word and the strength of its power on our society. The written word is powerful because of its evolution over time through a host of mediums such as the theater, literature, and even closer to home, the press. Literature is used not only to educate our youth but also to reach out to our neighbors to express thought and understanding and to speak out for our rights. The forefathers of this great democracy eloquently and forcefully affirmed, through the first amendment, the significance of not only that which is spoken, but that which is written as well.

Mr. Speaker, I think it important that this Congress encourage the broadening of all horizons of this great Nation and its multicultural citizens by recognizing and lauding the Hispanic writers of the United States and their everlasting contribution to our society.

A TRIBUTE TO DR. PHYLLIS A. PENNEY

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to congratulate Dr. Phyllis A. Penney for being selected to receive a 1991 Cable in the Classroom Educator Award. Dr. Penney is a teacher at the Douglas Anderson School of the Arts in Jacksonville, FL.

Dr. Penney is receiving this award because of her efforts to bring life to yesterday's world by utilizing today's technology. In her classroom, Dr. Penney used an Arts & Entertainment Network presentation, "The Tribal Eye: Sweat of the Sun," to develop a history-social studies lesson using the arts.

With Dr. Penney's guidance, 32 students took the different art forms of dance, traditional folk music, and visual arts, and used them to develop an expressive dance piece based on the Aztec-Inca culture. The students designed costumes and stage props reflecting the motif of animal totems.

Using A&E's programming as a catalyst, the students expanded their knowledge of history, developed new choreography skills, and experienced a keener understanding and appreciation of the Aztec-Inca culture.

Dr. Penney's innovative teaching methods, and commitment to excellence deserve to be recognized by the U.S. Congress. She is the kind of teacher that every parent wants teaching their children.

IN HONOR OF ELIZABETH ROSSELL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I would like to take this opportunity to honor an outstanding constituent of the Seventh Congressional District, Elizabeth Rossell of Flushing, MI, who will be recognized next week by the International Institute of Flint in my hometown.

On Tuesday, May 7, the institute will be conferring on Elizabeth Rossell the Golden Door Award. This coveted award honors a foreign-born citizen who has made a significant contribution to bettering the life for others through educational, cultural and community work designed to assimilate those of different racial and cultural backgrounds into the democratic life enjoyed by American-born citizens.

Mr. Speaker, I can think of no one who is more deserving of this award. Elizabeth Rossell has initiated a number of innovative programs in my community that have helped the International Institute to help others. She has volunteered untold hours, days, and years to the institute and has served in numerous official capacities with it, including president of the board of directors.

As a teacher, she also has been a strong, influential proponent of education as a continuing commitment not only for our youth but for adults.

Elizabeth Rossell was born in Italy. Today, she resides with her husband Ralph and children Lisa and Nicholas in Flushing. She has been and continues to be a tremendous inspiration to many, and a credit to the International Institute and its work.

Mr. Speaker, it is a pleasure to honor someone who has done so much to improve the quality of life for the residents of the 7th District. Elizabeth Rossell has upheld the highest tradition of civic service and I urge my colleagues in the U.S. House of Representatives to join me in congratulating her for her tireless devotion to the betterment of her community.

TRIBUTE TO SHANNON FECTEAU

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to rise today and congratulate Shannon Fecteau, of Seekonk, MA, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for St. Mary Academy Bay View, in Riverside, RI.

This award is presented to the student chosen by St. Mary Academy Bay View who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Shannon Fecteau has more than fulfilled this criteria. Despite being afflicted with a serious illness, she has maintained high academic standing. In addition, Shannon has been a great asset to St. Mary Academy Bay View's tutoring program. She serves as an inspiration to many.

I commend Shannon Fecteau on her outstanding achievements and wish her all the best in her future endeavors.

ANTI-CROATION TERRORIST ACTIVITIES MUST CEASE

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SWETT. Mr. Speaker, the United States has always stood firmly in support of democracy; however, often times we have been caught "behind the eight ball" as events on the ground out pace the U.S. willingness to lend a helping hand.

In this instance, I fear that the fledgling democracies of Slovenia, Croatia, Bosnia-Herzegovina, and Macedonia will be subjugated by the insidious tactics of the Communist's determination to maintain their strong centrist government. Just this morning I received disturbing news that anti-Croation terrorists groups have killed two Croation policemen and engaged throughout Croatia in bombings of civilian buildings, machine gun fire upon civilian buildings, and heightened activities of like nature.

Mr. Speaker, the United States needs to strongly condemn such terrorist activities. We must be seen as promoting dialog and peace. It is not the United States role to unwittingly see its tri-partite policy of democracy, peace and unity in Yugoslavia being utilized by the Communists to support a strong centrist government at any cost.

If the United States does not act swiftly and with certainty, we can be assured that the events in Yugoslavia will deteriorate to a point where it may be unlikely that democracy can survive.

Mr. Speaker, I urge the Members of the House of Representatives to join me in strongly condemning these terrorist activities. I urge the Secretary of State and the President to convey to appropriate officials throughout Yugoslavia our condemnation of these acts, and I urge the State Department to provide whatever assistance might be appropriate to apprehend and punish those responsible.

SALUTE TO GEORGE MONTGOMERY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I rise to honor the latest inductee into the Walk of Western Stars in Newhall, CA.

On June 22, noted actor George Montgomery will be honored for his contributions to our western heritage. This genial leading man, former boxer, stuntman, and World War II veteran has had a long career in the entertainment industry, and has established himself as a maker of fine furniture and as a sculptor.

Beginning in 1939 with "The Cisco Kid and the Lady," he has starred in more than 70 movies, including "The Gentleman from West Point," "Belle Starr's Daughter," "Dakota Lil," "Davy Crockett—Indian Scout," "The toughest Gun in Tombstone," and "The Daredevil."

In addition, he started a successful fine furniture business and has become a well-known sculptor, with works including "The Golden Boot," created for the motion picture industry.

Mr. Speaker, the reality and the myth of the Old West helped shape our Nation, and that heritage is worth celebrating. I ask my colleagues to join me in saluting George Montgomery for his contributions to that heritage as he is inducted into the Walk of Western Stars.

URGING THE INTERIOR APPROPRIATIONS SUBCOMMITTEE TO CONTINUE TO PROTECT FLORIDA'S COASTS

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SHAW. Mr. Speaker, I would like to bring to my colleagues' attention an issue that the House Interior Appropriations Subcommittee will be considering, which is of particular importance to me and my constituents. The issue I refer to is oil and gas drilling off of Florida's coasts.

As many members may be aware, the entire Florida delegation is extremely concerned over the renewed possibility of offshore oil and gas drilling off of Florida's coasts. In the past, the Interior Appropriations Subcommittee has responded to the Florida delegation's requests and assisted us in this effort. Last year, President Bush wisely declared the area south of 26 degrees north latitude off limits until the year 2000 for oil and gas exploration. I commend the President for this decision and leadership in this area. However, it would be highly desirable for the Interior Appropriations Subcommittee to again include a 1-year moratorium on oil and gas leasing and drilling in that area.

Additionally, to further protect our coasts and marine environment, I believe that the Interior Appropriations Subcommittee should also impose a 1-year ban for Sale 137 and Sale 151 in the eastern Gulf of Mexico, and a ban on the issuance of drilling permits for any existing leases in that area.

Since Congress has banned oil drilling only in certain areas off of Florida's coasts, I also think it is time to substitute this piecemeal approach and consider instituting a 100-mile buffer zone around the State of Florida.

Although this issue has been extensively studied and documented, one need not be an expert in the field to support a ban on offshore drilling off of Florida's coasts. After seeing photographs of the oil spilled in the Persian Gulf deliberately by the madman Saddam Hussein, and imagining what an oil spill even a tenth the size of that one would do to south Florida's fragile ecosystem—an ecosystem irreplaceable and unique to our hemisphere—the only prudent and logical conclusion is a complete ban. What price does one put on the mangroves, the beds of seagrasses, or the only living coral reef in North America? Is destroying these environmental wonders worth paying the price for the estimated fifteen days of energy such oil and gas fields might yield? I say the price is too high.

Mr. Speaker, I was born and reared in south Florida. I have raised my family in south Florida. My family swims in the blue waters off of Florida's coasts and we enjoy hiking through the Everglades—the very places at risk from offshore drilling. I urge the Interior Appropriations Subcommittee to continue to protect Florida's coasts from the dangers of oil drilling.

A TRIBUTE TO THE PROFESSIONAL PHOTOGRAPHERS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, when photography was discovered in 1835, it opened new horizons in the human mind. Photography created a new profession and has become a necessity for society and modern science. To honor this tremendous discovery, the Florida Professional Photographers and the Professional Photographer's Guild of Florida has designated August 19 as "Professional Photographer's Day" in the State of Florida.

Within time, photography became an art form but many felt that it did not receive the proper recognition as the established arts did. Many felt that photography received little, if any artistic quality, but always shone in the greatest moments, capturing important times in history.

Many historical events, for example, are vivid in our minds because of photographs taken at these critical times. The image of the members of the Armed Forces raising the U.S. flag at Iwo Jima will always be remembered as capturing the essence of battle and the wave of patriotism during World War II. The little Vietnamese girl hysterically running after an attack of napalm is a photograph that is

forever etched in our minds as a reminder of the brutality of war. The shot of the solitary young man standing in front of the huge tanks in Tiananmen Square reminds us of the strength of the human quest for freedom. Without photography, these stirring memories may fade from our consciousness.

Realizing that photography records today's events for the future, the Florida Professional Photographers and the Professional Photographer's Guild of Florida began working on the idea to have a national day proclaimed to honor those who have dedicated their lives to the photographic profession. It was August 19, 1835, in France, that Louis Dagerre presented his new discovery.

With the cooperation of the Hialeah City Government, Mayor Julio Martinez, and support from other Florida cities, August 19 has been declared "Professional Photographer's Day" in the State of Florida. The city of Hialeah has approved the construction of Professional Photographer's Park to be located in there. The park will be dedicated with the unveiling of a 20-foot statue honoring the professional photographer by sculptor Rafael Consuegra.

I congratulate Nestor Pino, Alex Gort, Jesus Cabrera, Adria Cabreara, and all the citizens involved in taking the time to create this worthy cause. I wish them much success as to seeing Professional Photographer's Day become a reality.

THE EARTH OBSERVING SYSTEM AND ITS IMPORTANCE TO GLOBAL CHANGE RESEARCH PROGRAM

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RHODES. Mr. Speaker, the complex issues of global change will not disappear overnight or even in the lifetime of the current generation of scientists. Policy measures are required today, so that we may adapt to or mitigate environment changes at extensive regional and global scales.

NASA's Earth Observing System [EOS] will advance the Global Change Research Program through the study of global scale problems and global environmental change in an integrated, interdisciplinary approach covering the atmosphere, oceans, and solid earth.

The U.S. Global Change Research Program will not succeed unless there is a working and vital EOS at its core. The global measurements of the Earth that can only be provided by satelite observations are important to understanding the Earth's environment and predicting its future courses.

Mr. Speaker, I am particularly proud of the contributions the State of Arizona is making to this effort. The University of Arizona in Tucson now has the biggest concentration of non-NASA scientists involved in EOS anywhere in the United States. The level of expertise there represents real depth of research involvement in the Office of Space Science and Application's [OSSA] programs.

In summary, Mr. Speaker, it is regrettable that the cuts this Committee had to make in its authorization resulted in a $75 million cut from the EOS program. Several other important programs requested by the President were subject to severe budget pressures and unfortunately also cut. I urge Members of this body to carefully examine the long-term importance of NASA's EOS program in light of its role in our national global change research. The result of such an evaluation will inevitably lead to a recognition of EOS's continuing importance to global change research.

AUDUBON PRESIDENT PRAISES UDALL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MILLER of California. Mr. Speaker, on May 1, 1991, the president of the National Audubon Society, Peter Berle, wrote a fitting tribute to the work of MO UDALL.

He pointed out that under MO'S leadership, the Interior Committee became an engine for a series of environmental accomplishments. He said:

We at Audubon will always be grateful for Mo's openness, for his deep concern for the environment, and for his intense love for our land.

I would like to insert Mr. Berle's remarks in the RECORD at this point:

MO UDALL—LAWMAKER FOR THE ENVIRONMENT

(Remarks of Peter Berle)

It can be said, of Mo Udall's 30-year career in the U.S. Congress, that he not only preserved many of America's most treasured natural resources, but that, through his efforts, the United States is a more beautiful and healthful nation.

Mo has set a new standard for national environmental leadership, and he has done so with grace, a compassionate heart, and a wry humor. All his political efforts have been characterized by a commitment to fair play, which led him to look always for the possibility of accomodating the legitimate needs of adversaries, and thus to bring them into the fold. Yet, when the chips were down, this fairness has also been Mo's greatest source of strength. The historic victories he has won—to save Alaska's wildlands, to force coal stripminers to reclaim the land they exploit, to block the give-away policies of Interior Secretary James Watt, to preserve wilderness and parklands in virtually every state in the Union—did not come easily. These battles required courage, risk-taking, and fortitude. But he took them on, and he prevailed.

Under Mo's leadership, the House Committee on Interior and Insular Affairs has been the engine of many of the modern Congress's most significant environmental accomplishments. Over the years, of course, Mo has had invaluable help from other leaders on the Committee, including Phil Burton, John Seiberling, and George Miller, who will succeed Mo as Chairman. Without the team effort that Mo led, the enactment of complex and far reaching laws such as the Surface Mining Act of 1977, the Federal Coal Leasing Amendments, the Alaska National Interest Lands Act, and a multitude of Park and Wilderness Acts would never have happened.

We at Audubon will always be grateful for Mo's openness, for his deep concern for the environment, and for his intense love for our land. We are dedicated to the achievement of what is perhaps the single piece of unfinished conservation work most dear to him—the protection of the coastal plain of the Arctic National Wildlife Refuge as wilderness. We celebrate his achievements, and will miss his leadership. We wish him well.

SID McLESTER NAMED HISTORIAN OF THE YEAR

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to congratulate a fellow member of my home community for being named the 1991 Historian of the Year by the Volusia County Historical Commission.

Thousands of people in Volusia County have seen Sid's work—his specialty is slide shows—but not many people know the master behind the art.

Sid is a full-time power company professional and family business owner, so he rarely has time to meet with the people who enjoy his work. That's why I'm so honored to be able to list his accomplishments for the RECORD.

Without Sid, efforts to record history in DeLand and surrounding areas would be severely hampered. He has taken all of us back in time by copying thousands of old photographs of pioneer life in Volusia County for use in books and slide shows.

In the Daytona Beach News-Journal, West Volusia Historical Society president, Bill Dreggors, said, "I can't think of anybody more deserving of this honor than Sid. Without what he did for us, there would be no books, period. There would be no slide programs. None of it would exist except for Sid."

Sid first arrived in DeLand in 1963. For more than 10 years, he and Mr. Dreggors have worked together once or twice a week, to find old photos for two local hardback books, "Volusia: The West Side," and "A Pictorial History of West Volusia County, 1870–1940."

Finding and copying old photographs isn't all that Sid has done, however. He helped restore the DeLand House, a turn of the century building that houses the historical society. He crafted the building's screen doors, frames for its cut glass, and the plaque that recognizes project supporters.

Mr. Speaker, Sid McLester is a poignant reminder that in towns and neighborhoods throughout America, people are working together to make their communities better places to live, work, and raise families.

Like Sid's family and friends, I am both thankful and proud of his work for DeLand. And I'm honored to be able to recognize him here today in front of my colleagues.

LOU BREVETTI: HARD WORK AND CHARACTER IN AMERICA'S SERVICE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, I would like to pay tribute today to a man who has lived the American dream. Lou Brevetti is a tribute to the fact that all one needs to succeed in this country is strength of character and a willingness to work hard. He has both of these in abundance.

Lou came to this country with his parents at the age of 6. He learned from them that hard work woud pay off in this country, and he learned that lesson well. Shining shoes, pressing clothes, and waiting tables, he put himself through college and then law school. His indefatigable efforts have helped to build an immensely successful law firm—Scolari, Brevetti, Goldsmith & Weiss.

It would have been understandable if, after working so hard to establish himself, he had chosen to live a life of ease. But that is not in Lou Brevetti's nature. He knows that the country that had allowed him to move ahead deserves and needs his service. He has carried out that mission with a passion.

A colonel in the New York State Guard, former counsel to the State legislature, and a delegate to the State Constitutional Convention of 1967, Lou Brevetti has helped our State to fulfill its motto: "Ever higher." All who live in New York State have benefited from Lou's wisdom and commitment. We have been able to rely on Lou's sage advice, steady counsel, and engaging wit to see us through even the most difficult times.

Those of us who know him well are confident Lou's energy and commitment will never fail us. His vision offers immense hope for all of us, and he will always be a role model for young Americans striving for a better future.

INTRODUCTION OF LEGISLATION TO FACILITATE UNDERCOVER STING OPERATIONS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I am today introducing legislation at the request of the Department of Justice that will facilitate law enforcement in undercover sting operations involving traffickers and receivers of stolen and counterfeited property.

Currently, several Federal statutes exist that punish persons who traffic in or receive stolen and counterfeited goods, but the law enforcement in these crimes is complicated by the fact that such statutes require proof that the defendant knew that the property was stolen or counterfeited. As a result, law enforcement officers cannot merely represent to a suspected fence—a dealer in stolen goods—that an item is stolen—it must actually have been stolen. Some cases have even been lost because items that were, in fact, stolen were subsequently recovered by authorities prior to arranging a controlled delivery to the fence, which some courts have ruled erases the stolen status of the goods.

In the Antidrug Abuse Act of 1988, Congress faced a similar problem with respect to money-laundering investigations by creating an offense of engaging in a financial transaction with money represented as having been the proceeds of unlawful activity, even though it may not have been. This bill builds upon that approach.

Clearly, an individual who willingly receives property that is represented as stolen is equally as culpable as one who receives property that, in fact, has been stolen and many States have already recognized this fact. This legislation should help law enforcement where society sorely needs help and that is taking the profit out of crime.

TRIBUTE TO JILL A. CROZIER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Jill A. Crozier, of Cumberland, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Cumberland High School, in Cumberland, RI.

This award is presented to the student chosen by Cumberland High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Jill A. Crozier has certainly fulfilled this criteria. She is an honor student and is a member of the Rhode Island Honor Society. She also participated on the basketball and track teams. In addition, Jill has worked on behalf of SADD and was a volunteer library worker.

I commend Jill A. Crozier for her outstanding achievements and wish her all the best in her future endeavors.

TRIBUTE TO HART HIGH SCHOOL ACADEMIC TEAM

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I am proud to rise today to inform my colleagues of the academic accomplishments of an outstanding group of high school students from my district.

The academic team from Wm. S. Hart High School in Newhall, CA, has finished 10th in the Nation in competition against similar teams from around the country, and will participate next weekend as 1 of just 16 teams in the Stars 2000 High School Academic Competition in Lexington, KY.

Besides advancing to the "sweet 16," the academic team also will represent California in the prestigious National Tournament of Academic Excellence in Florida on June 16 to 21.

Mr. Speaker, every day, the media bombard us with horror stories about the state of education in this Nation. Sadly, many of these stories are true. But I firmly believe that we need to recognize the vast majority of our students who work hard at their studies and don't get into trouble. Clearly, our school systems are turning out many high-quality students, and these fine youngsters from Wm. S. Hart High are among the best anywhere.

These students meet every day at 7 a.m. and again at lunch to study and prepare for academic competitions. They compete in the academic decathlon, computer quiz bowls, live quiz bowls, speech contests, and essay contests. And that hard work and commitment has paid off.

I ask my colleagues to join me in congratulating these fine scholars for their accomplishments, and in wishing them well in the Stars 2000 Competition and in the national tournament next month.

CIVIL RIGHTS

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SERRANO. Mr. Speaker, it appears from recent news stories that the Republican administration is afraid of a compromise on the civil rights bill. Historic talks between civil rights leaders and the Business Roundtable, a group of CEO's of large corporations, are seen as a threat by the White House.

The big business community and the civil rights community have been fiercely opposed on issues critical to enactment of civil rights legislation. These two communities are seeking to come together to reach an agreement, and the administration does not want them to. What kind of sense does this make?

To those of us who truly want to see the longtime goal of equal employment opportunity for minorities and women become a reality, it doesn't make sense. To those of us who dream of a day when we won't be divided by racial hatred and discrimination, it doesn't make sense. To those of us who believe that business issues and minority issues do not have to be diametrically opposed, it doesn't make sense.

But to a Republican administration that seeks to convert racial hatred into votes, to accuse Democrats of being antibusiness and proquotas it apparently makes perfect sense.

When the President vetoed the civil rights bill last year, it was presumably to protect big business. Well, if the business community is seeking a compromise on civil rights, on whose behalf does the White House object to the talks? Whose interests are they serving, other than the Republican Party? Did the Founding Fathers of this great Nation, the inventors of the best system of government in the world, envision the White House as a huge campaign headquarters?

The talks between the Business Roundtable and the civil rights community are an illustration of the American political process at work. Compromise is at the heart of that process. It is my understanding that the main issue under

negotiation is whether there should be a cap on damages that could be awarded to plaintiffs in discrimination suits. I am sure there is strong feeling on both sides, and I see nothing inappropriate in the two groups discussing their viewpoints and working through their arguments.

Does the White House have a better way to come up with an acceptable solution to the acknowledged problem of race- and gender-based discrimination in the workplace? These two groups of concerned citizens are fulfilling their civil and social responsibility by seeking compromise on important issues affecting them. These talks should be encouraged.

Yet the Bush White House would rather prevent these people from reaching an agreement. I guess the Republican administration's solution to the problems of employment discrimination and racial tension is to encourage bitter divisions between people, and block negotiation and compromise. It seems our President would rather have a bill to veto than a bill to sign.

INTRODUCTION OF H.R. 2218, THE HIGHER EDUCATION SAVINGS PLAN ACT OF 1991

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. VANDER JAGT. Mr. Speaker, I am today introducing H.R. 2218, the Higher Education Savings Plan Act of 1991. I am pleased that my friend and colleague on the Committee on Ways and Means, Congressman ANDREW JACOBS, is joining me in introducing this important legislation. This legislation is intended to make a modest step in the direction of assisting parents to save for the staggering costs of their children's higher education expenses.

The compelling need for this legislation is now more apparent than ever. The cost of sending a child to a private university for 4 years now averages more than $50,000, while the cost of a 4-year public university education averages $18,000. By the year 2007, the Department of Education estimates the total cost to attend a private university will increase to $200,000 and to $60,000 for a public university. These statistics spotlight a major financial problem facing parents.

Accumulating the funds necessary to cover these costs will be very difficult with after tax dollars for most, if not all, middle-income parents. With the stress on higher education by the Federal Government and the need for accumulating the funds to cover the escalating cost, middle-income taxpayers should receive some tax assistance to enable them to meet the future costs.

Under H.R. 2218, assistance would be made available by providing that when a taxpayer purchases a predesignated annuity for the child to cover qualified higher education costs, the withdrawal of funds from the annuity to pay such education costs would be exempt from the 10-percent penalty for premature distributions from annuity contracts under Internal Revenue Code section 72(q). Safeguards would be provided by requiring that the annuity be designated for education costs at time of purchase. Qualified higher education costs are defined to include only undergraduate expenses incurred at institutions of higher education. Finally, under the terms of the legislation, the annuity premium payments to cover the education costs would not count against the gift tax annual exclusion.

Other code sections provide direct benefit to taxpayers financing the costs of higher education. Section 135 allows income from U.S. savings bonds to be excluded from income under certain circumstances if the income is used to pay educational costs. Section 2503 generally allows an unlimited gift tax annual exclusion for gifts which pay higher education tuition costs. H.R. 2218 would provide a mechanism to directly address the needs of middle-income taxpayers facing higher education costs of their children which will be financially overwhelming.

Since the proposal would only apply to predesignated annuities issued under enactment, it would not have a material effect on current Federal revenues. I strongly encourage my colleagues to cosponsor this important legislation along with Mr. JACOBS and me and to work for its prompt enactment.

PAUL BECKWITH RECEIVES EAGLE SCOUT

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating a fine young man from Palatka, FL.

Stephen Paul Beckwith recently joined an elite group of individuals when Troop 62 of Palatka selected him to be their 101st Eagle Scout, the highest and most prestigious honor in the Boy Scouts of America.

Paul joined the Scouts in 1986 and has been a leader ever since. He has attended summer camp at Rainey Mountain in north Georgia and Daniel Boone in South Carolina. He attended the national Jamboree in 1989 and went diving in the Florida Keys with the troop in 1990.

He has served as patrol leader, quartermaster and currently serves as an instructor in Troop 62. He is also a brotherhood member of Echockotee Lodge of the Order of the Arrow.

Outside Troop 62, Paul is just as determined to touch others. He is also very busy. Paul is active in his church where he is a member of the youth choir and serves as secretary of the Young Mens Association.

At Palatka High School, Paul is a three-sport athlete. He played on the offensive and defensive lines for the freshman football team, is a wrestler and is also a member of the school weight-lifting team.

For his Eagle Scout project, Paul led an effort to clear and prepare an overgrown vacant lot in order for it to be used for parking by the members of his church, First Baptist of Palatka.

Mr. Speaker, as you can see, Paul is well-deserving of the rank of Eagle Scout. He is a leader among his fellow Scouts, is active in the local community and is a fine student. This is one young man who is committed to making a difference during his lifetime.

I join his family and friends in saying that I am proud of his accomplishments and wish him the best of luck in the future.

POET AUTUMN ADAIR'S TRIBUTE TO THE TROOPS

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CAMP. Mr. Speaker, the daughter of one of my constituents was so touched by the spirit of dedication and commitment to freedom expressed by our troops during the Persian Gulf war, that she was moved to describe those feelings quite eloquently in a poem called "Reasons." The poet, Autumn Adair of Fowlerville, MI, felt so strongly about the conflict that she took pen in hand to describe her feelings, which were shared by many Americans. This is a tribute to all the brave men and women who served the world so bravely, and it is appropriate that this poem be part of the CONGRESSIONAL RECORD as a testimony to those noble men and women who served our Nation and the cause of liberty, with a debt of gratitude to the poet.

REASONS

The boys are on the beach again,
  Some ask, "Why are they there?"
They watch the silver birds fly by,
  With gold and raven hair.

And on this Beach there is no sea.
  No cool, refreshing bath,
The Fire still flies overhead;
  There's no well-traveled path.

They dream of Home across the sea,
  And people that they Love;
They dream of peaceful sleep at night,
  And the cooing of a dove.

We know you as our sons and friends,
  We know you as our brother;
We know, on you we can depend—
  You're our knights in shining armor.

Alas, your courage and your smiles;
  Sweet boys, we love you so,
And we'll try to send a little Light
  To help you as you go.

They're there because the world has asked;
  They're there for glory's hue;
They're there to set things right again;
  They're there for me and you.

INTRODUCTION OF THE UNDERWATER HAZARDOUS LIQUID PIPELINE SAFETY ACT OF 1991

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DWYER of New Jersey. Mr. Speaker, today I am introducing legislation entitled the Underwater Hazardous Liquid Pipeline Safety Act of 1991 and I would like to invite my colleagues to become cosponsors of this bill.

On January 1, 1990, an estimated 567,000 gallons of oil spilled into a waterway bordering

the Sixth Congressional District in New Jersey, closing one of the world's busiest shipping lanes to traffic for several days and threatening one of the most unique wildlife habitats on the east coast.

It is widely believed that this spill could have been limited to a fraction of the amount spilled had a pipeline monitoring and control system functioned properly. Its leak-detection system, however, had been emitting false and erratic signals for approximately 12 years prior to the accident. As a result, the leak—one of the worst ever in the New York-New Jersey area—continued unnoticed for 6 hours.

In recent months, accidents involving hazardous liquid pipelines have occurred in Tacoma, WA, and Grand Rapids, MN, discharging 210,000 gallons and 650,000 gallons of oil respectively.

The Underwater Hazardous Liquid Pipeline Safety Act of 1991 focuses on three areas: information, prevention, and enforcement. In brief, this legislation would require the Secretary of Transportation:

First, to issue regulations requiring the operator of a hazardous liquid pipeline facility to submit annual reports containing detailed information about the pipeline facility under his control;

Second, to collect information regarding an operator's inspection and enforcement history, to identify chronic violators of pipeline safety regulations, and to use such information to set priorities for inspection, monitoring and rulemaking;

Third, to establish and maintain a data base, accessible by computer telecommunications, containing the information outlined above;

Fourth, to report to the Congress on the department's actions to ensure that its enforcement policies and procedures are consistent throughout the Hazardous Liquid Pipeline Safety Program; and

Fifth, to issue regulations requiring the use of remotely controlled emergency flow restricting devices and to study the effectiveness of automatic emergency flow restricting devices.

Mr. Speaker, below please find the complete text of the bill.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Underwater Hazardous Liquid Pipeline Safety Act of 1991".

SEC. 2. UNDERWATER PIPELINE FACILITIES.

(a) AMENDMENT.—The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001 et seq.) is amended by adding at the end the following new section:

"SEC. 220. UNDERWATER PIPELINE FACILITIES.

"(a) REPORTING REQUIREMENTS.—

"(1) NOTIFICATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations requiring that, in the case of operators of underwater pipeline facilities, information provided under section 203(i) after the expiration of 6 months after the effective date of such regulations shall include—

"(A) the location, size of diameter, and length of each such underwater pipeline facility;

"(B) the date of installation, type, and manufacturer of each such underwater pipeline facility;

"(C) the date on which significant repairs were made to each such underwater pipeline facility, and any date on which each such underwater pipeline facility was replaced;

"(D) the nature of the repair or replacement, or both;

"(E) an assessment by the operator of the susceptibility of each such underwater pipeline facility to corrosion and outside force damage;

"(F) an assessment by the operator whether each such underwater pipeline facility may be inspected with internal inspection devices; and

"(G) such other information as the Secretary may require.

"(2) REVISION OF INFORMATION IN A TIMELY MANNER.—The regulations issued under paragraph (1) shall require each operator of underwater pipeline facilities to report to the Secretary any changes in the information submitted under paragraph (1) in each subsequent calendar year. In the event that there are no changes in the information submitted in the previous calendar year, the Secretary shall require written notification of that fact.

"(3) REPORTS TO CONGRESS.—The Secretary shall issue annual reports to Congress summarizing the information obtained under paragraphs (1) and (2), and under section 3(b)(1) of the Underwater Hazardous Liquid Pipeline Safety Act of 1991, not later than 1 year after the date on which such information is required to be submitted under those provisions. The Secretary shall make copies of such reports available for public inspection and purchase.

"(b) MANAGEMENT OF DATA.—The Secretary shall establish and maintain in a computer data base a hazardous liquid pipeline facility inventory incorporating, at a minimum, the data submitted to the Secretary under subsection (a) and the data collected under section 3(b)(1) of the Underwater Hazardous Liquid Pipeline Safety Act of 1991. The Secretary shall make this data accessible by computer telecommunication and any other appropriate means to any person at a fair and reasonable cost. Such data and services shall be provided without charge to States and municipalities.

"(c) REPORTS.—

"(1) Not later than 1 year after the date of enactment of this section, the Secretary, in consultation with other appropriate officials, shall submit to the Congress a report describing the steps taken by the Secretary to implement subsection (b).

"(2) Not later than 1 year after the date on which the computer telecommunication system required under subsection (b) is first put into operation, the Secretary, in consultation with other appropriate officials, shall submit to the Congress a report—

"(A) describing the extent to which the information collected under such system has been used by the Department of Transportation, the Environmental Protection Agency, other Federal agencies, the States, and the public;

"(B) describing the purposes for which such information has been used; and

"(C) identifying and evaluating the options for modifying the requirements of (a) and (b) of this section, and of section 3(b)(1) of the Hazardous Liquid Pipeline Safety Enhancement Act of 1991, for the purpose of making information collected under such provisions more useful.

"(d) ADDITIONAL REQUIREMENTS FOR UNDERWATER PIPELINE FACILITIES.—

"(1) INSPECTION AND TESTING BY INSTRUMENTED INTERNAL INSPECTION DEVICES.—(A) Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations requiring all underwater pipeline facilities which can accommodate the passage, without significant alterations, of instrumented internal inspection devices (commonly referred to as 'smart pigs') to be inspected with such devices.

"(B) Inspections required under subparagraph (A) shall be conducted on at least an annual basis, unless the Secretary determines that less frequent inspections do not diminish the value of such inspections in preventing releases.

"(2) EMERGENCY FLOW RESTRICTING DEVICES.—(A) Not later than 18 months after the date of enactment of this section, the Secretary shall issue regulations requiring the use of remotely controlled emergency flow restricting devices on all underwater pipeline facilities. The regulations shall address the spacing of such devices, taking into account generally accepted industry standards and the need to minimize pollution or other damages from releases in environmentally sensitive areas and significant commercial water routes. The regulations shall also require the annual inspection of such devices and the review of any operational procedures and training guidelines associated with the use of such devices.

"(B)(i) Not later than 6 months after the date of enactment of this section, the Secretary, in consultation and cooperation with the Administrator of the Environmental Protection Agency, shall study the benefits of automatic emergency flow restricting devices on underwater pipeline facilities in preventing releases into environmentally sensitive areas or significant commercial water routes. The Secretary may examine the costs associated with such devices.

"(ii) Upon completion of such study, the Secretary shall issue to the Congress a report that summarizes the results of the study and makes recommendations that the Secretary considers appropriate.

"(e) DEFINITIONS.—For the purposes of this section—

"(1) the term 'environmentally sensitive area' means an area, designated by the Secretary in accordance with guidelines that the Secretary shall establish by regulation (in consultation and cooperation with the Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration), in which a release could reasonably be expected to result in significant damage to a habitat essential for the breeding, spawning, nesting, migration, wintering, or survival of migratory and resident fish, wildlife, and wild plants; including migratory birds, endangered species, commercially and recreationally important finfish, shellfish, and other aquatic organisms, and other species and communities of wildlife and wild plants;

"(2) the term 'release' means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a hazardous liquid from a pipeline facility, whether intentional or not;

"(3) the term 'significant commercial water route' means any port, harbor, or other body of navigable water significant to the producing, storing, handling, transferring, processing, or transporting of products, goods, or other commercial or trading activities; and

"(4) the term 'underwater pipeline facility' means any pipeline facility which—

"(A) is composed of pipe of an interior diameter greater than or equal to 8 inches; or

"(B) the Secretary determines has the capability (as measured by the potential of the pipeline facility in the event of the failure of release prevention devices and procedures) to release more than 20,000 gallons of a hazardous liquid in a 1 hour period of time,

and which is under water or adjacent to a body of water.".

"(b) TABLE OF CONTENTS.—The table of contents of the Hazardous Liquid Pipeline Safety Act of 1979 is amended by adding at the end the following new item:

"Sec. 220. Underwater pipeline facilities.".

SEC. 3. ENFORCEMENT.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall submit to the Congress a report describing Department of Transportation actions to ensure that its enforcement policies and procedures pertaining to the hazardous liquid pipeline safety program are consistent throughout the program. This report shall include, at a minimum—

(1) the extent to which the Department has implemented procedures to coordinate the enforcement activities of its hazardous liquid pipeline safety field inspection staff with headquarters enforcement and legal staff;

(2) the extent to which the Department has implemented written guidelines regarding procedures for the adequate documentation of cases;

(3) the extent to which the Department has implemented written guidelines delineating the type and severity of sanctions that should be applied to violators of pipeline safety regulations; and

(4) the extent to which guidelines pertaining to sanctions incorporate an operator's enforcement history, including the extent to which such guidelines require the levying of more severe sanctions on chronic violators of hazardous liquid pipeline safety regulations.

(b) USE OF DATA TO STRENGTHEN ENFORCEMENT ACTIVITIES.—

(1) INFORMATION COLLECTION.—The Secretary of Transportation shall collect information regarding each hazardous liquid pipeline facility operator's inspection and enforcement history in order to—

(A) determine whether there is evidence of chronic violations of hazardous liquid pipeline safety regulations by such operator; and

(B) set priorities for inspection, increased monitoring, rulemaking, and, in the event that widespread deficiencies are discovered in the hazardous liquid pipeline safety program, remedial efforts to correct those deficiencies.

(2) AVAILABILITY OF INFORMATION.—Information pertaining to operators possessing a record of chronic violations of hazardous liquid pipeline safety regulations shall be made available to other government agencies and officials on the Federal, State, and local levels, and shall be made available to the public upon written request.

SEC. 4. GRANTS-IN-AID.

Section 17(d)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1684(d)(1)) is amended—

(1) by striking "5 percent" and inserting in lieu thereof "20 percent"; and

(2) by striking "1985" and inserting in lieu thereof "1991".

THE VANGUARD OF FREEDOM

HON. TERRY L. BRUCE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BRUCE. Mr. Speaker, I rise today to share one of my constituent's thoughts on democracy. John Frederick Schomberg from Urbana, IL, wrote a winning essay for the Veterans of Foreign Wars of the United States and its Ladies Auxiliary's Voice of Democracy contest.

The recent war in the Middle East has reminded all Americans of their precious right to a democratic society. John's essay reinforces the thought that democracy is a treasure we must work to keep. I ask that his essay be included in the RECORD.

DEMOCRACY—THE VANGUARD OF FREEDOM

(By John Schomberg Illinois winner)

My father and I walked among the pale white tombstones that stood at attention in their respective rows. The markers looked cold to the touch and seemed to stretch on forever along the freshly mown lawn. At the time, I only came up to my father's hip and had to crane my neck in an effort to make eye contact. "Why did they all die, Dad?" My father took a deep breath, searching for simple words to answer this complicated question. He began by using words like liberty, freedom, and democracy. After he had finished his reply, he looked down at my blank stare and was forced to look for an answer that would hit closer to home.

Stroking his beard, he continued. "They died so your grandfather could farm his own land. They died so when you grow older you'll have a part in choosing the next President. They died so you and I can say what we believe in without any punishment." "Why is that so important? We've always been able to do those things." "I know, son, but they died to guarantee that you always will." As a child, I didn't quite understand how I could be better off than anyone else in the world. I was only allowed to have one dessert, had restricted television privileges, and had to be in bed by 8 o'clock. I thought I had it pretty rough.

I still think as that child I remember the images from history books and television: the East Berliner hurling herself through a barbed wire fence in the midst of gunfire; the television cameras zooming in on the latest defector from the Eastern Bloc; and the student protesters in Biejing running from the gunfire of their own armies. In these three cases, people chanced imprisonment, separation from their families, and the loss of their lives so they might enjoy the freedoms that I'd taken for granted all my life.

In attempting to gain an appreciation for the value of freedom, I looked at not only the history and governments of other countries, but also the past of our own United States. In the American Revolution, in addition to desiring separation and freedom from Great Britain, we wanted a government "by the people, for the people." We created a democracy.

Democracy is a freedom and a right outlined in the Constitution and first acted upon through the drafting of the Bill of Rights. The Bill of Rights created freedom of speech, religion, and due process: rights that are still a vital part of American society today.

So how is democracy a vanguard of freedom? Flipping through my dad's old and well-worn Random House Dictionary, I read the second definition of vanguard: the forefront of any movement or activity. Translating this into my own words, I found vanguard to mean a leader by example.

The United States has been a leader by example in its establishment and preservation of freedoms. In the past few years, the United States' example has played a big part in bringing down the Berlin Wall. Democracies around the world have provided an example for the Eastern Bloc countries to emulate as they begin to realize what Winston Churchill said years ago, "Democracy is the worst form of government, except all the others that have been tried." As other countries realize the benefits of giving power to the people, those images from history of the East Berliner, the defector, and the Beijing students can become images of the past instead of problems of the present.

It's incredible that a single example of democracy can bring change to the rest of the world, but it has. Democracy helped change the lives of our forefathers and it's helping change the lives of the oppressed around the world, but what does it do for us today? In a word: everything. Let's not fail to realize that every action we take is in some way a product of our freedoms that have been created by democracy, whether it be going to the church of our choice, voting for the county clerk, or expressing what we believe through a VFW essay.

Franklin Delano Roosevelt once said, "Those who have long enjoyed such privileges as we enjoy forget in time that men have died to win them." I guess that's what my Dad meant in the cemetery. I never realized that someone could stop my grandfather from farming, I'd always taken it for granted that I would get to vote when I got older, and it seemed absurd that I could ever be persecuted for what I believe in. Our forefathers remembered those privileges . . . the oppressed pray for them . . . soldiers fight for them. Thinking back to those long rows of pale white tombstones, I now see a different face and story behind each one of them. If those soldiers could die for those privileges, at least we could learn to appreciate them.

MARTIN LEVITIN AND B'NAI B'RITH SERVING OUR YOUTH

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, one of the most important tasks facing any society is bringing up its young people with the values and skills that will enable them to take up the reins of leadership. This is a task that has been embraced in Westchester County by the Tom Paine-New Rochelle Unit of B'nai B'rith and by Martin A. Levitin, the recipient of the Unit's Person-of-the-Year Youth Services Award.

Through its youth organization, B'nai B'rith provides young people of the Jewish faith with an opportunity to seek learning and fellowship in an environment that helps them to better appreciate and understand the importance of their Jewish heritage. This is truly a worthwhile goal, and the Tom Paine-New Rochelle Unit of B'nai B'rith, in conjunction with Beth El Syna-

gogue Center, does an admirable job of fulfilling it.

Marty Levitin's contributions to Beth El and the B'nai B'rith are myriad. He has held every vice president's post and chairmanship involved with the Tom Paine Unit, and was its co-president for two terms. His B'nai B'rith service extends beyond New Rochelle as well. He is active on the Westchester-Putnam Council and serves on the Board of Governors of the district which covers all of New York State and New England. In addition, Marty serves on Beth El Synagogue's Board of Trustees and is active in support of the important work of the Anti-Defamation League and the Westchester Israel Bonds Campaign.

But the contributions of this outstanding individual are not limited to community leadership. He is also a successful attorney and dedicated family man. Marty is a partner in the Manhattan law firm of Bryan, Levitin, Franzino & Rosenberg. His wife, Elaine, is a teacher of learning disabled children, who in that capacity has made a remarkable difference in their lives. Together they have raised four children: Two lawyers, a doctor, and a chiropractor. Marty and Elaine are now enjoying their first grandchild.

B'nai B'rith will present Martin Levitin with its Youth Service Award this weekend. I am certain that my colleagues agree with me that he is a most deserving recipient. He serves the youth of his community not only by helping to provide them with the excellent programs B'nai B'rith organizes, but also by being an outstanding role model.

THE 50TH ANNIVERSARY OF THE PENNSYLVANIA CIVIL SERVICE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to the Pennsylvania Civil Service Commission on its 50th anniversary.

The commission was established in 1941 by the Civil Service Act of Pennsylvania, which created a merit system, whereby persons are appointed or promoted to positions on the basis of merit and fitness. The merit system has contributed to the efficiency and economy of government administration in the Commonwealth of Pennsylvania by being responsive to the needs of the Commonwealth and its residents.

The merit system has resulted in the Commonwealth's ability to attract qualified and competent people to State and local government, and has developed guidelines for the selection, development, advancement, and retention of career employees in accordance with established merit principles.

Currently, there are 60,000 civil servants in the merit system working in 36 State agencies, and another 7,000 in local government working in one of 298 local government agencies.

Mr. Speaker, I ask that all my colleagues join me in honoring 50 years of proof that the merit system works. To all the fine men and women who have worked hard and been part of the Pennsylvania State Civil Service Commission and the merit system, I say congratulations and good luck in the next 50 years.

TRIBUTE TO STACIA MEDINA

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Stacia Medina, of Warren, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Warren Senior High School in Warren, RI.

This award is presented to the student chosen by Warren High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Stacia Medina has more than fulfilled this criteria. She is graduating first in her class with a grade point average of 96.43. She also participated all 4 years on the soccer, basketball, and softball teams. She was named team captain on both the soccer and softball teams. In addition Stacia's classmates elected her the homecoming queen.

I commend Stacia Medina for her outstanding achievements and wish her all the best in her future endeavors.

CONGRESSMAN KILDEE HONORS MR. C. FREDERICK ROBINSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Mr. C. Frederick Robinson, a man who will be honored at a banquet on May 9, 1991, for his devotion and dedication to the cause of equal justice for all in my hometown of Flint, MI.

Mr. C. Frederick Robinson has been a practicing attorney in my hometown of Flint since 1956. He is a member of the Christ Fellowship Baptist Church, the National and Michigan Bar Associations, Omen Temple No. 72, the American Civil Liberties Union and is a life member of the National Association for the Advancement of Colored People. Membership in these outstanding organizations clearly indicates that Mr. Robinson is a man whose life embodies a commitment to civil rights, liberty, and the rule of law.

As a leader of the civil rights movement in Flint, C. Frederick Robinson brought a greater measure of justice to our community. Because of his hard work, Flint became the very first city in the Nation to enact an open housing ordinance by referendum. He helped spearhead the election of the first African-American to the Flint Board of Education; assisted in the election of the first African-American municipal judge in Flint; advocated for the hiring of minorities in the banking industry and skilled trades; and drafted the ordinance which created the city of Flint's outstanding Human Relations Commission. Finally, Mr. Robinson initiated a lawsuit to end the illegal practice of barring African-Americans from burial in the all-white Flint cemeteries.

One of my most vivid memories in the fight for civil rights in Flint was the effort to integrate housing in our community. C. Frederick Robinson was a leader in that cause and I can recall the times when Mr. Robinson and I volunteered to do some "bigot sitting" at the home of Jerry Beatty, an African-American who moved into an all-white neighborhood near Flint. Much has changed for the better because of Mr. Robinson. Much more needs to be done. Justice has a friend in Fred Robinson.

Mr. Speaker, Flint is a better community because of C. Frederick Robinson. We are the beneficiaries of his power to envision, his decison to challenge, his goal to change. Fred Robinson is a model citizen for all to emulate and I urge my colleagues in the U.S. House of Representatives to join me in honoring him for all he has done to promote justice and liberty.

BUDGET TALK MAKES SENSE

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. REED. Mr. Speaker, our colleague, BARNEY FRANK of Massachusetts, was honored this week by the Pawtucket, RI Evening Times. The Evening Times commended FRANK for his plan to cut excessive defense spending. I'm sure many of our colleagues here in the House read Mr. FRANK'S op-ed in yesterday's New York Times in which he explained his reasoning, a piece titled "So Call it a Victory Dividend."

Mr. FRANK, a member of the House Budget Committee, has been working for years to bring these ideas to the attention of the Congress and the people.

His op-ed in the New York Times lays out a strong argument for reducing defense spending by one-third in order to make the investment in people and capital that our country so critically needs.

He makes the point that the commonly used term "peace dividend" should be replaced by "victory dividend," to make it clear that we can shift this funding because we can win without it. We shouldn't have to wait until the world has no more "bad guys" before we reconsider our spending priorities.

Our national economy is in trouble. We can't afford to continue spending billions of dollars on high tech toys when children are hungry and uneducated. To quote Mr. FRANK, "the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus spending large sums to subsidize Japan and Europe should be an easy one."

I urge all of my colleagues to read these pieces, which follow here, and take Mr. FRANK'S advice to heart:

[From the Pawtucket, RI Evening Times, Apr. 30, 1991]

REPRESENTATIVE FRANK'S BUDGET TALK MAKES SENSE

Schools across the country are either closing or struggling to offer students the basics. State governments are periodically suspending all but essential services. Thousands of people are filing for unemployment benefits. Others are wondering if they will ever receive those or other benefits. The state of the Union stinks, and so does the fact that more politicians are not on the same wave length as U.S. Rep. Barney Frank when it comes to the federal budget.

During a recent taping of the Attleboro-based Inland Cable's "Inside Look," the Massachusetts Democrat said the country could take billions of dollars from the Defense Department, invest it in domestic problems and "still remain the strongest nation in the world by far."

According to Frank, the United States demonstrated its military dominance during the Persian Gulf War, and such dominance can be maintained with conventional weapons. We agree with the representatives and wish the powers that be would eliminate appropriations for costly weapons and defense systems. Two examples cited by Frank are the Stealth bomber, which played no role in the war against Iraq, and the Strategic Defense Initiative (SDI).

We are not calling for an end to defense spending. That would be foolish. But we do argue that appropriating billions of dollars on items such as the Stealth and Star Wars is foolish when states and muncipalities are struggling to deliver decent services. It is no secret improvements are needed in our education system, and the recently released FBI statistics on crime demonstrate the country must attack the myriad of problems that lead people to break the law.

Granted, cutbacks are being made on defense spending, but even more money could be slashed to help reduce the federal deficit and fund research to find cures for the country's ailing economy. And if defense spending is to be cut, more than lip service has to be paid to the idea of retooling industries dependent on Defense Department contracts.

And of course, there are those pork-barrel appropriations and infamous research projects into pressing issues we all stay awake at night and wonder about. We are sure more than a few hours of sleep have been lost because people want to know the negative environmental effects of cows passing gas.

The boys and girls in Washington have to realize the Cold War is over, and that the time has passed for them to stop wasteful government spending. If they don't, the country will remain on the brink of self-destruction.

[From the New York Times, May 1, 1991]

SO CALL IT A "VICTORY DIVIDEND"

(By Barney Frank)

WASHINGTON.—What's in a name?

Sometimes, hundreds of billions of dollars.

In 1989, with the Russian empire crumbling, some of us in Washington argued that the time had come to begin a shift of America's resources from the worldwide military competition, which we are winning decisively, to the global civilian area where we are lagging. It make no sense, we said, to spend two to six times as much of our gross national product on the military as do our wealthy allies while they outsell America. It is poor policy, we argued, to spend more than $100 billion a year defending Western Europe from the defunct Warsaw Pact while our deficit expands and our infrastructure decays.

Our mistake was calling this a "peace dividend." The phrase suggested that its advocates were naive about the world, apologetic about America's role in it, or both.

Consequently, when repression persisted in Russia, and America went to war in the gulf, the peace dividend was pronounced dead. Had the case for it depended on Mikhail Gorbachev becoming head of Amnesty International and Saddam Hussein being as reasonable as the Bush Administration thought he was before Aug. 2, it would deserve its demise.

But it didn't. And doesn't. Given the drastic weakening of the Communist military, the great increase in industrial strength of our allies and America's proven military superiority over any likely adversary, a military budget that is less than two-thirds of our current expenditure would more than suffice to keep us the strongest power in the world.

What taxpayers are entitled to after 45 years of carrying a grossly disproportionate share of the non-Communist world's military burden is a "victory dividend." It is a dividend, because it is more than $100 billion a year that we can use for health care, deficit reduction, education or any other purpose. It is a victory dividend because it has been made possible by our success in the cold war and the increased self-defense capacity of our allies.

It is not a call to disarm. We should retain the ability to deter nuclear war, to deploy air, sea and land power rapidly around the globe when our vital interests are at stake, and to reassure weak nations threatened by belligerent neighbors. The consensus to keep such a force is overwhelming in Congress and the country.

In fact, the weapons used by the U.S. in the gulf were not the controversial ones of the 80's. The MX and Midgetman missiles, the B-1 and B-2 bombers, anti-satellite weapons, and Strategic Defense Initiative were irrelevant to victory in Iraq and will be to future conflicts of this sort. (The effort to claim the Patriot for the S.D.I. program is one of the great acts of intellectual piracy of our time.)

We demonstrably do not need a huge land force in Europe and a $5 billion a year subsidy for Japan in the form of American forces stationed there. Nor do we need to add tens of billions of dollars to a nuclear deterrent already more than sufficient to its task.

The victory dividend can also be used for foreign policy objectives not achievable through military strength. If we took a small part of the money we spend on NATO and applied it to debt reduction in Latin America, we would be better off morally and from the standpoint of national security.

There will be debate over how much of our victory dividend should be used to reduce the deficit, how much should go to meet social needs, and how much should be spent to avoid war. But properly understood—as a recognition of West's great success, rather than as a declaration that the world is now safe for pacifism—the case for a phased-in reduction of military spending should not be controversial.

In fact, the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus sending large sums to subsidize Japan and Europe should be an easy one.

MIKE WALSH: A NEW VOICE FOR AAR

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MANTON. Mr. Speaker, I would like to call to the attention of my colleagues an article which appeared in the Washington Post recently on Union Pacific Railroad chairman Michael A. Walsh. In addition to his chores as head of the Union Pacific Railroad, Mike Walsh currently performs double duty as chairman of the American Association of Railroads. I am a member of the Energy and Commerce Subcommittee on Transportation and Hazardous Materials, which has jurisdiction over our Nation's railroads. In that capacity, I have been fortunate to get to know and work with Mike on a number of occasions. Mike clearly has proven to be an aggressive spokesman for the interests of his industry. Furthermore Mike, who has not spent much time previously on Capitol Hill, has shown himself to be a quick study and a good student of the legislative process in Washington.

Mr. Speaker Mike's management style and his political skill has caught the attention of many of us on Capitol Hill. The Washington Post's recent story is simply confirmation that Mike Walsh is a force to be reckoned with whenever matters involving the railroad industry are considered. Even Mike's adversaries will agree that he is indeed a worthy opponent. As long as Mike Walsh is at the helm as head of the American Association of Railroads no one will say this is a staid or passive industry.

Mr. Speaker, I commend this article to my colleagues and I ask that it be reprinted in the RECORD at this point:

[From the Washington Post, April 26, 1991]

RAIL INDUSTRY'S NEW SPOKESMAN SEEKS TO BE AN ENGINE OF CHANGE—A KEY FIGURE IN STRIKE, WALSH IS VIEWED WITH ADMIRATION AND WARINESS

(By Don Phillips)

When trains were halted nationwide by a strike last week, the key player from the railroad industry was a newcomer to Washington. But Union Pacific Railroad Chairman Michael H. Walsh appears to be a name and a face that congressional and administration circles will get to know.

By most accounts, Walsh is an unlikely railroad man. He is a Democrat hired by a Republican, heading a company known for being the first transcontinental railroad, a company with Washington connections when it was run by the late ambassador W. Averell Harriman and his father E.H. Harriman.

Walsh, a graduate of Stanford University and Yale Law School, was recruited by Drew Lewis, chairman of the railroad's parent, the Union Pacific Corp., and a transportation secretary in the Reagan administration.

Walsh acknowledges he hardly knew a thing about the business when Lewis approached him in 1986, just six years after his first venture into the business world at the Cummins Engine Co. But this year he was named "Railroader of the Year" by Modern Railroads Magazine, based on five years of continuous revenue growth and a dedication to quality that has shown up in reduced costs from derailments and employee claims.

Walsh has shaken his railroad to its foundations, challenging old ways on a railroad that was already highly successful.

Now Walsh, with Lewis's backing, has essentially seized control of the Association of American Railroads (AAR). With the AAR goes the industry's political and public policy apparatus, which Walsh considered moribund and unfocused.

"I was appalled when I first went on the AAR board because nothing happened," Walsh said. The chairmen or presidents of the major railroads, who comprise the AAR board, often showed up for meetings ill-prepared, he said, defending their narrow interests and failing to articulate a national railroad political and public strategy.

"We were basically pretty reactive," he said. "The result frequently was the lowest common denominator."

The AAR has a large staff of lobbyists, economists, researchers and technicians in Washington and at the railroad research center in Pueblo, Colo.

Walsh said his Washington odyssey began when his frustrations came blurting out at an AAR board meeting in Montreal last July 27, where he said he called himself "downright irresponsible" for not doing more and said the board "ought to fish or cut bait."

"I think that struck a real responsive chord," Walsh said. There was already trouble in the industry, with a possible strike on the horizon. Dissatisfaction ran so deep with labor strategy that one of the big seven lines, Burlington Northern, later publicly threatened to withdraw from national negotiations and cut its own deal with the unions.

The Montreal meeting led to a dinner of top brass at Washington's Metropolitan Club on Oct. 2 and a get-together at Norfolk Southern Railway's North Carolina resort, the Forest, on Dec. 3, where a new strategy unfolded to remake the AAR and to set new labor strategy.

The board members, many of them old-line railroads, decided to put the rookie in charge. They appointed Walsh chairman of the AAR, pushing long-time chairman William Dempsy into a new No. 2 spot, and made Walsh spokesman for the industry.

Where to go from here is the question. "My view of the AAR and the industry's future is that we've played defensive too long, but that needn't be so," he said.

Walsh, 49, a daily jogger and a football player in college, exudes energy. He is a former White House fellow, a former assistant dean at Stanford University, a former U.S. attorney for the southern district of California, an original board member of the citizen lobby Common Cause, and former executive vice president at Cummins Engine.

He is not without his critics, who dislike his hard-charging ways, although none would speak on the record.

"He's the sort of person who if he got in your car and the radio was on, he'd turn it off, or if it was off, he'd turn it on," said one railroad official. "He's got to immediately assert himself as the one in control."

A railroad union leader called Walsh and Lewis a dangerous pair for organized labor. "Drew Lewis has too much influence with the White House," he said. "Mike Walsh is an extension of that."

Another union official, who said Walsh "has demonstrated a tremendous amount of ability," said he believed that Lewis is the real power and Walsh just a front man.

Walsh, however, has many defenders and supporters, some of whom would like to push him for political office or a Cabinet post.

"He should be a player on the national stage," said Sen. Timothy E. Wirth (D-Colo.), who said they met when Walsh was at Stanford and Wirth held a similar post at Harvard. "We've just been pals ever since."

"He's one of the three or four most extraordinary and energetic leaders I've met in my lifetime," said Rep. Peter Hoagland (D-Neb.), who said he has known Walsh since 1962. "He clearly has the instincts of a mainline Democrat. He views government as something that should actively improve people's lives."

"I must say, he's a grower," said John Gardner, founder of Common Cause and an early Walsh mentor. "He continues to grow, and I think quite remarkably in this last job."

But Gardner said Walsh "never struck me as a politician. He's a guy who has a sense of what goal he's going after, and he goes after it with a lot of energy, a lot of drive, a lot of purposefulness, not always with the patience and the detour behavior of the politician."

His work on Capitol Hill during the railroad strike won a good review from Rep. Al Swift (D-Wash.), chairman of the subcommittee that wrote the strike-ending legislation. "He's a pro at that kind of thing," Swift said.

However, one of Walsh's chief Washington opponents, Thomas J. Donohue of the American Trucking Associations Inc., said while his presence and the more active role of other railroad officials may be good for the AAR in the short run, "in the long run, it may be more difficult.

"It's very hard to be a CEO in an association of competitors . . . particularly when your experience and training is in the management of public, for-profit companies. I think Mike will find it very interesting."

UNIFORMED SERVICES FORMER SPOUSES PROTECTION ACT FAIRNESS AMENDMENTS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DORNAN of California. Mr. Speaker, today I introduced the Uniformed Services Former Spouses Protection Act Fairness Amendments which will correct several of the inequities of the 1982 Uniformed Services Former Spouse Protection Act, Public Law 97–252.

This legislation is similar to legislation I introduced in the last Congress: H.R. 572, H.R. 2277, and H.R. 2300. After the April 4, 1990 hearings held by the HASC Subcommittee on Personnel and Compensation, I took the opportunity to re-examine all the relevant issues. The result is the improved legislation that I introduced today.

Mr. Speaker, I have prepared a section-by-section analysis of my legislation which I would like to share with my colleagues. I urge that all Members read this important legislation and support my efforts to restore equality and fairness to our military retirees, their former spouses, and their second families.

UNIFORMED SERVICES FORMER SPOUSES PROTECTION ACT FAIRNESS AMENDMENTS OF 1991

SECTION 1

Purpose: Identifies the legislation as the "Uniformed Services Former Spouses Protection Act Fairness Amendments of 1991."

SECTION 2

Purpose: (1) Terminates payments of retired pay upon remarriage of former spouses. (2) Current payments to remarried former spouses would end 180 days from enactment. (3) Defines "remarriage."

Problem: Since its enactment in 1982, the Uniformed Services Former Spouses Protection Act (FSPA) has contained no provision terminating payments of retired pay to former spouses despite the remarriage of those former spouses. This is unfair to retired military members for the following reasons:

1) It discriminates against retired military members in that it is inconsistent with the treatment of former spouses under other federal government retirement and survivor benefit systems:

A. Retirement Annuities

Foreign Service—Under both the Foreign Service Retirement and Disability System (FSRDS), covering employees who began service before January 1, 1984, and the Foreign Service Pension System (FSPS), covering employees who began service after January 1, 1984, payments of retirement annuities to former spouses and upon remarriage of the former spouse before age 55. FSRDS, 22 U.S.C. 4068; FSPS, 22 U.S.C. §4071j(b)(3).

Central Intelligence Agency—Annuities payable to former spouses are terminated upon remarriage of the former spouse before age 60. 50 U.S.C. §403 note, Section 222(a)(2), Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

B. Survivor Benefits

Military—Under the Survivor Benefit Plan (SBP) applicable to all military members, annuities to widows, widowers or former spouses terminate if the recipient remarries before age 55. Payments may resume if the remarriage ends by death, divorce or annulment. However, if the recipient is also entitled to an annuity under the terminated remarriage, he or she must elect which one to receive. 10 U.S.C. 1450(b).

Civil Service.—Under both the Civil Service Retirement System (CSRS), covering employees who began service before January 1, 1984, and the Federal Employees' Retirement System (FERS), covering federal employees who began service after January 1, 1984, survivor benefits to former spouses are terminated upon remarriage before age 55. CSRS, 5 U.S.C. §8341(h)(3)(B); FERS, 5 U.S.C. §8445(c)(2).

Social Security—Under the Social Security system, benefits for former spouses terminate upon remarriage of the former spouse. 42 U.S.C. §402 (b)(1)(H) and (c)(1)(H).

Foreign Service—For the foreign service, remarriage prior to age 55 terminates survivor benefits. FSRDS, 22 U.S.C. §4054(b)(3), 4068; FSPS, §4071j(b)(1), 4071(a).

Central Intelligence Agency—For the CIA, survivor annuities also end if the former spouse remarries before age 55. 50 U.S.C. §403 note, Section 224, Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

2) Continuation of payments beyond remarriage of former spouses overrides any aspect of financial need. Usually, remarried former spouses attain financial security by virtue of (i) the income of their new mar-

riage partner or (ii) the combination of their own income and that of the new marriage partner. By contrast, a large majority of retired military members whose pay has been divided need to support second families. The inequitable result is that a remarried retired member, most often in great need of his or her retired pay, must continue making payments to a remarried former spouse, who generally no longer needs those payments for financial security.

3) As currently written, FSPA is inconsistent with customary notions of spousal support in U.S. domestic relations law. An obligation to pay alimony as support for a former spouse generally ceases upon remarriage of the former spouse. This has been standard legal doctrine since the founding of this country, based on the rationale that in a remarriage there is a transfer of spousal support responsibility to the new spouse.

4) Currently under FSPA, a former spouse can acquire more than one payment of retired pay by divorcing after a remarriage and remarrying again. Not only is this unfair to the retired member(s) whose pay is being divided on behalf of the former spouse, but it is a situation that encourages divorce.

Example #1: After 24 years of marriage, the wife of an Army colonel deserted her husband and three children to marry another Army officer. The colonel and that officer have subsequently retired. As part of a divorce proceeding, the former spouse was awarded 40 percent of her former husband's retired pay. The former spouse and her current husband—both civil service employees—have good incomes, plus the current husband's retired pay. Yet, the retired colonel is obligated to pay 40 percent of his retired pay to the former spouse for the remainder of his or her life.

Example #2: An Air Force officer and foreign service officer are both divorced at age 48 and retire at age 53. Pursuant to divorce settlements, each must pay his former spouse one third of the pay received in retirement. The foreign officer's former spouse remarries at age 54, relieving the retired foreign service office of the obligation to continue payments. The former spouse of the military member also remarries at age 54 but the member must continue payments regardless of the former spouse's or member's financial conditions.

SECTION 3

Purpose: (1) Restricts awards under FSPA to an amount or percentage of the member's retired pay based on pay grade/length of service at time of divorce, not retirement. (2) Ensures former spouses would receive increases based on cumulative percentage increases in retired pay between the divorce and member's retirement. (3) Current payments would be adjusted starting 180 days from enactment.

Problem: Under FSPA, former spouses are entitled to a percentage or dollar amount of a member's retired pay calculated *at the time of retirement*. This is true even though the divorce may have taken place long before the member's retirement, when the member was at a lower pay grade. Thus, former spouses often receive "windfall benefits," that is, a share in the additional monies earned by the military member based on continued promotions and additional lengths of service beyond the divorce. This is so despite the fact that the former spouse contributed nothing to the member's career after the divorce.

Example #1≦ A female Air Force officer and her husband were divorced in 1981 when the officer was a major with a base pay of $1,810 per month. The officer retired as a colonel in 1991 with a base pay of $5,260 per month. One week after the officer's retirement, a New Mexico court ordered her to pay 45 percent of her retired pay to her former spouse. The amount that must be paid is 45 percent of the retired pay of a colonel with 28 years of service, despite the fact that the former spouse had nothing to do with the officer's career after 1981.

Example #2≦ A Navy lieutenant commander and his spouse were divorced in 1975. A California court reserved jurisdiction to divide the officer's retired pay as community property. In 1991 he retired as a rear admiral. The retired pay of a lieutenant commander is $2,243 per month. The retired pay of a rear admiral with 30 years of service is $4,490 per month. Upon the officer's retirement, the former spouse went back to the California courts and received a court order giving her one-third of $4,490 per month rather than one-third of $2,243. This was allowable under FSPA despite the fact that she contributed nothing toward the $2,247 per month increase in retired pay earned by the officer in the final 16 years of his career.

SECTION 4

Purpose: Would reduce from two years to one year the period during which payments must continue pursuant to prior retroactive reopenings of divorces.

Problem: In 1990, the 101st Congress amended FSPA to prohibit certain retroactive reopenings of divorces finalized prior to June 25, 1981. The conference report stated that Congress never intended FSPA to apply retroactively. However, the amendment stipulated that payments currently being made pursuant to such retroactively reopened divorces must continue for two years from the date of enactment, i.e., until November 5, 1992. It is patently unfair to require two more years of payments that never should have been required at all. Military members now making FSPA payments were never accorded a similar grace period.

Example: In 1966, a California court found the wife of a Navy officer to be "unfit" and awarded him custody of the couple's five children. The officer subsequently retired as a commander. Following enactment of FSPA, the former spouse sought and eventually was awarded a share of the officer's retired pay, *retroactive to 1966* (approximately $80,000) plus prospective monthly payments. Although Congress has said it never intended for FSPA to apply retroactively, the retired officer must continue payments to his former spouse until November 1992. *Casas* v. *Thompson*, 42 Cal. 3d 131, 720 P.2d 921, cert. denied 479 U.S. 1012 (1986).

SECTION 5

Purpose: (1) Establishes a statute of limitations giving former spouses two years from the date of a final divorce to seek a division of retired pay under FSPA. (2) Requires that in actions to divide retired pay not previously divided in a final divorce decree, jurisdiction of the court must be established independently of the jurisdiction of the court at the time of the original divorce proceeding.

Problem #1: Under the current law, there is no limitation on the time during which former spouses may seek division of a member's retired pay. Therefore, divorced military members who may be subject to FSPA claims must live under a shadow of uncertainty about their retired pay during the lifetime of their former spouse. Not only is this unfair to retired members, but it is inconsistent with common legal practice. Almost every action of law, civil or criminal, has a statutory time beyond which the action may not be brought. Moreover, a statute of limitations is provided under other federal government retirement systems:

1) Foreign Service—To be recognized as valid under the Foreign Service Retirement and Disability System (FSRDS), a court order directing payment of an annuity to a former spouse must be issued within 24 months of the date of the final divorce. 22 U.S.C. §4054(a)(4).

2) Central Intelligence Agency—Court orders giving payments from a retirement annuity to former spouses must be issued within 12 months after the divorce becomes final. 50 U.S.C. §403 note, section 222(a)(7), Central Intelligence Agency Retirement Act of 164 for Certain Employees.

Problem #2: Under FSPA, courts may not divide a member's retired pay unless the court has jurisdiction over the member by virtue of (i) the member's residence, other than because of military assignment, in the court's territorial jurisdiction, (ii) the member's domicile within the court's jurisdiction, or (iii) the member's consent to the court's jurisdiction. However, it is not clear from the statute whether these jurisdictional requirements apply only in original divorce actions or, where retired pay was not considered in the original divorce and a later partition action is brought, whether jurisdiction must be independently established for the partition action. State courts have been inconsistent in their interpretation. In many states, courts have retained jurisdiction over subseqent partition actions solely on the basis of their jurisdiction in the original proceeding, despite the absence of any express reservation of jurisdiction.

Example #1: An Army enlisted member and his spouse were divorced in 1982 in an Arizona court. The member, who has never lived or resided in Arizona, was overseas at the time. He did not contest the proceeding and accepted service of the divorce decree. No mention was made of his retired pay. In 1989, the former spouse initiated an action in Arizona to divide the anticipated retired pay of the member, who was still on active duty.

Counsel for the military member made a special appearance in Arizona courts and argued that the court lacked jurisdiction to divide his retired pay. However, the Arizona court granted the former spouse half of the member's retired pay upon his retirement. The court's rationale was that by accepting service the member consented to the court's jurisdiction in the original divorce action, and that jurisdiction continued at the time of the partition.

Counsel for the member petitioned the Department of the Army not to recognize the court order based on improper jurisdiction, under FSPA. The petition was denied by the chief of the legal office, Defense Finance and Accounting Service (Indianapolis Center), who wrote: "It has long been our policy that when a court obtains jurisdiction over a party in a divorce or separation proceeding that jurisdiction continues for any ancillary proceeding to distribute community property since the latter action is within the scope of the jurisdiction originally conferred."

Thus, the military member was impacted by a law (FSPA) not yet in effect when he was divorced—and which might well have influenced his appraisal of the jurisdictional issues at the time of his divorce.

Example #2: An opposite view has been taken in California. An Air Force officer and his wife were divorced in 1971 in California, with no mention made of the officer's retired

benefits. In 1983 the former spouse filed an action to partition the omitted asset. The retired member, then residing in Maryland, made a special appearance in California to contest the jurisdiction of the California court in the partition proceeding. The former spouse argued that the court's jurisdiction continued unabated from the 1971 divorce proceeding.

The court ruled that the former spouse's action for division of community property is a "separate and independent action" for which jurisdiction must be newly acquired. Citing the jurisdictional requirements of FSPA, the court further held that since the retired member neither consented to California's jurisdiction nor resided in the state, jurisdiction was lacking. *Tarvin v. Tarvin*, 187 Cal. App.3d 56 (1986).

SECTION 6

Purpose: Make more specific the current prohibition on division of veterans' disability compensation.

Problem: Since its enactment, FSPA has excluded veterans' disability compensation from the definition of "disposable retired pay" subject to division as property. This position has been upheld by the U.S. Supreme Court, which held that FSPA does not give state courts the power to treat, as property divisible upon divorce, military retired pay that has been waived to receive veterans disability benefits. *Mansell v. Mansell*, 109 S. Ct. 2023 (May 30, 1989). However, numerous state courts have ignored both FSPA and the Supreme Court on this issue and continue to issue orders dividing disability pay.

Example #1: In the *Mansell* case, Air Force Major Gerald Mansell in 1983 sought modification of a property settlement agreement in which he had agreed (at the time of the divorce in 1979) to pay his former spouse half of his disability benefits in addition to half of his retired pay. After losing in the California courts, Maj. Mansell appealed to the U.S. Supreme Court and won. The matter was remanded to the California courts for further proceedings consistent with the U.S. Supreme Court decision. However, on jurisdictional grounds, the California Court of Appeal reinstated the community property division of the disability pay. The California Supreme Court denied review. Counsel for Maj. Mansell has had to petition the U.S. Supreme Court for a writ of mandamus or for direct entry of judgment.

Example #2: In 1987 in New Mexico—10 years after a couple were divorced—the former spouse sought to divide the retired member's previously undivided military retired pay, including disability pay. A trial court granted, and appeals court affirmed, the division of disability pay. Following the *Mansell* decision, the member sought to modify the trial court's decision. Both at the trial level and on subsequent appeal, the New Mexico courts refused to give retroactive application to *Mansell* despite the fact that the FSPA prohibition on including disability pay as part of divisible retired pay had been in effect four years before the former spouse commenced her action to divide the member's retired pay. *Toupal v. Toupal*, 109 NM 774, 790 P.2d 1055 (1990).

SECTION 7

Purpose: (1) Prohibits courts from ordering any payments under FSPA from active duty pay. (2) Prohibits courts from ordering any pre-retirement payments equivalent to amounts a member could be required to pay under FSPA had the member retired and began receiving retired pay. (3) Prohibits courts from ordering retired members recalled to active duty to make payments resulting from a FSPA division while on active duty.

Problem #1: Courts in some states have ordered active duty members to begin paying former spouses amounts equivalent to the former spouse's share of the member's anticipated retired pay. Such courts have reasoned that if military retired pay is divisible property, it is possible to calculate a current value of the former spouse's portion. As a result of such decisions, many members have decided to retire early or leave the service before qualifying for retirement.

Example: A Navy captain and physician—a department head at a major Navy hospital—had 23 years of service when a California court ordered him to pay part of his active duty pay to his former spouse as "current value" retirement benefits. He had been planning to spend 30 years in the Navy. But under the strain of the premature payments, he retired early, depriving the Navy of a highly skilled and trained asset.

Problem #2: Numerous retirees were recalled to active duty during Operation Desert Shield/Storm. In many cases, former spouses receiving FSPA payments petitioned for the continuation of payments out of active duty pay. The military finance center refused to do this. However, some members who have been making FSPA payments were forced to comply with court orders requiring them to continue paying the same amount from active duty pay. All FSPA payments should cease upon recall, since the member no longer is in receipt of retired pay. (FSPA payments begin again upon the member's departure from active duty.) The proposed amendment would prevent courts from ordering recalled members to make payments based on a FSPA award while in receipt of active duty pay.

MUNICIPAL CLERKS' WEEK

HON. JIM JONTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JONTZ. Mr. Speaker, I would like to have the following proclamation which the Cedar Lake Town Council recently passed to recognize the important contributions of our Nation's municipal clerks printed in the CONGRESSIONAL RECORD.

PROCLAMATION: MUNICIPAL CLERKS' WEEK: MAY 5 THROUGH MAY 11, 1991

Whereas, it is imperative to the democratic process that a well-informed citizenry participate in the operation of their local government; and

Whereas, the Office of Municipal Clerk provides the communication link between the citizen, the local government legislative body and administrative departments, and agencies of government at other levels; and

Whereas, the Municipal Clerks serve as the information center on the functions of their local government by making available the records of local government, distribution of published materials and reports, presentations before community and school groups, and answering questions on the government activities and programs; and

Whereas, the Municipal Clerks and their staff have upon their own initiative participated in education programs, seminars, workshops and the annual meetings of their state, province, and international professional organizations which not only improved the operation of their office but through their achievements and awards have brought favorable publicity to the communities that they serve.

Now, Therefore, I Robert H. Carnahan, President of the Cedar Lake Town Council, Cedar Lake, Indiana, do recognize the week of May 5 through May 11, 1991, as Municipal Clerks' Week, and further extend appreciation to our Municipal Clerk, Geraldine H. Kortokrax, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

TRIBUTE TO KENNETH GILBERT

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Kenneth Gilbert, of Central Falls, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Central Falls High School, in Central Falls, RI.

This award is presented to the student chosen by Central Falls High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Kenneth Gilbert has more than fulfilled this criteria. He is a member of the National Honor Society and shares top rank in his graduating class. He also has participated on the soccer team and in the school band. In addition, he was a leader in the school model legislature and received a second grant at the Rhode Island State Science Fair. He has also received the Hugh O'Brian Youth Leadership Award for school leadership and excellence in social studies.

I commend Kenneth Gilbert for his outstanding achievements and wish him all the best in his future endeavors.

INTRODUCTION OF A BILL TO PROVIDE FOR CLEAN UP OF HARZARDOUS MATERIALS AT MILITARY BASES SCHEDULED TO CLOSE

HON. GARY CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CONDIT. Mr. Speaker, I rise today to introduce legislation that addresses a very serious problem facing a community in my congressional district and other communities around the country. As you know, the Department of Defense recently announced a list of military bases proposed for closure as part of the military build down mandated under the Defense Base Closures and Realignments Act.

Castle Air Force Base, located in my congressional district, is among those bases proposed by the Defense Department to be closed. While I have some doubts about the criteria used to determine which bases should

be closed, the legislation that I am introducing today addresses a problem that will face the community of Atwater should the Defense Base Closure and Realignment Commission decide that Castle should indeed close.

Castle Air Force Base is on the national priorities list developed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. This so-called Superfund site has 36 identified hazardous waste sites. The contamination includes trichloroethylene (TCE), benzene, tetrachloroethylene (PCE), cis 1,2-Dichloroethylene, chloroform, 1,22-dichloroethane, vinyl chloride, carbon tetrachloride, and chloromethane. All of these substances are contaminating the soil and water in and around Castle Air Force Base.

Under the 1980 law, if Castle AFB is closed and the contamination not cleaned up, the existing buildings at Castle AFB could be rented or leased to businesses or industry. However, no new construction could take place and none of the land could be sold. Obviously, these restrictions would only add to the economic turmoil in the community. There is no doubt that the closing of a military base brings economic trouble to a community. However, I believe that it is our responsibility to ensure that these communities are given every opportunity to convert their economies and attract industry to maintain viability. In the case of Castle AFB the availability of the land and facilities for other purposes will be instrumental in the ability of the community to rebound from the impact of the base closure.

In addition to the economic problems facing the community there are some very serious health considerations that must be kept in mind. The water supply for the city of Atwater has already been contaminated by substances used on the base. In fact in 1987 the Air Force gave the city nearly $1 million to build a well for the city because the city's well had been contaminated. While the current water supply is still usable, the ground water supply is quickly being tainted and eventually this new well will also be contaminated. Clearly, this is a situation that must be addressed.

Mr. Speaker, this legislation will ensure that the Federal Government fulfills its responsibility to those communities that lose military bases and are left with contaminated unusable land. Specifically, the bill requires that 75 percent of the clean up activity be completed before the base closes or a substantial reduction in force and operations occurs. The bill then requires that the remaining 25 percent be completed within the following 2 years. Without this legislation these areas could become vast wastelands. My bill gives communities facing the loss of their economic base the opportunity to rebuild and revitalize by ensuring a timely clean up of hazardous waste. I urge my colleagues to join me in supporting this important legislation.

A copy of the legislation follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLEANUP SCHEDULE FOR CERTAIN BASES ON SUPERFUND NATIONAL PRIORITIES LIST.

(a) CLEANUP SCHEDULE FOR CERTAIN BASES ON NATIONAL PRIORITIES LIST.—With respect to each military installation described in subsection (b)—

(1) before the installation is closed or substantial reductions in its operations have occurred, at least 75 percent of the remedial action required on the installation pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) shall be completed; and

(2) not later than two years after the installation is closed or substantial reductions in its operations have occurred, all of the remedial action required on the installation pursuant to such Act shall be completed.

(b) APPLICABILITY.—This Act applies to each military installation—

(1) which is on the National Priorities List under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) which is to be closed pursuant to title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note), pursuant to the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), or otherwise by the Department of Defense.

(c) DEFINITIONS.—In this Act:

(1) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Secretary of a military department.

(2) The term "remedial action" has the meaning given that term by section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (41 U.S.C. 9601).

INTRODUCTION OF LEGISLATION SUSPENDING BAN ON PUBLIC ASSISTANCE FOR LEGALIZED ALIENS IN TIMES OF NATIONAL EMERGENCY

HON. CALVIN DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DOOLEY. Mr. Speaker, today I have introduced legislation that would make legalized aliens eligible to receive public assistance in times of federally declared national emergency.

The need for this legislation was made abundantly clear in my district in central California when a deep freeze struck in late December, wiping out citrus and other cold-sensitive crops and sending a devastating shiver through the farm-based economy of the region.

An excellent account of the effects of the freeze is a story that appeared in the New York Times on April 8, which I am entering into the RECORD.

Most of the 15,000 people put out of work by the freeze were farm workers, many of whom are legalized aliens through the Immigration Reform and Control Act of 1986 [IRCA].

In a span of 2 chilling weeks, many of these farm worker families lost their sole means of support. They suddenly were in desperate need of items like food—including infant formula—and required help in making rent and mortgage payments and paying utility bills.

The problem is, IRCA prohibits legalized aliens from receiving many forms of public assistance for a 5-year period.

So when President Bush declared on February 11 that an emergency existed in freeze-ravaged California counties, many of these families—in the United States legally through IRCA—were not eligible for available emergency help.

My bill would lift that ban in time of a federally declared emergency, such as exists now in California.

I understand and support the reasoning behind the 5-year ban required through IRCA. However, in times of emergency it's only right that people be allowed to receive help. My bill makes that help available only in cases of emergency declared by the President and only for the prescribed length of the emergency.

Another extremely frustrating component of the crop freeze is that immigration status is not a criterion for some publicly available assistance, but many families have stayed away from getting help for fear of reprisal.

Compounding this problem, the Immigration and Naturalization Service has been unwilling or unable to issue a clear directive on this issue.

This lack of a clear signal has had a chilling effect on many farm workers and their families in need who for all intents and purposes have stayed in hiding.

My bill sends that clear signal. It tells legal aliens in need that during times of disaster they can get public assistance with no strings attached.

There will be no reprisal. Their immigration status won't be jeopardized. Their families won't go hungry. They won't be turned out of their homes.

We in the United States have a moral obligation to assist people within our borders in times of crisis. Here is an opportunity to do that.

I urge my colleagues to join me in supporting this legislation.

[From the New York Times, Apr. 8, 1991]

IN FREEZE'S WAKE, DESPERATION FOR CITRUS WORKERS

(By Robert Reinhold)

EXETER, CALIF., April 5.—Since they were youngsters, Jose and Delia Ayon toiled under the California sun to pick and pack the fruits and vegetables that fill American supermarkets. Now they cannot get enough food for their seven children, and they face losing the small house they built with their own hands.

The Ayons and thousands of other farm workers in similar straits are part of a human calamity that is unfolding across the San Joaquin Valley in central California as a result of the freeze in December that destroyed the orange and lemon crops, and put thousands out of work.

Eviction notices, foreclosures, desperation, shame and hunger are sweeping through communities like this, overwhelming relief workers.

"I have never seen anything like this before," said Lali Moheno, a community services aide who has spent 22 years working with migrant farm workers. "This is the first time I've wanted to quit work. We are physically worn out. None of us have ever experienced such a disaster."

Unlike earthquakes, floods and other such disasters, the citrus freeze has inflicted its

devastation slowly. It is only now, as workers run out of savings and realize there will be little work for another year or more, that the enormity of the misfortune has begun to sink in.

Families, almost entirely Mexicans and Mexican-Americans, line up at a food bank here, one of 50 in Tulare County. They are so hungry that they can often be seen breaking open the weekly rations as they leave.

Leaders of FoodLink, the not-for-profit agency that supplies the banks, estimate they provide only one-third of the food that is needed, and they say infants are lacking adequate nourishment because their mothers use dried milk instead of formula, which is out of their financial reach.

Particularly poignant is the plight of the thousands of Mexican families who, under terms of the amnesty granted under immigration law, are barred from applying for public assistance, including welfare and food stamps, for five years. Faced with hungry children, many have risked applying anyway, or have returned to Mexico.

The crisis has produced a level of cooperation between employers and workers that people on both sides say is without parallel in California agriculture in the last half-century. Within days of the freeze, an Agricultural Workers Freeze Relief Task Force was formed; it now includes 80 people representing 52 organizations and businesses in Tulare County. Owners of closed packing houses have solicited food donations throughout the state, and trucking companies have provided trucks to distribute it.

Help from the Federal Government has been slow, but now appears to be forthcoming. At the request of Gov. Pete Wilson, President Bush has declared a state of emergency in 33 counties, and officials here say that on Monday or Tuesday the President is expected to sign an order authorizing emergency housing aid for up to a year from the Federal Emergency Management Agency.

Housing has become the most critical issue, as families are forced to double and triple up and landlords face foreclosures on loans.

Graphic reminders of the freeze that hit from Dec. 21 to 25 are everywhere. Millions of navel and Valencia oranges lie rotting in the groves throughout Tulare, Fresno and Kern Counties, the center of the citrus industry. The loss to the growers was $500 million, and packers and shippers lost $500 million, said Curtis D. Lynn, Tulare County director for the University of California Cooperative Extension in Visalia.

He estimates that the freeze killed 52 million cartons of navel oranges, 46 million cartons of valencia oranges and 5 million cartons of lemons. Mr. Lynn said there also was extensive damage to other crops, including avocados, olives, pistachios, sugar beets and winter vegetables.

More than 15,000 pickers and packers were laid off almost immediately, and the ripple effect has been ruinous for groceries, restaurants, clothing stores and countless other businesses in Exeter and nearby towns, including Lindsay, Tulare and Visalia, the county seat. Unemployment in Tulare County was 21.7 percent in February, compared to 12.3 percent a year ago.

That statistic includes Delia and Jose Ayon.

WATCHING GAINS DISAPPEAR

After years of deprivation, living in migrant camps and tiny, cramped apartments, the Ayons found a measure of dignity when they built their own house three years ago with help from a Government program for low-income people. Normally, this would be the busiest time of the year for Mr. Ayon, who used to earn about $300 a week plucking navel oranges from October until May, when the Valencias start.

But since Mr. Ayon was laid off in January, the family has relied on unemployment insurance and Aid to Families with Dependent Children, a Government program for low-income people. They are a month behind on paying the mortgage, $313 a month including taxes and insurance, and they talk of closing the house, pulling the children out of school and going to Oregon and Washington to pick cherries and apples this summer and fall.

"We don't want to lose this house," said Mrs. Ayons, as six of her seven children listened in their small living room, decorated with family pictures. "Who will rent to seven kids? This place was like a palace for us. We were making it O.K."

Mrs. Ayon has taken to making her own tortillas, and the children have had to forsake after-school snacks.

Saving families like the Ayons from homelessness has become the top priority for United Way and other social-service agencies. "It has reached the breaking point," said Cathi Lamp, an economist and nutritionist at the cooperative extension and president of the FoodLink board. "Rent and utilities are the first priority; food is a close second. It's cheaper to keep them in their homes than to get back on their feet if they're homeless."

Carolyn Rose, executive director of Community Services and Employment Training, a private not-for-profit community action organization that operates in Tulare County, said that more than 2,700 families had requested help with housing and utility payments and that the agency could help only 200. She said landlords and lenders had been extraordinarily lenient, but were close to exhausting their capacity.

In addition, utility companies have been quite generous, she said. The Pacific Gas and Electric Company, for example, has set up a special $25,000 fund to forgive the bills of the unemployed. She said the Federal emergency housing aid was desperately needed.

HELP APPROACHES ITS LIMIT

As for food, Sandy Beals, executive director of FoodLink for Tulare County, said the not-for-profit agency was stretched to the limit. "The typical family comes in and says it has no food," she said. "They get a 35-pound food basket for a week. For a family of eight, that does not last long. Children are going to school hungry."

Worker advocates have been moved at the response to the workers' troubles by employers like Sunkist Growers, LoBue Brothers and Shropshire Trucking, and by the Farm Bureau Federation, which represents growers. Relations between the bureau, as a representative of the employers, and labor representing the workers have often been bitter in previous years.

In all this, one group remains in limbo—the thousands of Mexican families who claimed amnesty after the 1987 immigration law was enacted. They jeopardize their status here if they apply for many public assistance programs to cope with the freeze.

Soledad and Herminio Cruz from Oaxaca state in southeastern Mexico, for example, have lived in Exeter for eight years, picking fruit. They took amnesty and two years ago bought a small house behind a chain-link fence on the edge of town, where they live with their four children, ages 15 months to 10 years. Mrs. Cruz is pregnant with a fifth child.

Given their immigration status, the Cruzes hesitated to apply for food stamps. But with no savings and a family of crying mouths, they risked it. The family is trying to decide whether to sell the house and return to Mexico for now.

Little relief is in sight.

Given the damage to the citrus trees, only 60 percent to 70 percent of the usual crop is expected to be harvested later this year and next. This means that unemployment and deprivation will be the norm here long after the sun has warmed the orange and lemon groves of central California.

MARY VANNESS OF GLENS FALLS, NY: ELKS "MOTHER OF THE YEAR"

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SOLOMON. Mr. Speaker, mothers have always been at the heart of American families.

There is no more important human relationship than the one everyone has with his mother. It's why we put so much importance on Mothers' Day in America, and that's why we have popular songs celebrating love and affection for mothers.

And that is why I am proud to bring to your attention Mrs. Mary VanNess, Glens Falls Elks Lodge Number 81 Mother of the Year. She will be honored at a public reception this Sunday.

Mr. Speaker, a book could be written about the adversity Mrs. VanNess overcame, about the personal sacrifices she made, and about the strength and compassion she displayed when those qualities were needed most.

The proudest jewels on her crown are her children. The health and well-being of her sons William and Tom and daughter Gail have always been her greatest rewards. She has never sought praise for herself. Nevertheless, Mr. Speaker, I ask you and everyone in this Congress to join me in paying tribute to Mrs. Mary VanNess, Glens Falls Elks Mother of the Year.

I will be pleased to place in today's RECORD an article on Mrs. VanNess by my local newspaper, the Glens Falls Post-Star.

MARY VANNESS CHOSEN ELKS' MOTHER-OF-THE-YEAR

Glens Falls Elks Lodge No. 81 has chosen its annual mother-of-the-year candidate, Mrs. Mary VanNess of Glens Falls, to be honored at a public reception at 2 p.m., Sunday, May 5.

In the words of her children, "She hasn't been only the 'best mom in the world,' but also the best friend, dad and whatever else our needs have been, not only to her family but to everyone else."

A living testimony to this mother's determination and influence is the success of her children. Her oldest son, William VanNess, is an investigator for the Warren County Sheriff's Department. Her younger son, Tom, is employed by the Town of Queensbury Highway Department and her daughter, Gail, is a work leader at C.R. Bard on Bay Road.

The reception is open to the public and anyone wishing to attend and honor VanNess is welcome.

THE 200TH ANNIVERSARY OF THE POLISH CONSTITUTION

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. BENTLEY. Mr. Speaker, I would like to take this time to commemorate the 200th anniversary of the Polish Constitution. Tomorrow is a time to recognize the Polish heritage of commitment to freedom, justice, and equality.

This constitution, second in history only to our own, was to be the sole catalyst that helped initiate profound change and social progress in Eastern Europe. Poland desired the same liberties for their country as we in the United States-democracy. The Polish document of freedom, similar to our Declaration of Independence, envisioned all the ideals of democracy that we hold dear:

"All power in civil society is derived from the will of the people."

On this day in May, the Polish Sejm, or national legislature, adopted the procedure of maintaining control through checks and balances by dividing the Polish Government into three separate and equal authorities: legislative, executive, and judicial. The most remarkable achievement of the Polish Constitution, proved to be the ability to nonviolently reform the existing government.

The concept of modern democracy, which included all ranks and classes of society, quickly became established in Poland. Economic and social restrictions which discriminated against the rights of the middle-class and peasantry, were loosened. Eventually, they were given full civil rights through Kosciuszko's proclamation, "Uniwersal Polaniecki."

On May 3, 1791, this constitution enabled Poland to enjoy freedom from an oligarchic rule. Unfortunately, there independence was short lived. Only 1 year later, hostile foreign aggressors began partitioning Poland. The country actually disappeared from the map, but not from the hearts of those who believed Poland would again one day be an independent nation.

While the Constitution lasted for only 1 year, the independence it guaranteed influenced their lives for centuries. After years of foreign dominance and martial law, the Poles are finally making strives towards autonomy. In the spirit of this Constitution, the desire for freedom, and pride in the Polish nationality, modern Poland is now progressing towards their dream of democracy.

The people of Poland have waited a long time to see their country take the necessary steps toward economic, political, and religious stability. The belief that they would one day be able to reestablish these freedoms through their constitution, sustained them through the darkest hours of their history.

The celebration of the 3d of May Constitution in 1991, represents the bravery of millions of Poles who fought for democracy and freedom. We must take the time to give Poland our support, and let them know that the entire free world is watching and praying for their success.

Mr. Speaker, I am honored to join the people of Polish ancestry in my district, as well as throughout our country in paying tribute to the Polish Constitution Day. I can only hope that this struggle for independence will prove to be permanent and longlasting.

MICHAEL FISCHER ON THE ENVIRONMENT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JACOBS. Mr. Speaker, I place in the RECORD a speech given in Indianapolis by Michael Fischer, executive director of the Sierra Club.

Mr. Fischer speaks plainly, logically, alarmingly and—if the Nation will only awaken—hopefully.

ADDRESS BY MICHAEL FISCHER, EXECUTIVE DIRECTOR, SIERRA CLUB, EDWARD A. BLOCK FORUM SERIES, APRIL 14, 1991

I. INTRODUCTION

Mr. Chairman, ladies and gentlemen, good evening.

I come to you tonight with two news items regarding America's energy policy, one surprising and one sad.

First the surprise. Groups who have been traditional adversaries in the energy debate—the environmental community and the present administration—say that their goals for the nation's energy supplies are identical: independence, affordability, long-term security, and compatibility with a clean environment.

The sad part is that only one group means it—and we're not the group writing energy policy.

The National Energy Strategy proposed by the President's advisers in February has three elements:

1. Drain America dry;
2. Blow it out our tailpipes; and
3. To hell with our kids.

A fourth element is the resurrection of the technologically and economically bankrupt nuclear energy industry. I admit this last element is a shot in the arm for the Three Mile Island Chamber of Commerce and the Chernobyl Ministry of Tourism, but I wonder if we, as a society, really want to take this risk again.

The so-called National Energy "Strategy" emphasizes exactly those sources of energy that are the least cost-efficient, the most subject to political disruption, the most polluting, and that are absolutely guaranteed to begin running out during the lifetimes of our children.

Two quantifiable examples of American energy supply and use symbolize the thinking about energy manifest in this incredible document.

The first example concerns opening the Outer Continental Shelf to oil drilling, one of the Strategy's recommendations. The forecast contained in the National Energy Strategy for production from the Outer Continental Shelf is 0.1 million barrels per day by the year 2010, plateauing at 0.4 million barrels per day by 2015. These are the government's own numbers.

But let's put that in perspective. The United States uses approximately 17 million barrels of oil per day right now. In 1991. If by some miracle our oil consumption were to stay constant, we would recover slightly more than one- half of one percent of our daily requirements from the Outer Continental Shelf by 2010, slightly more than two percent by 2015.

For that, are we going to litter the coasts of America with hundreds of submarine toxic waste sites and major oil spills waiting to happen?

The second example is worse. The Strategy also recommends opening the Arctic National Wildlife Refuge to drilling. This vast and as-yet-unspoiled ecosystem has been rightly called the American Serengeti. It is the calving ground for 180,000 caribou. It is the habitat for dozens of rare Arctic species. It is the repository of an incredibly diverse gene pool. In short, it is a part of our natural heritage, a national treasure, a living remembrance of times when humans were just one factor in Nature—not the dominant factor.

The Department of the Interior's own estimates for the total capacity of the Arctic National Wildlife Refuge is 3.57 billion barrels of oil. Total.

That amount would supply the country's needs for 210.5 days. That's 30 weeks. Seven months. A bit over half a year.

And the Interior Department pegs the chances of actually finding economically recoverable oil there at 46 percent. Less than one in two.

And for that, are we going to turn the last remaining pristine Arctic ecosystem protected by law into Houston North? For seven months worth of oil that we may actually never see?

In short, this is not a National Energy Strategy but a National Energy Tragedy. And reaction to it has been an almost universal condemnation.

The environmental community is unanimous in deploring the strategy's arrogant irrationality and obvious pandering to the oil, automobile, and nuclear energy special interests. But we are not alone.

The energy research and consulting community has expressed mystification about why it ignores the largest opportunities for an improved energy future.

The nation's largest utilities have decried its shortsightedness and neglect of obvious opportunities for improved economic performance.

And even the administration itself cannot present a unified front on this one. Secretary of Energy James Watkins, hardly an environmental poster child, is reported to have said that this absurd document cannot even pass the environmental "Laugh Test."

The policy as it now stands is a monument to selfishness, greed, poor stewardship, and the deification of the status quo. But if it were only that, it would still be, as environmental assaults go, unremarkable.

No, the thing that sets this effort apart is that it represents an active and purposeful attempt to prevent us from developing the two major energy resources we have that actually will help us achieve our energy goals. If energy independence and environmentally sustainable economic development are the desired ends, then conservation and renewable resources are by far the most rational means of achieving them.

Yet if you look for any shadow of a subtantive commitment to these two in the National Energy Strategy, you will look in vain.

II. CONSERVATION AND RENEWABLES

The argument for renewable sources of energy is obvious. The Natural Resources Defense Council's report on "Looking for Oil in

All the Wrong Places" calculates that the total available energy supply in the U.S. from renewable resources is the equivalent of 9.6 billion barrels of oil.

The total U.S. consumption of oil now stands at 6.2 billion barrels per year. In other words, we could clearly meet a substantial portion of our energy needs using renewables if we would only make the commitment.

And this is not just a theoretical argument. In testimony before the Senate Committee on Energy and Natural Resources, a vice president at a major California utility made the following statement:

The contribution [renewables] could make to solving energy problems is substantially underestimated. We have found, for example, that the solar thermal generation technology existing today, if concentrated in one relatively small and remote desert valley in California, could technically supply all of the electrical needs for the state.

For the entire state. For the world's thirteenth-largest economy. This is an astounding piece of news.

Yet there is no substantial commitment to renewable resources anywhere to be found in the National Energy Strategy.

The conservation argument can be summed up simply. It is time to stop choosing the expensive, risky, and environmental malignant option of drilling for new supplies of oil. It is time to start drilling the enormous oil fields that exist under Detroit, and under every commercial and residential building in America.

The advantages of drilling these conservation oil fields are obvious.

First, we know exactly where they are and how big they are. The expensive and time-consuming process of looking for economically recoverable oil actually in the ground out there can be avoided.

Second, we know exactly how much it will cost to exploit these conservation oil fields, and that these costs will go down over time. For actual oil exploration and conventional power generation, on the other hand, the costs vary significantly. And they are, on average, increasing with time as supplies dwindle.

Third, we know that drilling Detroit yields tremendous economic benefits in terms of reduced costs for each unit of GNP and the formation of major, long-term export markets for the technologies of energy efficiency. We don't hamstring the rest of the economy for the benefit of the oil, auto, and nuclear lobbies.

Fourth, we know exactly what kind of environmental damage we will do exploiting them: zero. We don't have to mount a concerted assault on Mother Earth, to do everything we can to make our biological lives increasingly toxic and dangerous, meanwhile mouthing platitudes about maintaining our economic quality of life.

And Fifth, we know that drilling Detroit and its subsidiary formations actually achieves the goals that the National Energy Tragedy espouses, but in fact places forever beyond our reach.

Let's take these in order.

1. We Know Where and How Big The Oil Fields Are

First, we know exactly where conservation oil fields are, and how big they are.

And the biggest one sits under Detroit. The relationship of Detroit to fuel efficiency reminds me of the relationship between some kids and spinach: it's good for them, but they hate it.

In the 1950s and '60s, when Americas energy horizons appeared to be limitless, the automakers were perfectly happy turning out gas-guzzling brontosaurs. Fuel was cheap, and the determining factor in sales success had more to do with styling than with the engineering prowess.

In the '70s, the oil shocks gave the U.S. auto industry its first dose of spinach. Congress, alarmed at the cars lining up at gas stations nationwide proposed legislation in 1974 that would double the Corporate Auto Fuel Economy or CAFE standards, essentially on average miles per gallon requirement for an entire fleet.

The auto industry said it was technically impossible. Achieving a 27.5 miles per gallon CAFE standard by the year 1985—a 100 percent improvement in 10 years—was not feasible. A Ford spokesperson said:

"[It] would require a Ford product line consisting of either all sub-Pinto-sized vehicles, or some mix of vehicles ranging from a sub-sub-compact to perhaps a Maverick."

History has shown how false and self-interested that testimony was. And as soon as the oil pressure was off, advances in fuel efficiency stagnated.

Today, the pressure is increasing again. Yet when the industry is asked to raise CAFE standards to 40 miles per gallon—a 40 percent increase, not 100 percent—we heard the same old song. They claim it is not technically feasible by the year 2000, which is the target date set by Nevada Senator Richard Bryan's Vehicle Fuel Efficiency Act.

But that is worse than disingenuous. Today—even * * * as * * * we * * * speak—prototype automobiles exist that get between twice and three times that figure. Toyota has produced a five passenger vehicle that gets 98 miles per gallon. Renault has a car that gets 121 miles per gallon. And Volkswagen has produced an auto that gets 128 miles per gallon.

These are not plans or concepts. They are functioning cars made out of steel and composites and rubber wheeling around test tracks in foreign countries.

And the U.S. auto industry can't manage 40 miles per gallon?

Other conservation oil fields exist, of course. They exist under factories, under houses, under public and commercial buildings, and almost anywhere energy is used. And this brings us to an interesting 50/50 rule being used in the National Energy Strategy.

It is estimated that about 50 percent of all the energy used in the United States is wasted, through transmission, through inefficient motors, through poorly insulated walls and windows, and so on. Yet the present administration offered Congress a budget request that cuts the Federal energy conservation program by 50 percent.

The program that could save us 50 percent of all the energy we use has been cut by 50 percent. 50/50. Does that make sense to you?

The Natural Resources Defense Council has shown the relative performance of conservation and efficiency versus drilling for new domestic oil reserves. Their analysis assumes that the largest estimate of the amount of oil is true, and it assumes that energy services will be provided on a least-cost basis.

Their message is clear. By the year 2020, when the oil in the Outer Continental Shelf and the Arctic National Wildlife Refuge will run out in the most optimistic scenario, efficiency and conservation would be saving us 9.25 million barrels of oil every day.

And the administration wants to cut the conservation budget by 50 percent?

The so-called National Energy Strategy commits us to lives of increasing consumption. But that means that when supplies start to dwindle or increase in cost, we will find ourselves very much behind—behind more efficient competitors; behind in research and development for a less energy intensive economy; behind in our implicit commitment to ur families to leave them a world they can live in; firmly behind the eight ball.

2. We Know How Much Conservation Costs

Second, we know exactly how much it will cost to exploit these conservation oil fields.

In a recent Op-Ed piece in The New York Times, Amory and Hunter Lovins sketched a picture of how we might rationally improve the energy efficiency of our economy. Given the tremendous savings achievable through energy efficient cars, industrial processes, and buildings, they state categorically that the U.S. economy could be run at its present level of productivity on 20 percent of the oil it now consumes.

And that the cost of saving that oil would be five dollars per barrel. Think about it. Is that a good trade, to spend 25 percent more per barrel of oil, but to use 80 pecent less oil? Sounds good to me.

3. We See Other Economic Benefits

The Third advantage to conservation is that it encourages the development of new technologies that could help America develop and sustain new, long-term export markets that will make us a stronger world trading partner.

The former West Germany has shown how this can work. For various reasons, the West German economy uses a lot of coal for energy. As the consequences of polluting their atmosphere with the byproducts of coal combustion became clear, they started an intensive program to develop smokestack "scrubbers" that removed these toxins.

It was a significant investment. But today, Germany is the world's leading exporter of those scrubbers. And they find themselves firmly in the diver's seat in a market that can do nothing but grow as air pollution standards become stricter.

Effective conservation requires all kinds of other technologies. Superefficient electric motors used in industrial processes. Continuously Variable Transmissions for vehicles. High-mileage power plants for cars and trucks. Economical jet engines for commercial aviation. Insulation technologies for building construction. High-output photovoltaic cells and new wind-turbine designs for electrical generation. Super windows with insulation values similar to those of walls * * *

The list goes on and on. And European and Japanese companies are already beginning to cash in on this development bonanza.

But why should we forfeit these markets—markets which bear every promise of creating thousands of new jobs and helping our balance of trade—to countries that are our economic competitors? Why should we hamstring an economic future of prolonged and genuine growth so that the oil, automobile, and nuclear industries can enjoy a brief and artificially subsidized moment of prosperity?

I can't think of any reasons for pursuing this foolish policy. And I certainly cannot find any rational arguments inside the National Energy Strategy itself.

4. We Know The Environmental Costs

The Fourth reason for drilling Detroit is that the cost of doing so—measured in either dollars or environmental degradation—is so low.

First the dollars. If you look at the amount of energy provided by various meth-

ods of generation, and then divide those amounts by the dollars of federal subsidy, you obtain an interesting snapshot of how we are wasting our monetary resources to subsidize the waste of our energy resources.

The methods can be ranked in terms of the dollars spent for each one million BTUs. These are the figures from 1984, which are the latest available from the Department of Energy.

At the bottom of the list is Nuclear electric generation, which yields 0.1 million BTUs for every dollar of federal support. Yet the National Energy Strategy is committed to speeding up the licensing process and paring down the regulation of this monument to State subsidy.

Slightly more believable is Fossil electric, at 0.8 million BTUs per dollar. Yet for this kind of return—and for slightly more than a half-year's supply—the administration's domestic advisors are willing to rape the Arctic and trash the outer continental shelf.

These are the economic Walking Wounded. But are there any sources of energy that yield a better return? Of course there are.

At the top of this list, you don't find a method of generation at all. You find Efficiency, which yields 13 million BTUs for every dollar of federal subsidy. This is a use of federal money one hundred and thirty times more efficient than Nuclear electric, and 16 times more efficient than Fossil electric.

As a society, we are paying up to 130 times as much as we have to for power generation. And we are doing it in a time of recession, austerity, increasing federal deficits, and rising unemployment.

The monetary costs of efficiency are clearly low. But what about the environmental costs?

There the story is even stronger, because the environmental costs of conservation and increased efficiency are zero.

In fact, energy conservation and increased efficiency yield tremendous benefits.

They will slow down the greenhouse effect. For every improvement of one mile per gallon in CAFE standards, America would save 4.28 billion gallons of gasoline used by household vehicles alone. And that would prevent the discharge of 43 million short tons of CO_2 into the atmosphere.

They will improve our balance of trade. Passage of the Bryan Bill will save 2.5 million barrels of oil every day. That is more than we imported from Saudi Arabia, Kuwait, and Iraq combined before the Gulf War. At $20 per barrel, that's about $2 billion every year that we could spend on jobs, housing, health, education, or any of a number of pressing domestic issues facing us today.

They will strengthen our political position with regard to oil producing states in unstable regions of the globe.

And most important of all, they will allow us to fulfill an implicit commitment that each generation makes to the one following: The planet we received from our parents, we are passing it on to you in a condition that will allow you to live a better life than the lives we have enjoyed. If we follow the National Energy Strategy, we won't be passing the planet on to our kids. We will be borrowing the planet they have to live in tomorrow for our use right now.

Is that what you want to do?

5. We Know We'll Achieve Our Energy Goals

The Fifth reason for embracing conservation and efficiency is that by doing so, we know we will achieve the goals for our energy supply that the National Energy Strategy claims to support, but in fact makes impossible.

There are four of goals that the administration espouses for our energy supplies: independence, affordability, long-term security, and compatibility with a clean environment. Let's take them one by one.

Independence. We have seen how the National Energy Strategy commits the nation to ever increasing consumption of nonrenewable energy resources. We have seen how America's supply of oil is projected to be gone within 20 years, thus ensuring that we will have to import every-increasing amounts from our "friends"—and I use the word advisedly—in the Middle East. Meanwhile, the Strategy neglects conservation, efficiency, and renewables, three ways to guarantee our autonomy.

Now tell me again—this is energy independence?

Affordability. We have seen how the National Energy Strategy emphasizes oil and nuclear power to the practical exclusion of all other methods of generation—and to the absolute exclusion of conservation, renewables, and increased efficiency. We have seen how the two methods of generation that waste the most federal monies are oil and nuclear power, being one-sixteenth and one-one-hundred-and-thirtieth as cost-effective as conservation and efficiency. We have seen how this commits the nation to be pistol-whipped by Adam Smith's "invisible hand" in a future of ever-increasing demand for ever-dwindling supplies.

Now tell me again—this is energy affordability?

Long-Term Security. We have seen the administration's domestic advisors throw their support without moderation behind nonrenewable resources that their own technicians in the departments of Energy and Interior project will be gone well within our children's lifetimes. They are thus committing the next generation to, at best, a round of "resource diplomacy," and at worst a round of resource wars, to secure a lifestyle based on unmodulated consumption.

Now tell me again—this is long-term energy security?

And finally, Compatibility with a Clean Environment. We have seen the National Energy Strategy's desire to dot the Arctic National Wildlife Refuge and the Outer Continental Shelf with oil rigs and the statistical certainty of major spills, major toxic waste releases, major habitat destruction. We know of the thousands of tons completely avoidable CO_2 that will be spewed into our air. We fear the "streamlined" approval process for nuclear power plants that could put the next Chernobyl in any one of our back yards. We see the increasing degradation of air, land, and water based on the shortsightedness and greed of politicians and energy suppliers, all fostered by our National Energy Strategy.

Now tell me again—this is compatibility with a clean environment?

III. CONCLUSION

In discussing the National Energy Tragedy, we have discussed economics, politics, physical science, and plain common sense, and how they all point to an inevitable conclusion about what our National Energy Strategy should be.

So now it's time to stand up and be counted on this issue.

The Senate will be voting on the Bryan Bill within the next two weeks.

On your way out, you will find a handout that lists the names and phone numbers of Indiana Senators Coats and Lugar.

I want you to pick up that list, take it home with you or to your office, and phone them tomorrow, telling them you support the Bryan bill on vehicle fuel efficiency. Last September both Senators voted against this bill. Let them know what you think.

And I also want to give you a phone number you can call to have an effect on all public policy matters. It is the White House public comment line, and a phone call there has a disproportionately large impact.

Here's the number: 202-456-1111. That's 202-456-1111. Let the Executive Branch know how you feel about being treated like cannon fodder for fossil fuel lobby.

The energy decisons we are about to make as a society will affect literally every aspect of your world, your lives, and the lives of your children.

Don't you think you ought to participate? I think so. And not just because of all of the economic, political, and scientific reasons we have advanced tonight. Because there is more to environmentalism than strict pragmatism and real politik.

In "Walden," Henry David Thoreau wrote that "Heaven is under our feet as well as over our heads." In other words, it is possible to glimpse something much larger than a warehouse full of natural resources when we gaze on Nature's face.

Or, to put it another way, trees not cut, deserts not tracked, oceans not buoyed, prairies not plowed, rivers not dammed, a world not trammeled—these are all natural resources, too, and every bit as important for a complete life as oil, natural gas, and pitchblende.

This is one of the decisions we will have to make soon. Will we preserve the last vestiges of this kind of world for our children, or will we sacrifice it all for the next half-percentage point, the next quarterly earnings report, the next 52-week market high?

I think you know the answer to these questions. And I know you can do something about it.

Thank you very much.

TERTIARY TREATMENT FACILITIES FOR BENEFICIAL REUSE OF WATER

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. LEVINE of California. Mr. Speaker, today I am introducing legislation to authorize the Bureau of Reclamation to participate with the West Basin Municipal Water District and the City of Los Angeles to build tertiary treatment facilities and related infrastructure for the treatment and subsequent beneficial reuse of sewage effluent.

This bill will literally transform polluted water into one of the most sought after resources in southern California.

For this reason, the legislation has the support of the city of Los Angeles, El Segundo, the West Basin Municipal Water District, Heal the Bay, the Mono Lake Committee, the National Wildlife Federation, and Friends of the Earth, among others.

In the near-term the projects authorized by the bill could provide drought-sensitive southern California with as much as 120,000 acre/feet of dependable water annually—enough

water to support the water needs of 600,000 people.

Not only will this legislation create an important new source of water, it will significantly reduce a major source of water pollution in Santa Monica Bay. Over 380 million gallons of sewage is treated at LA's Hyperion sewage treatment plant and is poured into Santa Monica Bay each day. This bill will facilitate recycling 62.5 million gallons of this effluent and 44 million gallons of effluent from the Tillman Water Reclamation Plant for industrial use, landscape irrigation and municipal uses each day, instead of polluting the ocean.

Importantly, this new source of water will also offset some of the demand for water that now is or in the futrure will be met from other sources. A reduced demand for imported water in the LA area will make more imported water available to other areas in southern California. Or this new source of water could be used to replace water from environmentally sensitive projects such as the water diversions near Mono Lake or other projects which may be proposed to meet southern California's future water needs.

This bill is a landmark proposal because, for perhaps the first time, a bill of this type includes stringent requirements to safeguard human health for using reclaimed wastewater as ground water recharge.

Both the West Basin Municipal Water District and the city of Los Angeles have begun development of water reclamation projects.

My bill authorizes a 25 percent Federal contribution for financing these projects. State funding sources may include low-interest loans and California Assembly bill 444, which authorized $65 million for water conservation and quality projects, including development of a replacement water supply for the Mono Lake diversions.

West Basin is now in the planning stages of a new state-of-the-art tertiary treatment facility that would receive funding under the legislation.

Due to the innovative nature of this project, West Basin estimates that they can develop a competitively priced source of new water with a cost share of 25 percent Federal, 25 percent State, and 50 percent West Basin contributions for development and construction of the treatment facilities and infrastructure. West Basin plans to use its bonding capabilities to finance some portion of its share. The actual cost of the project is projected to be $175 million to $200 million.

Currently, West Basin is negotiating with the city of Los Angeles to divert 62.5 million gallons per day of secondary-treated effluent from LA's Hyperion sewage treatment plant to its new tertiary treatment facility. This will be the largest water reclamation project of this sort in the United States.

West Basin plans to build this new treatment plant in El Segundo. The communities which would be served by this project include El Segundo, Los Angeles, Inglewood, Hawthorne, Lawndale, Manhattan Beach, Hermosa Beach, Redondo Beach. In addition, Santa Monica and Torrance may also receive water.

Construction is expected to be completed and the reclaimed water available for use in 1994.

West Basin plans allocate the 70,000 acre-feet of water per year the new plant will produce to three purposes: First, West Basin plans to allocate 23,000 acre-feet per year for nonpotable industrial use. Specifically, two local refineries—Chevron in El Segundo and Mobil in Torrance—would primarily use the reclaimed water for their cooling towers, but could also use it for boilers and landscape irrigation.

Second, West Basin plans to allocate 17,000 acre-feet per year for irrigation. Potential irrigation customers include CalTrans, golf courses, parks, school grounds, a race track, and a cemetery.

Third, West Basin plans to use 30,000 acre-feet per year for the West Coast Basin barrier project. This project, developed in the 1950's, controls salt water intrusion into coastal aquifers in Los Angeles County by establishing a buffer between these aquifers and the Pacific Ocean. The project is operated by the city of Los Angeles Public Works Department. Presently, water provided by the metropolitan water district is delivered to roughly 150 injection wells. These coastal aquifers are a major source of water for coastal communities.

Because these coastal aquifers are a source of local drinking water, it is critical to insure that the reclaimed water will not present any long-term health risk to the public. For this reason the bill requires that the water reclaimed under this bill not be used for groundwater recharge unless (a) an environmental impact statement is completed, (b) all State and Federal drinking water standards and health advisories, as tested at the wellhead, are not exceeded, (c) monthly toxicity bioassays demonstrates no adverse health effects on a variety of organisms, and (d) a National Academy of Sciences monitoring program is established to evaluate the effects of the reclaimed water on the aquifer.

The West Basin Municipal Water District serves 850,000 people over 186 square miles in the cities of: Carson, Culver City, El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Malibu, and West Hollywood; and the unincorporated areas of: Alondra Park, Angeles Mesa, Del Aire, El Nido-Clifton, Howard, Ladera Heights, Lennox, Marina Del Rey, Point Dume, Ross-Sexton, Topanga Canyon, Victor, View Park, West Athens, West Carson, Westmont, Windsor Hills and the National Military Home.

The city of Los Angeles also plans to develop additional reclamation infrastructure under this legislation. LA is still in the preliminary planning stages of developing the East Valley and Hyperion water reclamation projects. Through these two projects together, LA plans to reclaim at least 50,000 acre-feet of water per year.

The East Valley water reclamation project will use water from the city's Tillman plant, which is currently undergoing construction to double its treatment capacity to 80 million gallons per day. Effluent from the plant is currently discharged into the Los Angeles River.

LA's Department of Water and Power currently plans to build the infrastructure necessary to reuse as much as 50 million gallons per day of Tillman's effluent for beneficial purposes. LA plans to use this water, as West Basin does, for industrial use, irrigation, and ground water recharge. The legislation will provide 25 percent Federal funding for LADWP to build pumps and pipelines necessary to move Tillman's reclaimed water to the sites of reuse. Construction is expected to be completed in 1993.

LA plans primarily to move the reclaimed water to four spreading basins in the Sun Valley area. Through these spreading basins, the reclaimed water will recharge the San Fernando Valley groundwater basin. The same stringent requirements the West Basin project will have to meet to protect human health will be applied here as well.

Along the pipeline route, LADWP plans to deliver water to industrial and irrigation customers. The Valley Generating Station, located in the Sun Valley area, will use 2,000 acre-feet per year for its cooling towers. In the future, LADWP plans to expand the pipeline to provide the Hansen Recreation Area with 2,500 acre-feet for various purposes.

The city of LA has also proposed bringing additional tertiary treatment facilities on line for Hyperions secondary effluent. Federal 25 percent matching funds for this would also be available under my bill.

To put the importance of these projects in perspective, consider that today, California produces roughly 3.4 million acre-feet of treated municipal wastewater per year. According to the State Water Conservation Coalition draft report, however, the State only uses 325,000 acre-feet per year of this in reclamation projects. The reclamation projects in southern California account for roughly 160,000 acre-feet per year.

I urge my colleagues to review this legislation and lend their support to it.

TERRORISTS IN YUGOSLAVIA UNDERMINE DEMOCRACY THERE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BROOMFIELD. Mr. Speaker, the winds of change that swept through Eastern Europe in 1989 were welcomed by all of us in Congress. Many countries bravely set sail on the rising tide of democracy and are moving forward.

The flame of freedom in Yugoslavia, however, is in danger of being snuffed out. Determined Communists, who urge others to use terrorist-like tactics, are being mobilized against the forces of democracy in that country. It is time for our Government to reevaluate its policy toward Yugoslavia and actively nurture the flame of liberty there. We must clearly tell the federal authorities in Belgrade and the Yugoslav National Army that America will not ignore the plight of those who seek democracy and self-determination in Yugoslavia. We must not have "business as usual" with repressive governments.

I am disturbed by recent unconfirmed reports that anti-Croatian terrorist groups killed two Croatian policemen, engaged in bombing

of buildings, and randomly fired at other civilian structures in Croatia. It is assumed that the terrorists are ethnic Serbians who live in the Republic of Croatia. Traditionally, relations between the Serbian minority and the Croatian majority in that republic have been good. Recently, however, Communists in Yugoslavia have felt threatened by the growth of democracy in some of the republics and have urged the Serbian minority to declare its independence from Croatia. As part of this Communist encounter-offensive, they have urged the ethnic Serbs in Croatia to conduct acts of sabotage and terrorism.

In particular, the President of the Serbian Republic, Slobodan Milosevic, a Stalinist hardliner, is trying to stage a "confrontation" that will require the mobilization of the Yugoslav National Army, a modern military organization that already has garrisons in Croatia. Yugoslavia's Minister of Defense, General Veljko Kadijevic, has threatened to use military force against the fledgling democracies of Slovenia, Croatia, Bosnia-Herzegovina and Macedonia in the event of ethnic fighting. His attitude toward the changing political landscape in the country are obvious. He once described socialism as "one of the greatest achievements of contemporary civilization." I fear that these republics will be subjugated by the devious tactics of pro-Communist elements in Yugoslavia who are determined to maintain their strong centrist government.

It is ironic that Croatia, a democratic republic with a pro-American orientation and free-market economic policies, should be threatened by proponents of a dying ideology that is being debunked all over the world.

The United States must strongly condemn these "staged" terrorist attacks. Political stability in Yugoslavia will not come through the barrel of a gun. America must promote dialogue and peace, not repression. We must not let our official policy of democracy, peace and unity in Yugoslavia be utilized by the Communists to support a strong centrist government. If we fail to act swiftly and forcefully, we can be assured that the political situation in Yugoslavia will deteriorate to a point where democracy may not survive.

I urge my colleagues to carefully monitor these disturbing political developments in Yugoslavia.

RECOGNITION OF THE CHAMPIONSHIP HILO HIGH SCHOOL VIKINGS BASKETBALL TEAM

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. MINK. Mr. Speaker, I rise in recognition of the Hilo High School basketball team from the island of Hawaii in the Second Congressional District of the State of Hawaii. The Hilo High School team, the Vikings, won the State high school basketball championship on the evening of March 9, 1991, over the formidable Kalaheo High School basketball team, the Mustangs. In gaining the championship, the Vikings became the first Neighbor Island team to win the title since another Viking team did it in 1964.

Hilo's victory over Kalaheo followed two consecutive evenings of what the Honolulu Star-Bulletin described as "down-to-the-buzzer struggles" against the relentless Kahuku High School Red Raiders and the talented Kamehemeha High School Warriors. Throughout the course of the 35th annual State high school basketball tournament, the Vikings demonstrated skillful team play and unfaltering teamwork.

Mr. Speaker, I salute the young men of all the teams who participated in the State high school basketball tournament for their skill and dedication. All of them demonstrated their commitment to the ideal of good sportsmanship. I applaud their efforts and I congratulate the Hilo High School Vikings on their hard-earned victory.

Allow me to recognize the members of the 1991 State of Hawaii high school basketball championship team, the Hilo High School Vikings:

Shon Malani, Paul Lee, Jr., Herman Medeiros, Benjamin Pana, Donald De Sa, Wilmer Castillo, Kaulana Pakele, Grant Baclig, Robert Medeiros, Seth Gardner, Steven Idemoto, Chad Alameda, Mokoifonua Pousima, Solomon Wakita, Clayton Kaneshiro, Tod Bello, and Theodore Ireland.

Their head coach: Lawrence Manliguis.

Their assistant coaches: Roy Kobayashi, Edward Kalima, Jr., Wayne Kaneshiro, John Walter Ah Hee, and Kelly Lerma.

Their athletic director: Ronald Furukawa.

Their manager: Froilan Gacusan.

Their team statisticians: Roanne Okunami, Brandy Allen, Pearl Arakaki, Tanya Belledo, Stacie Mandaloniz, Sue Ann Ah Heong, and Lisa Pana.

And their principal: Mrs. Donna Saiki.

FREE TRADERS IGNORE GRIM REALITY IN MEXICO

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. HUNTER. Mr. Speaker, as we debate the merits of approving the extension of fast-track negotiating authority for the administration, we must examine every facet of the possible effects on our economy and our workers of a free-trade agreement with Mexico. I urge my colleagues to give serious thought to the issues raised in a letter from the May 1, 1991, Wall Street Journal.

FREE TRADERS IGNORE GRIM REALITY IN MEXICO

Rudiger Dornbusch is but the latest in a long procession of wishful thinkers—government officials, economists and business leaders—who proclaim that free trade with Mexico somehow will bring our older brothers to the South to accept the liberal notions of democracy and the rule of law ("If Mexico Prospers, So Will We," editorial page, April 11). He accepts that "Democracy, workers' rights, safety and environmental issues" are part of the debate, but neglects to mention that in Mexico such concerns are subjugated to the economic interests of that country's corrupt ruling party.

"Free trade" with Mexico is not about commerce, but about politics; it is a deliberate effort by the Bush administration to divert attention from the financial woes of the most oppressive, authoritarian regime in this hemisphere after Cuba, and to support the Salinas government with increased flows of foreign capital. The fact that the World Bank is the largest external source of support for the "Mexican miracle" is conveniently omitted from the discussion.

Free-trade zealots forget that Mexico remains a badly managed Third World country that is not comparable with real success stories such as Chile or the Asian "tigers" such as Korea. Talking about the relative level of wages in Mexico today is irrelevant given the fact that the country is still largely using new loans and direct investment to fund enormous trade and current-account deficits, which in turn are driven by subsidies for Mexico's enormously costly state sector. If American labor unions think low Mexican wages pose a threat now, at 3,000 pesos per dollar, imagine how they will yowl when the peso is readjusted to something approaching purchasing power parity with the U.S.—roughly 4,000 pesos per dollar.

While it is obvious that a free-trade agreement is in the interest of both countries, the kind of progress predicted by Mr. Dornbusch requires the fertile soil of freedom—of the press, to win and hold public office, to run a business, or to worship—in order to flourish truly. Advocates of a free-trade agreement who believe political and human-rights concerns can be separated from commercial interests have not been paying attention to the struggle for progress in Eastern Europe.

If we really want to see North America prosper in a united economic and perhaps someday even political union, all of the participants must be committed equally to the basic principles of economic and political liberty that have made North America's prosperity possible. When will these die-hard "free traders" also come to support free elections with equal vigor?—Christopher Whalen, Washington.

SDI ARGUMENTS STILL RELEVANT

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GINGRICH. Mr. Speaker, I would like to share with my colleagues an article entitled, "SDI Insurance Against Nuclear Mishap," which was written by James P. Litsey, a former Titan II missile commander. Although this article first appeared in the Wichita Eagle-Beacon in 1985, its arguments are still relevant to the current debate over SDI. For this reason, I would like to reprint the article in the CONGRESSIONAL RECORD, to remind my colleagues of this important message.

[From the Wichita Eagle-Beacon, Oct. 13, 1985]

SDI INSURANCE AGAINST NUCLEAR MISHAP

(By James P. Litsey)

Probably one of the most important and yet least discussed issues facing us today revolves around the quality of safety and security found in the "fail-safe" systems of the world's intercontinental ballistic missiles and other nuclear weaponry. The term "fail-safe" was popularized in the 1960s by a novel of the same name, which involved a B-52

bomber that headed for Moscow when it received an erroneous "go" signal. The bomber pilot could not turn back, even though the president made a personal appeal for him to do so. When all joint efforts to down the bomber failed, the president ultimately was forced to bomb New York City in an attempt to stave off a wave of Russian retaliation.

Where "fail-safe" dealt with an earth-shaking fictional crisis and decisions made over a period of hours, today we could well face a similar crisis of significantly greater magnitude—with a window of only a few minutes available in which to correct the error and defuse escalating tensions, or face catastrophic destruction. This is a situation that at best does not lend itself to controlled and rational decision-making, especially in light of the constraints: less than one-half hour between launch and warhead detonation, and the lack of a worldwide operationally reliable antimissile defense system that could be directed against an accidentally launched missile successfully. Rather, it encourages frenzied decision-making by the president and his advisers as they scramble for airborne command posts and underground bunkers. Certainly, the actions and reactions of Soviet leader Mikhail Gorbachev and his comrades could not be expected to be any different as they, too, scramble for their own lives.

It is not a question of whether an accidental launch could happen; it is an indisputable fact that an unauthorized launch could occur. Unclassified documents detail the existence of "Unauthorized Launch Studies." The classified details of those documents, if released, would reveal a variety of ways the actual launch of a given ICBM system could be accomplished without presidential authorization.

Recently, syndicated columnist Edwin Yoder made the point that nuclear weapons in and of themselves will not take matters into their own hands simply because they have grown impatient with disuse. But don't try to convince the Titan II ICBM crew in Arkansas on duty one August day in 1974 of that. They had "pushed the buttons" to test the launchability of their machine, only to end the exercise by pulling every component drawer they could get their hands on in an attempt to shut the monster down, less than nine seconds before liftoff. This is not to say there remains no controversy as to whether the missile would really have launched (obviously, it did not). Reportedly, someone forget to shut off a critical circuit-breaker at the appropriate step, and the machine—a nuclear weapons—did the rest.

Given the weaknesses in our own weapons systems, one must be even more concerned about analogous and much greater weaknesses found throughout the world in the nuclear systems of the Soviet Union, France, China, England . . . India, South Africa, Israel, Brazil, Libya, Pakistan, Argentina, Iraq and God-knows-who-else.

Even Secretary of Defense Caspar Weinberger commented specifically on this issue in a recent article discussing President Reagan's Strategic Defense Initiative. He stated that a reliable defensive system would give us the hope of gaining several benefits, among which was probably the most-overlooked, least-understood and, therefore, the least-discussed benefit: "Protection against accidents. Strategic defense could be an additional 'insurance policy' against the accidental launching of a missile against us." This marked the first time a Cabinet-level official of any administration publicly made such an open and candid statement with reference to the possibilities of nuclear war.

More recently, another Washington-based columnist, David Broder, asserted that President Reagan keeps bumping into himself as he defends SDI. Broder calls for somebody to give President Reagan "a better argument to use in Geneva, or better yet, a more plausible position to defend." The old school of chessmanship holds that sometimes the best defense is a strong offense. As such, does not the offensively oriented argument that bases the need for SDI on an overriding concern for preventing an accidental nuclear war become the basis of a more plausible position to defend—that is, one which genuinely has the welfare of the entire world at heart?

If Mikhail Gorbachev is really the "smoothy" Mr. Broder says he is, it would not come as a surprise if he took President Reagan up on his suggestion the Soviets and Americans work together to achieve a peaceful space through which no nuclear weapons would be allowed to pass. Surely both the proponents and opponents of SDI can agree that even some minimum threshold of implementation for SDI should afford the world protection against one, 10, 50 or 100 accidentally launched nuclear missiles.

Many conservatives' jaws hit the table when President Reagan initially suggested the possibility of sharing SDI, but in view of the alternatives, maybe he's right. This isn't to say such a move would not be fraught with monumental diplomatic and security obstacles. But these challenges help clarify and reduce to proper perspective the realtive ease with which satellite hardware and nonnuclear explosive components could be assembled into an effective system, using nonexotic, known technology.

Robert Jastrow, in his "How to Make Nuclear Weapons Obsolete," notes that one group of SDI opponents, the Union of Concerned Scientists, originally placed the precise number of American satellites required to make SDI operational at 2,400. They have since admitted the presence of errors in their assumptions and revised the number down three times. Their current projections show a need for 162 satellites—not too far out of line with Livermore Laboratory's total of 90, assuming a high-altitude orbit, or 45 if placed in low-altitude orbit.

Jastrow makes the case for a non-nuclear, non-exotic SDI system using known technology; approximately 100 interceptor satellites in conjunction with 14 support satellites. That could pave the way for a meeting of the minds of both proponents and opponents of SDI.

There must be a point of common ground, a focal point, if we are to bring the relentless debate under control and move forward in a productive, responsible and reasonable manner. To fail to do so challenges the measure of grace we thus far have been given, for tomorrow we might awaken to quite a different world.

THE ANTI-TERRORISM ACT OF 1991

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FEIGHAN. Mr. Speaker, today I join over 30 of my colleagues in introducing the Anti-Terrorism Act of 1991. This legislation will allow American victims of terrorism to bring civil suits in U.S. Federal court.

The need for this legislation couldn't be clearer. While Congress has passed laws providing for the criminal prosecution of terrorists, victims of terrorism face incredibly difficult legal hurdles in pursuing claims against terrorists. The recent case of the Klinghoffer family is a glaring example of this gap in our efforts to develop a comprehensive legal response to international terrorism.

Leon Klinghoffer, a passenger on the *Achille Lauro* cruiseliner, was executed and thrown overboard during the 1985 terrorist attack. His widow, Marilyn Klinghoffer, and family took their case to the courts in their home State of New York. Only by virtue of the fact that the attack violated certain admiralty laws and that the organization involved—the Palestine Liberation Organization—had assets and carried on activities in New York, was the court able to establish jurisdiction over the case. A similar attack occurring on an airplane or in some other locale might not have been subject to civil action. The Anti-Terrorism Act of 1991 would fill in this gap in our laws.

The Senate unanimously passed the ATA last year and passed it again just last month. Under the leadership of Senators GRASSLEY and HEFLIN, the ATA has drawn strong, bipartisan support in the Senate and we have similar broad support among our original cosponsors. We hope to move this legislation through the committee and into the House floor just as soon as possible. The ATA will be an important and timely addition to our arsenal aimed at ending the scourge of international terrorism. I ask that a copy of the bill appear following my statement.

KINGSTON, GA, HONORS CIVIL WAR VETERANS EACH APRIL 23

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DARDEN. Mr. Speaker, today I would like to share with my distinguished colleagues a story about the unique community of Kingston, GA, which lies at the foothills of the Appalachian Trail in northwest Georgia. Although small in number, the townspeople of Kingston are, nevertheless, big in character and tradition.

Since 1865, Kingston has traditionally recognized and practiced the oldest Memorial Day in the country. Each April 23, these residents gather together for a special service to honor those who gave their lives in the Civil War. I know of no such other celebration exclusively recognizing veterans of the Civil War on this day, and believe it to be unique to the country.

As part of the ceremonies, bouquets of spring flowers are placed on the graves of 249 Confederate soldiers and two Union soldiers. Afterward, elder members of the community share stories about their parents and grandparents during this turbulent turning point in the history of our country.

Toward the end of the Civil War and during the time of the Georgia campaign, Kingston maintained an army hospital. Thusly, many brave soldiers who lost their lives are buried in

the surrounding area. The majority of the graves are unmarked and the soldiers' names unknown, but still they are not forgotten.

The passage of time has not distanced the hearts of the people of Kingston in remembering those who fought so valiantly in the War Between the States. Mr. Speaker, these people should be commended for their thoughtfulness and dedication, as well as for setting a precedent in recognizing and honoring heroes of wars past—no matter how long ago.

THE PASSING OF MARGARET "MAMA" MARKS

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FAZIO. Mr. Speaker, I rise to mourn the passing of a dear friend and wonderful individual, Margaret "Mama" Marks. Her death was felt so strongly in the Sacramento community because her life was such a strong part of our community. For over 20 years, Mama Marks fed the poor through her home in Del Paso Heights, known as the Arms of Mercy. Those arms not only embraced the poor, but reached out to touch the hearts of everyone in Sacramento.

Mama was a native of Louisiana and first came to California in the 1940's, to work in the shipyards in Oakland. In her spare time, she taught Sunday school and worked with the church auxiliary. In the mid-1950's Mama came to Sacramento, joining the Women's Civic Improvement Club, Del Paso Heights Project Area Committee, and the PTA. Making her home in the Del Paso area, she formed their summer lunch program. It is immediately apparent that the less fortunate, and especially children, were a priority with Mama. Over the years, she cared for more than 50 foster children.

It was, in part, from that experience that she became known simply as Mama Marks. "Mama" was not only her title, but perhaps her best description. More than simply feeding the poor, she wore with the simplest of pride and fulfilled with the greatest of glory. She felt that the destiny of caring for the poor was handed to her from God in a dream. Everyday of her life was living the fulfillment of that dream. She would say, "you can't out-give God because I've tried, and the more I give away the more he sends down."

That simple belief that God would provide was the foundation of the Arms of Mercy. The kitchen was run strictly by Mama and God; she would have no government assistance, no bureaucracy, no fund raisers. All was provided by Mama or by donation. She fed nearly 100 people every day and 500 to 600 on holidays. All the food was prepared by Mama, usually Southern specialties from her native home of Louisiana. Nothing was ever served without her approval. She was Mama, and this was Mama's kitchen.

Too often, we see things in our everyday life that disturb us, like homelessness, hunger, neglect, and abuse, which stir strong emotions within us. Often, we are not so much afraid of becoming involved but afraid of caring. Mama was fearless as only a mother could be; she was not afraid to care. She embraced the very things from which we turn our faces. Mama realized that people, who have little, hunger for more than just a meal; they hunger for the touch of human kindness and compassion. Throwing some change at a person does not satisfy the loneliness of being on the streets and the emptiness of knowing that no one cares. Mama not only satisfied the physical, but also the emotional and spiritual hunger of the less fortunate. She cared—to them it was Mama, and she was all they had.

All Sacramentans are in mourning for having lost Mama Marks. One of the most tragic things in life, for rich or for poor, is to lose your mother, particularly when you have no one else.

THE 100TH ANNIVERSARY OF OUR LADY OF THE ANGELS

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. MOLINARI. Mr. Speaker, I take the opportunity today to observe a milestone in the community of Bay Ridge.

Our Lady of Angels Parish, Fourth Avenue and 74th Street, celebrates its 100th anniversary this year. Tomorrow night, its parishioners will gather to celebrate not only the century past, but the century ahead.

I am proud of the traditions exemplified by Our Lady of Angels. Such a church inspires a sense of community that is a vital link between people in an often chaotic world.

The church also has a school, which has served as a pillar of fine education for many young people. The parish also serves the community with activities for seniors, a youth ministry, an Alcoholics Anonymous chapter, Al Anon, and a human service center providing food for the needy.

Our Lady of Angels has seen many changes. When the church was built in the late years of the 19th century, Bay Ridge was a pastoral suburb of the city of Brooklyn. From being surrounded by farms, the church has become surrounded by the frantic pace of the city. It remains a mainstay for the community and its people.

Mr. Speaker, I am proud to take this opportunity to congratulate Our Lady of Angels for 100 years of service well-performed, and to offer my best wishes for the 100 years to come.

GOVERNMENT SPONSORED ENTERPRISES

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. KENNELLY. Mr. Speaker, I rise today to commend the Treasury for their excellent report on reforming the Government-sponsored enterprises.

While the Treasury maintains that these entities do not immediately pose risk to the Federal Government, the sheer magnitude of the collective debt of these entities, some $981 billion, means that we ignore their safety, soundness, and regulatory structures at our own peril.

The Treasury outlines four governing principles: that financial safety and soundness should be given primacy over other public policy considerations; that regulators should have sufficient stature to avoid capture by special interests; that private market risk assessment mechanisms be used, and that financial safety and soundness standards be consistent across all GSE's. These principals are sound.

One Treasury recommendation, however, doesn't make sense in light of these principles, that is the Treasury would generally leave regulatory authority with existing agencies. Although the Treasury would instruct these agencies that financial safety and soundness be given primacy over other public policy considerations, a fundamental conflict still exists.

It is expected that the GAO will recommend that the Department of the Treasury assume the responsibility for the financial safety and soundness of all GSE's. This approach makes much more sense and would remove the fundamental tension between the constituencies of the GSE's and risk to the potential risk to the Federal Government.

ADDRESS BY HON. JOHN BRADEMAS

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. YATES. Mr. Speaker, on March 20, our former colleague and my dear friend, John Brademas, gave the Fourth Annual American Council for the Arts Nancy Hanks Lecture on Arts and Public Policy. It was a most excellent lecture and I want to share it with the House. I urge everyone to take a few moments to read the speech.

The speech follows:

ADDRESS BY JOHN BRADEMAS BEFORE FOURTH ANNUAL COUNCIL FOR THE ARTS

I am honored to have been invited to deliver the Fourth Annual Nancy Hanks Lecture on Arts and Public Policy, and I'm for several reasons glad to be here.

First, I want to salute the American Council for the Arts, on whose board I am proud to sit, for spearheading 1991 National Cultural Advocacy Day. I commend the champions of the arts from throughout the country who have come to Washington this week to press our case. And I thank ACA leaders Gerald Blatherwick and Milton Rhodes for asking me to share my thoughts with you.

It is a special honor to be introduced tonight by my old and valued friend, Congressman Sidney Yates of Illinois, chairman of the House Appropriations Subcommittee with jurisdiction over the National Endowment for the Arts and other cultural agencies, and one of the most stalwart advocates of the arts in the United States.

I have often compared Sid Yates to the Dutch boy with his finger in the dike, for he more than any other single person in recent years has defended the arts and humanities against repeated attacks. The American peo-

ple owe more to the vision and determination of Sidney Yates than they will ever know.

At this time and in this place, it seems fitting that we pay tribute to the memory of a person whose efforts also contributed immeasurably to the cultural life of our country.

It was in 1969, when she became Chairperson of the National Endowment for the Arts, that I first became acquainted with Nancy Hanks. As chairman of the subcommittee of the House of Representatives with jurisdiction over the legislation that authorized the Endowment, I had countless opportunities over the succeeding eight years to observe firsthand the legendary combination of Hanks intelligence, tenacity, courage and charm—the qualities that made her such a formidable leader of the NEA.

As you all know, the Arts Endowment bloomed and flourished during her tenure.

Recalling those years of optimism and growth, I thought I might best salute the accomplishments of Nancy Hanks by reflecting, in this darker hour, on what those who care deeply about the arts must do to renew the nation's commitment to their support.

I speak to you from several perspectives. As a Member of Congress for 22 years, I took an active part in writing most of the legislation enacted between 1959 and 1981 to assist institutions of learning and culture, including schools, colleges and universities, libraries and museums, the arts and humanities.

If during my time in Congress, I was a champion of education and the arts, I have continued to be preoccupied with both as president since 1981 of New York University.

As you know, the main campus of New York University is located in Greenwich Village, right next to Soho—in all, a thriving community for artists and the arts.

Beyond the wonderful neighborhood in which it lives, NYU is blessed with outstanding programs in the arts . . . of every kind.

NYU's Tisch School of the Arts is one of the nation's foremost centers for education in the performing and communications arts; Tisch film, drama and television graduates are setting a fast and highly successful pace in both Hollywood and New York. Spike Lee, Susan Seidelman, Martin Scorsese, Oliver Stone—all alumni—make my point.

New York University's Institute of Fine Arts is the premier center in this country, perhaps the world, for graduate study of art history and conservation. And NYU's undergraduate department of fine arts is one of the finest in the nation.

Our Grey Art Gallery on Washington Square is as impressive a place for the exhibition of serious art as can be found at any university in the United States.

And our School of Education, Health, Nursing and Arts Professions offers a wide range of arts education courses and a graduate program in museum studies and is home to the National Arts Education Research Center.

I must note, too, that my right arm during my years as chairman of the House Subcommittee, of which he was counsel and staff director, Jack Duncan, continues to be active in arts advocacy as special counsel to the ACA; and that another former top associate, Tom Wolanin, is now staff director of the House Subcommittee on Postsecondary Education, where he serves one of the ablest legislators in Congress, William D. Ford of Michigan, the new chairman of the House Education and Labor Committee and of that Subcommittee.

Finally, I speak to you from the perspective of having last year served as co-chairman, with Leonard Garment, of the Independent Commission, mandated by Congress to study the operation of the National Endowment for the Arts.

Tonight I want to discuss the role of the Federal government in supporting the arts; review that relationship over the past 24 months, with particular attention to the work of the Independent Commission; and consider ways of reinvigorating the National Endowment for the Arts.

At the outset, I must warn you that I intend to be as candid as I like to think I was on Capitol Hill!

A FEDERAL COMMITMENT TO THE ARTS

For more than two-and-a-half decades, Federal funds have served in significant ways to encourage individual artists and arts organizations in the United States.

During my own years in Washington, Congress passed several laws to help the arts. I was one of the sponsors of the legislation that created the National Endowment for the Arts, and as I have said, for ten years chaired the House subcommittee with responsibility for the NEA, the National Endowment for the Humanities and other programs to support cultural activities.

Indeed, the NEA is not the only Federal agency that supports art and culture in the United States. The National Endowment for the Humanities, the Library of Congress, the Smithsonian Institution and the National Gallery of Art, which this year celebrates its 50th anniversary—are all central to our commitment as a people to enriching culture.

Here I want to make special mention of two other initiatives, which I co-authored with my friend and distinguished Senate colleague, Clairborne Pell of Rhode Island, that opened new doors to the arts.

One, the Museum Services Act, makes available through the Institute of Museum Services, modest but invaluable grants, up to $75,000, for general operating support and conservation activities, to museums of every kind—art, history, science and technology—and to zoos and botantical gardens. In fiscal 1990, IMS made nearly one thousand grants, totaling an estimated $21 million. Institutions as diverse as the Sacramento Zoo, the Nebraska State Historical Society, the Field Museum of Natural History in Chicago and the Laumeier Scultpture Park in St. Louis have received assistance from the IMS.

The second measure of which I claim joint parenthood with Senator Pell, the Arts and Artifacts Indemnity Act, provides indemnification by the federal government to protect art and artifacts loaned by other countries for exhibit in American museums. The ceiling on indemnification was recently increased from $125 million to $300 million per exhibition, with an aggregate limit on all outstanding indemnities, formerly $1.2 billion, now $3 billion. Since its enactment in 1975, the Indemnity Act has been used in some 360 exibits—including Tutankhamun, the Vatican, Alexander the Great and the Treasure Houses of Britain—with almost no claims for loss or damage. Most recently, the Indemnity Act helped make possible the Mexico and Malevich exhibitions at the Metropolitan Museum of Art and the Frans Hals and Titian exhibits at the National Gallery.

THE NEA RECORD

The law establishing the National Endowment for the Arts and its sister agency, NEH, puts the case for the use of Federal tax dollars for the arts in succinct terms:

"It is necessary and appropriate for the Federal government to help create and sustain not only a climate encouraging freedom of thought, imagination and inquiry but also the material conditions facilitating the release of this creative talent."

From the beginning, two principles governed the operation of the National Endowment for the Arts—freedom of expression and accountability for the use of public monies.

To guard against political interference, the Senate committee report on the bill establishing the two Endowments used straightforward language:

"It is the intent of the committee that in the administration of this act there be given the fullest attention to freedom of artistic and humanistic expression."

To insure that the Endowment expend its funds wisely, Congress provided for an elaborate structure of accountability. The Chairperson of the NEA and the 26 rotating members of the advisory National Council on the Arts are nominated by the President and subject to Senate confirmation. Central to the grant selection process are advisory panels, made up of persons with special expertise who are chosen by the Chairperson to judge grant applications. The Chairperson, according to the original statute, would have the final say.

The law also makes clear that private initiatives are to be the principal source of money for the arts in this country; all grants to organizations must be matched by non-Federal monies on at least a one-to-one basis.

This matching formula has proved highly effective in attracting private support for, and in stimulating public interest in, the arts in the United States. When the Endowment was created in 1965, there were relatively few professional non-profit performing arts organizations in our country. There were 58 orchestras, 22 professional theaters, 37 dance companies and 27 opera companies. Private support for the arts had been flat for a decade, at approximately $250 million a year. Only seven states had arts agencies.

By 1990, however, there were in the United States 230 orchestras, 420 theaters, 250 dance companies and 120 opera companies. Private giving to the arts is now estimated at $6 billion annually. And today every state in the Union has an arts agency.

The range of activities that have benefited from Endowment assistance is impressive. The agency has been indispensable, for example, to television programming in the arts, to regional theater and dance. As one of the few sources of funds for both folk art and emerging art forms, the Endowment has helped preserve and advance America's cultural heritage.

All four Pulitzer Prize winners in 1990—for music, fiction, poetry and playwriting—received, at critical points in their careers, grants from the NEA. The Alexander Calder sculpture in Grand Rapids, Michigan; the Vietnam War Memorial in Washington, D.C.; the Dance Theater of Harlem—all might not exist had each not received support from the NEA.

Despite its highly successful record and wide bipartisan support in Congress, the Endowment has at times provoked sharp controversy. The controversial incidents have been rare. Of some 83,000 grants awarded by the NEA over the past quarter of a century, only 20 have raised significant questions.

In the past a mixture of astute leadership by the heads of the NEA, Presidential and Congressional willingness to strengthen the arts, effective lobbying by arts advocates and widespread public support combined to diffuse attacks on the Endowment and sustain it.

The situation that arose two years ago, however, was far different. There was, above all, a virtual vacuum of leadership for the arts at the highest levels of government. The harsh years of Ronald Reagan, with their initial hostile and later, stagnant budgets for the arts, paved the way for George Bush, who seems to want to keep the troubled Arts Endowment at arm's length.

If Mr. Bush has had little to say to defend the agency, his has not been the only silence. Indeed, as I shall illustrate, in the past two years, key elements that had helped repel earlier assaults on the NEA were weakened or missing.

In consequence, as we have seen, when determined opponents unleashed an unprecedented attack against the National Endowment for the Arts, they would succeed not only in radically altering the legislation governing the agency but threatening its existence.

Let me, in light of these observations, now turn to the events of the past 24 months, and the work of the Independent Commission.

THE NEA UNDER ATTACK

As you all know, in 1989, a firestorm was sparked by two exhibits assisted by NEA grants. One show, presented by the Southeastern Center of Contemporary Art in Winston-Salem, North Carolina, contained a photograph by Andres Serrano of a crucifix in urine; the other, at the Institute of Contemporary Art in Philadelphia, included some photographs by the late Robert Mapplethorpe of homoerotic activities and nude children.

In April 1989, the Serrano piece triggered the formidable machine of the religious right. Orchestrated by the Reverend Donald Wildmon and his American Family Association, letters attacking the artist poured into Congress; incensed legislators denounced both Serrano's work and Mapplethorpe's as "morally reprehensible trash." In June, the Corcoran Gallery of Art in Washington, D.C., canceled a scheduled Mapplethorpe show.

The dispute leapt onto the pages of leading newspapers and magazines. Rival coalitions mobilized on the issue, with accusations of "blasphemy" and "pornography" from one side, "censorship" and "thought control" from the other.

The debate in Congress produced proposals to alter the criteria the agency had used for nearly 25 years to judge grant applications. The most radical change, introduced by Senator Jesse Helms of North Carolina, was a legislative prohibition on grants for the promotion, dissemination or production of material deemed obscene, offensive or denigrating to religions or peoples. Helms amendment proponents sought to frame the issue for Congress in this fashion: "If you vote 'No' against 'censorship,' you're voting in favor of 'pornography.' " That is to say, if you defend freedom of speech and support for the arts, you can expect campaign attacks back home.

Given the gritty realities of modern American politics, supporters of the National Endowment for the Arts on Capitol Hill struggled to find a compromise. To stave off more onerous alternatives, they reluctantly accepted a provision in the appropriations bill for fiscal 1990 intended to draw on the 1973 *Miller vs. California* Supreme Court decision on pornography.

The new language prohibited the NEA from promoting, disseminating or producing materials which "may be considered obscene, including but not limited to, depictions of sadomasochism, homoeroticism, sexual exploitation of children, or individuals engaged in sex acts, which, when taken as a whole, do not have serious literary, artistic, political or scientific value."

For the first time in the history of the National Endowment for the Arts, the criteria for judging applications had been changed and the Endowment placed on a collision course with the Bill of Rights.

THE CREATION OF THE INDEPENDENT COMMISSION

Congressman Yates, however, acted to protect the Endowment by adding a provision to the appropriations bill calling for the creation of a "temporary Independent Commission." The Commission, by law to expire on September 30, 1990, was charged with reviewing the grant-making procedures of the National Endowment for the Arts, including those of its panel system; and considering whether the standard for publicly funded art should differ from the standard for privately funded art.

The Commission would be composed of twelve members, all to be appointed by President Bush, four on the recommendation of Speaker of the House of Representatives Thomas Foley in consultation with House Minority Leader Robert Michel, four on the recommendation of the President pro tempore of the Senate Robert Byrd in consultation with Senate Minority Leader Robert Dole, and four by the President himself.

Although Congress asked the Independent Commission for its report by April 23, 1990, White House tardiness in nominating its four members—the President did not, for reasons never explained, name his four choices until May 16, seven months after enactment of the appropriations act—prevented my colleagues and me from being sworn in until June 6, 1990, six weeks after the statutory deadline for the report!

A NEW ERA OF CENSORSHIP

During these months of delay, the controversy about the Endowment became still more acrimonious. As leaders of the religious right and crusading politicians continued to pound the agency, they were joined by a number of conservative art critics and intellectuals, lending the attack a patina of respectability. Fresh targets such as performance artist Karen Finley drew particular wrath.

Meanwhile, the Endowment found itself battling not only this band of opponents but its own beneficiaries. When the new Chairperson, John Frohnmayer, issued regulations requiring grantees to sign an anti-obscenity pledge, dozens of them refused to do so and three—a university, a dance company and a museum—took the NEA to court.

A new atmosphere of censorship appeared in some parts of the land. Local police stormed the Contemporary Arts Center in Cincinnati and, for exhibiting Mapplethorpe photographs, its director was indicted on obscenity charges. A prosecutor in Florida indicted the rap group 2 Live Crew for obscenity. And Republicans in Congress—supported by President Bush—pressed a constitutional amendment to ban flag burning.

It was in this deteriorating environment that Senators and Representatives began the process of reauthorizing the NEA. By the summer of 1990, their chances of crafting a bill free of so-called content restrictions—legislative limitations on the viewpoint expressed in a work of art—seemed increasingly remote. "There aren't many issues left and NEA is potentially a big one," said National Republican Congressional Committee Co-Chairman Ed Rollins, a warning to incumbent legislators seeking re-election in November.

THE INDEPENDENT COMMISSION MEETS

It was against such a backdrop that the 12 members of the Independent Commission held their first meeting in early June 1990, in Washington. Let me here salute them. They were a dedicated, hard-working group. Nominated by the House of Representatives were David E. Connor, president of David E. Connor and Associates of Peoria, Illinois; Joan Harris, former Commissioner of the Department of Cultural Affairs of Chicago; Kitty Carlisle Hart, chairman of the New York State Council on the Arts; and I.

Members recommended by the Senate were Marcia Laing Golden, past president of the Association of Community Arts Agencies of Kansas; Kay Huffman Goodwin, a former chairman of the West Virginia Arts and Humanities Commission; Peter Kyros of California, a former White House aide on the arts and humanities; and also of California, Rosalind Wyman, a former member of the National Council on the Arts.

Mr. Bush's choices were John Agresto, president of St. John's College in Santa Fe, New Mexico, and former deputy chairman of NEH; Theresa Elmore Behrendt of New York, a former White House liaison to the arts and humanities; Leonard Garment, of the law firm of Dickstein, Shapiro & Morin in Washington, D.C. and former assistant to President Richard Nixon; and Charles K. McWhorter of New York, a lawyer and former legislative assistant to Vice President Nixon.

Let me tell you about what we did.

The Independent Commission made several key decisions on the first day we met. The Commission elected not one chair but two *co*-chairs—Leonard Garment and me. Far from prompting a deadlock, the co-chairmenship and a personal friendship that developed between Leonard Garment and me proved indispensable to the work of the Commission and its ultimate success. Indeed, for me one of the great pleasures of serving on the Independent Commission was the opportunity to engage wits, cross swords and fashion agreements with one of the country's leading lawyers. Leonard is a man of both passion and intellect. I was exposed in our deliberations to both qualities!

I remind you, too, that six Commissioners were chosen by Democratic elected officials and six by Republicans. With co-chairmen, every member would be assured that his or her voice would be heard.

Another crucial determination: After considerable discussion, the Commission agreed not to ask Congress to extend its life for another year or more but instead to move quickly and produce a report by the date the Commission would statutorily go out of business—September 30, 1990.

Mr. Garment who, as you know, delivered the Nancy Hanks Lecture two years ago, and I immediately appointed a staff director, Dr. Margaret Jane Wyszomirski, a respected scholar specializing in public policy for the arts. Only last week, I am pleased to note, Dr. Wyszomirski was named director of the NEA's Office of Policy and Planning.

Leonard and I felt it imperative that the Commission's work be characterized by—and be seen to have—three qualities: balance, independence and a striving for consensus. During six days of public hearings, the Commission sought to elicit the broadest array of opinions. We took testimony from top Endowment officials, peer review panelists, policy analysts, foundation supporters of the arts, artists and critics of the NEA.

Because Leonard Garment and I realized that the issues the Commission had been

charged with considering entailed First Amendment questions, we convened a Legal Task Force of six constitutional lawyers—Leonard chose three and I chose three—selected on the basis of their outstanding reputations and the diversity of their views.

Members of the Task Force both testified before the Commission and drafted a consensus statement. A particularly significant conclusion, widely cited in the press, in the legal scholars' statement, was this: ". . . [W]hile Congress has broad powers as to how to spend public funds, it may not do so in a way that the Supreme Court has said is 'aimed at the suppression of dangerous ideas.'"

I think it here important to note that all six lawyers, conservatives and liberals, opposed the requirement that NEA grant recipients certify that their work would not be obscene.

By the time, last August, that the Commissioners began negotiations on our recommendations, it was clear that our philosophical differences meant that each of us would have to compromise. A divided Commission, Leonard and I reminded our colleagues, would carry little weight in Congress.

That the Commission's final report, issued on September 11, 1990, was unanimous was an achievement in which Leonard, our fellow Commissioners and I took—and take—great pride.

RECOMMENDATIONS OF THE INDEPENDENT COMMISSION

Let me here summarize some of our chief recommendations.

First, the Commission declared that "to assure that the NEA operate in a manner accountable to the President, Congress and the American people, the Endowment's procedures for scrutiny and evaluation of applications for grants must be reformed."

In pressing for reform, the Commission urged that the sole authority of the NEA Chairperson to decide on grants be made explicit in legislation and that he or she be given more choices. Our Commission also called for the reestablishment of "Committees" of National Council members to assure another opportunity for review between, on the one hand, grant advisory panels, and, on the other, the full Council and the Chairperson.

We said that recommendations of specific amounts of grant awards should be set by Endowment staff after consultation with panelists. We also said that the panels and National Council should recommend a larger number of grants than funds available for them, thereby giving the Chairperson a genuine choice in making awards.

In addition, the Commission urged steps to diminish conflicts of interest on panels. Panelists, we said, should not be permitted to serve on a panel considering applications from organizations with which they are affiliated. And the pool of panelists should be expanded to include persons knowledgeable about the arts but who do not earn their living in them.

In light of subsequent developments in Congress, I think it important to point out that one change the Independent Commission carefully considered and roundly rejected was alteration in the percentage of Endowment funds directed to state arts agencies.

Moreover, although the Commission urged reforms in the grantmaking procedures of the NEA, we unanimously recommended "against legislative changes to impose specific restrictions on the content of works of art supported by the Endowment."

In my view, this recommendation—that the government not tell artists how to produce their art—and that it won unanimous support represented the single most important conclusion of the Independent Commission. For when a 12-person Commission, created by Congressional mandate, the members of which were selected by George Bush, Tom Foley, Bob Michel, Bob Byrd and Bob Dole, can reject content restrictions, such a decision sends a powerful bipartisan signal about the appropriate relationship between the National Endowment for the Arts and the freedom of expression of artists.

You well may ask why Commissioners with such diverse political perspectives decided to oppose legislative limitations on the content of art funded by the NEA. The answer, in the words of our report: "Content restrictions may raise serious constitutional issues, would be inherently ambiguous and would almost certainly involve the Endowment and the Department of Justice in costly and unproductive lawsuits."

Although the Commission recognized that "obscenity is not protected speech and that the National Endowment for the Arts is prohibited from funding the production of works which are obscene or otherwise illegal," we asserted that the NEA "is an inappropriate tribunal for the legal determination of obscenity. The nature and structure of the Endowment are not such that it can make the necessary due process findings of fact and conclusions of law involved in these determinations. . . . [T]he appropriate forum for the formal determination of obscenity is the courts."

The Commission also urged that the Endowment rescind its certification requirement.

Finally, to communicate the spirit that motivated much of our work, the Independent Commission proposed that Congress add to the "Declaration of Purpose," or preamble, of the legislation authorizing the NEA several hortatory statements such as language making clear that "The arts and humanities belong to all the people of the United States."

The overwhelmingly positive reception the report received indicated that most public officials, journalists and arts policy analysts agreed with our conclusions. An editorial in *The Washington Post*, "Cooler Heads on the Arts," captured the most common response. The item commended the Commission for debunking "the idea that accountability without content restrictions is impossible."

Now I have described the controversy which led to the creation of the Independent Commission, how we proceeded and what we found.

Did the Commission make a difference?

As I speak to you more than six months after the release of our report, I draw these conclusions about the impact of our work.

THE NEA IS REAUTHORIZED

I believe that in the short term, the report of the Independent Commission helped prevent the destruction of the National Endowment for the Arts. After months of bitter wrangling, the House of Representatives hammered out a compromise passed by Congress in late October, 1990.

Although the legislation continues the life of the National Endowment for the Arts for three more years, the measure contains what, in my view, are two unfortunate provisions.

One will increase the percentage of the total NEA appropriation to be channeled to the states from 20 to 35 percent by fiscal year 1993, a change I believe is precipitous and can only weaken the NEA's program. I speak, may I add, as the author of the 1975 amendment mandating that one-fifth of all appropriations to the NEA go to the states.

The witnesses, conservatives and liberals, who testified on this subject before the Commission were emphatic and unanimous in their view that the existing formula not be altered at this time. Any future change in the ratio, our report concluded, should be preceded by a careful, Congressionally mandated study of the impact of the modification on Federal, State, and local funding.

Under the new reallocation formula, Mr. Frohnmayer faces the difficult task this year of coring the Endowment's budget, cutting out, in order to give the states their windfall, an additional $12 million. To do so, the NEA must pare individual grants and kill some programs. The initiative, for example, to give money to museums to purchase the work of living American artists, is disappearing—just the sort of effort my colleagues and I who founded the NEA would have sought to encourage.

With many states in deficit, their own support of the arts has for the first time in years fallen overall by 10 percent from fiscal 1990 to 1991. There is a danger that states may use their increased allocations of Endowment money as an excuse to trim arts budgets still further.

I need not remind this audience of arts advocates of the fault lines and bitter feelings this change in the law has created within your own ranks.

Of course, the other troubling aspect of the new legislation is the language that requires the NEA Chairperson to ensure that grants are made "taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public."

Professor Kathleen Sullivan of the Harvard Law School, a member of the Commission's Legal Task Force, said of this language, "It's both better and worse than the old law. Better, in that it contains no enforceable content restriction. Worse, in the sense that artists may steer too clear of what they think the public might find indecent, which is a far broader category than obscenity."

As you know, Mr. Frohnmayer has said that when applying the "decency" standard, he will not impose his own judgment but will defer to that of the grant review panels and National Council.

As the Chairperson explained in Congressional hearings last month, ". . . [N]o one individual is wise enought to be able to consider general standards of decency. . . all by him- or herself."

Both Mr. Frohnmayer and the National Council appear to have concluded that because of their diverse makeup, grant review panels would apply "general standards of decency" as a matter of course.

But as Professor Sullivan sees it—and I agree—these ominous words in the law "lie around like a loaded weapon," or in the description of National Council member, State Senator Roy Goodman of New York, "a booby trap."

Although not yet required to certify that what they produce will be "decent," some NEA grant recipients are, once again, rejecting their grants. Only this week, a group of artists in a California lawsuit against the Endowment challenged the constitutionality of the "decency" standard.

Commenting on the new legislation, one of the acting program directors of the agency

said, "A year ago, even mention of restrictions would have caused an ourtage. Now the bill looks pretty good compared with what we were threatened with. I'd like to feel relief because it has been so tragic around here for a year, but to be honest, I don't."

THE CONTROVERSY COOLS DOWN

Nonetheless, in the months since Congress placed new limits on grantmaking, the arts controversy has appeared to cool down. I like to believe that the Independent Commission has contributed to the calming.

Columnists and commentators, for example, are no longer belaboring the issue of obscenity and the arts.

Attempts to censor artists, performers and arts groups have not fared well in the courts. The rap group 2 Live Crew and Cincinnati art gallery director were cleared of all criminal charges.

And two months ago, supporters of freedom of speech and artistic expression celebrated a significant victory in a Federal court in Los Angeles. The court ruled that the requirement that NEA grant recipients in fiscal 1990 sign an anti-obscenity pledge is "unconstitutionally vague because it leaves the determination of obscenity in the hands of the NEA." The court declared, "This is the type of obstacle in the path of the exercise of fundamental speech rights that the Constitution will not tolerate."

In the wake of this ruling, Mr. Frohnmayer at long last retracted the troublesome pledge, a move prompting the dismissal of another lawsuit against the Endowment in New York.

With the reauthorization of the National Endowment for the Arts completed, some lawsuits settled and the certification requirement revoked, champions of the arts may be tempted to believe that the worst days for the Endowment and the arts are now behind us.

Let me say, however, as bluntly as I can: It would be foolish to think that the controversy that has shaken the National Endowment for the Arts has run its course. You and I must continue to be vigilant.

THREATS TO THE ARTS

Why do I say this?

It seems clear that the religious and political right, having achieved significant change in the legislation governing the National Endowment for the Arts, sees the issue of censorship of art as a political winner.

Although the legislation reauthorizing the NEA will not be up for discussion until 1993, advocates of the arts should not think the year ahead a time to relax. You will recall that to launch their first strike against the agency, Senator Helms and other opponents of the NEA used an appropriations bill.

Indeed, the renewal of efforts by fundamentalist organizations and by politicians to clean up the NEA are described in a recent issue of the conservative weekly *Human Events*. Quoting Senator Helms' warning, "You ain't seen nothing yet," the magazine notes, "Helms' warning, "You ain't seen nothing yet," the magazine notes, "Helms watchers know well that empty bluffs are not his style."

Indicative of right wing activism is a new broadside, entitled, "The National Endowment for the Arts: Misusing Taxpayers' Money," produced by The Heritage Foundation. This document achieves the same standards of objectivity, sweet reason and intellectual rigor that we have come to expect from extremist enemies of the Endowment.

If we must be on the lookout for new assaults from the right, I think we must also heed the signals from the White House.

In his budget proposal for fiscal 1992, Mr. Bush seeks no increase in funds for the National Endowment for the Arts and, for the first time in history, the Arts Endowment would receive less money than its sister, NEH.

Testifying before Congress, Office of Management and Budget Director Richard Darman took credit for this move. The NEA, he explained, would attract too much Congressional attention if its budget were raised above current levels.

Nor is there reason to expect, in a time of economic constraint, that state and local governments or private philanthropy will be more generous to the arts.

In New York state, for example, Governor Mario Cuomo proposes in fiscal 1992 to slash funds for the New York State Arts Council by 57 percent. Neighboring New Jersey would reduce state money for the arts by 40 percent Massachusetts wants to cut its arts budget by 28 percent.

Beyond these developments, experts anticipate that corporate contributions to the arts will, for the first time since 1967, decline this year. According to a survey cited in the *Wall Street Journal*, the faltering economy means that nearly one-third of charitable donors are giving less to all causes this year.

Indeed, although I have mentioned flat budgets for the Arts Endowment, I must also remind you of the harmful Federal tax policies of recent years.

The Tax Reform Act of 1986 posed new hurdles for the arts, among them changes that would discourage contributions. I cite the elimination of the charitable deduction for non-itemizers as well as the imposition of a minimum tax on major gifts of appreciated property. Although Congress acted last year to lift the latter provision regarding gifts of appreciated property to museums, it did so for only one year.

Even more troubling than the prospect of reduced giving is the possibility that, following the lead of the Federal government, other funders will be more cautious about the artists they support.

* * * * *

Now I have spoken to you this evening about the founding of the National Endowment for the Arts, the years of its success and the months of controversy.

Despite all that I have said, as I look to the future, I am far from pessimistic. I believe there are some directions in which we should—and can—be moving as we seek to reaffirm the commitment to the arts built up over the past two-and-a-half decades. Let me state them.

AN AGENDA FOR THE ARTS: THE PRESIDENT AND CHAIRPERSON

My first exhortation is a challenge to the Commander-In-Chief in the White House to act to preserve and encourage the arts.

We meet only weeks after the end of the war in the Persian Gulf and a military victory for which President Bush deserves significant credit. Americans are feeling better about themselves than they have in some years, and Mr. Bush is basking in extraordinary popularity.

For all his brilliant handling of the Gulf war, however, Mr. Bush has not given similar leadership to the nation on the home front.

You and I know that when the Scuds were fired at the NEA, no Patriots were fired from the White House.

And you and I know that the triumph over Saddam Hussein will balance no budget; cure no recession; reduce no crime; reform no school; provide no health care; build no house or highway; make no contribution to America's competitiveness in the global economy.

Indeed, much of our national politics during the next two years will focus on this so-called domestic agenda.

Will the arts be part of that agenda? For President Bush? For Congress? For governors and mayors?

The answer depends at least in part on how creative arts advocates are in finding and supporting vigorous leaders for the arts both in and outside government. Such leaders can press the President and others in key positions to pay serious attention, in considering the nation's needs, to the arts.

And here my second admonition is to the person who holds the most visible post in the arts in the country—Mr. Frohnmayer. It will be up to the Chairperson of the NEA to articulate a sense—yes, a vision—of what the National Endowment for the Arts can do for the nation and then help mobilize public support in pursuit of those goals.

And if the agency he heads is to cope effectively with the challenges that confront it, he must work with the friends of the Endowment and turn back its enemies with the truth. In this regard, I invoke the spirit of Nancy Hanks.

AN EXHORTATION TO CONGRESS

My third exhortation: Members of Congress should keep the National Endowment for the Arts free of onerous restrictions and provide the agency the resources it needs to be effective.

Here let me praise those members of Congress of both political parties who have so valiantly championed the arts. I pay my particular respects once again to Sidney Yates and to Congressman Pat Williams of Montana, who have worked to protect the Endowment from those who seemed intent on destroying it.

I cite, too, for his tireless leadership from the beginning, Senator Claiborne Pell. I believe Senator Orrin Hatch of Utah deserves special mention for his courageous and principled stance. May his example fortify his colleagues!

IMPROVING THE COALITION

Fourth, I think it imperative that we expand and improve the coalition working for the arts. Let me linger on this matter for a moment.

I am well aware that the battle to save the National Endowment for the Arts has produced points of serious friction among arts advocates, with some organizations determined to pursue an agenda separate from and even antithetical to the interests of others.

As one who has lived much of his life in the arena of political combat, I must warn you that if arts advocates float warring agendas, your oponents will perceive your weakness and exploit it, and policymakers will play you off one against another.

For coalitions to succeed—whether minorities pressing to win civil rights or environmentalists to repel a hostile Secretary of the Interior—members must settle their differences before they come to Congress and seek to present a united front.

So it is most encouraging to me that you are taking steps to achieve consensus, including the formation of the Legislative Coalition that I know has been meeting in Washington. Keep at it!

Moreover, for your advocacy to be most effective, I urge you to broaden your coalition

to embrace those whose interests in significant ways coincide with your own—educators, scholars, performers, art collectors and dealers, business and civic leaders, among others.

In this regard, as a university president, I must tell you that I have been frankly disappointed by the relative absence these past two years of scholars willing to defend freedom of expression in the arts. Freedom endangered anywhere is freedom endangered everywhere.

ARTS EDUCATION AND ACCESS

Fifth, I believe we must much more effectively teach children to appreciate the arts and to respect artists. The arts can play an indispensable role in a child's learning.

I am proud in this connection that the New York University School of Education, Health, Nursing and Arts Professions houses the National Arts Education Research Center. This center, supported by the National Endowment for the Arts and the U.S. Department of Education, is studying the most effective ways to improve arts instruction in elementary and secondary schools.

I also commend the members of Congress who in the reauthorization bill for the Arts Endowment last fall acted to include new spending authority for access to the arts through support of education.

Indeed, although arts education was not on our agenda, members of the Independent Commission felt so strongly about the subject that we recommended that the NEA "collaborate to a greater extent with state and local arts agencies and with other sectors of society to advance arts education."

We added: "Recognizing that contributions to arts education can be made by several federal agencies, the Commission believes that the National Endowment for the Arts should lead this effort."

Although the Commission drew particular attention to arts education for children, which I wholeheartedly support, I think it also imperative to encourage arts education in our colleges and universities, in community institutions and in lifelong learning programs.

Sixth, and as I speak of enhancing knowledge and understanding of the arts, I think it important, too, to find ways to enable more Americans to enjoy more art.

Let me give you an example of what I'm talking about.

I have in mind a new dimension of the Arts and Artifacts Indemnity Act, of which I spoke earlier. I propose that Congress now consider providing indemnification by the Federal government to protect art and artifacts housed in museums *in the United States* for exhibit throughout our own country. Because the cost of insuring materials loaned to other museums can be prohibitively expensive, many Americans cannot see great works of art housed in American museums. Through such a program, to illustrate, the Snite Museum at the University of Notre Dame, in my hometown, could show treasurers of the Metropolitan Museum of Art to South Benders. Or Asian masterpieces from Kansas City or Cleveland might travel to the West Coast where large populations of Asian-Americans, and others, could see them. Hispanic-Americans in Florida and New York might have the chance to look at Latin-American art from museums in the Southwest.

MAKING THE CASE FOR THE ARTS

I have one final observation, and it is this: You and I must continue to make the case for the arts with our elected representatives here in Washington, D.C.

And what is the case? It is that the arts are essential; the arts are not something to be thrown a bone after everything else is taken care of because everyting else will never be taken care of.

And it will be up to each of you to make clear that the arts matter.

It will be up to each of you to press both for more generous support of the arts by the Federal government and for the removal of harmful tax policies that discourage giving to the arts by private benefactors.

It will be up to each of you to help replace the distorted image of the National Endowment for the Arts peddled by its enemies.

All of us, you and I, msut remind people of the close connection between support for the arts and the greater public interests that are served. For you and I know the immense difference that the arts and artists make to enriching our lives as individual persons and to building a culture that illumines and ennobles.

In recent weeks, you and I have been reflecting on the fundamental values that characterize us as Americans—the willingness to risk life for a cause we believe in, a love of country no one can take from us, a belief in the sanctity of individual freedom. Proud as we are of the engine of our economy or of our military might, we know, too, that the more enduring legacy of our wealth as a people is in the canvases of our painters, the songs of our composers and the words of our poets.

Here I recall some of the most eloquent testimony I heard in all my years of sitting in Congressional hearings. The witness was the distinguished American artist, Robert Motherwell, who was testifying in 1970 in support of legislation I had introduced to encourage education about the environment. This is what Motherwell said:

I am sure that scientists have or will testify to the relevant facts here and know them far better than I. I speak only as an artist. But to speak as an artist is no small thing. Most people ignorantly suppose that artists are the decorators of our human existence, the esthetes to whom the cultivated may turn when the real business of the day is done. But actually what an artist is, is a person skilled in expressing human feeling . . . Far from being merely decorative, the artist's awareness . . . is one . . . of the few guardians of the inherent sanity and equilibrium of the human spirit that we have.

For my part, I believe that proponents of Federal support of the arts, support unfettered by restrictions imposed by government, will continue to find encouragement in the report my colleagues and I on the Independent Commission prepared last year. I hope that legislators and other public officials will resist the impulse to censor, remembering the admonition of our group that "Maintaining the principle of an open society requires all of us, at times, to put up with much we do not like but the bargain has proved in the long run a good one."

For what I think should be obvious from the record of the National Endowment for the Arts and other Federal programs to support culture is that our national government, with modest amounts of money, without stifling bureaucratic control and without unwarranted intervention, can provide support for the arts in ways that greatly enhance the quality of American life.

As I conclude these remarks, I recall for you the words of Nancy Hanks just 17 years ago when she replied to some who even then were attempting to impose censorship on the Endowment. Said Nancy, in words as powerful for 1991 as when she wrote them, in 1974:

For an artist to create what society needs, he or she must be given the opportunity to try . . . Nurturing the broad range of the nation's creativity is far more important than the few tempests that arise. I say that because of my conviction that the cornerstone of any culture is the nurtured talent of its creative artists.

You and I then must strive to ensure that we nurture the talent of our creative artists so that art—beautiful, ugly; ordered, unruly; free-spirited, controlled . . . but indispensable—continues to nurture the creativity of our nation.

CHILDREN'S HEALTH PLAN

HON. TIMOTHY J. PENNY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. PENNY. Mr. Speaker, today, along with my Minnesota colleagues, Messrs. OBERSTAR, VENTO, SABO, SIKORSKI, and COLLIN PETERSON, I am introducing a national children's health plan [CHP], based on the already successful Minnesota Children's Health Plan. The premise of this legislation is simple: Preventive outpatient care for children is a sound investment in the lives and futures of young Americans. The bill provides federally paid outpatient care for children ages 1 through 18 whose parents' income is between 133 and 185 percent of the Federal poverty line and who choose, via an enrollment fee, to participate in the program.

In many places and in many ways, the need for improved preventive and primary care for children has already been demonstrated. Just yesterday, an editorial in the Washington Post called for Congress to see to it that "every toddler gets the vaccines he or she needs." Children's health plan would help meet that need.

Here's how the plan works: A family qualifies for CHP if the parents earn between 133 and 185 percent of the poverty line and don't already have health insurance. If they choose to enroll in CHP, they complete a simple application form—about four pages long and available by mail—and pay a $40 annual fee for each child, up to a family yearly maximum of $200. The completed application and fee are mailed to the State office and, in return, each child receives a CHP membership card. When outpatient services are needed, the card is presented to physicians and clinics who provide a variety of services including prescription drugs, immunizations, mental health evaluations, vision care, and annual checkups. Providers bill the central CHP billing office—in Minnesota this service is provided by contract through the medical assistance office. States then receive 100 percent Federal payment for all medical services rendered. Families can receive covered services from any health care provider who is enrolled in the Medical Assistance Program and reimbursement is based on those policies and rates. Since many children will qualify for both CHP and medical assistance at different periods within the same year, families are allowed to move back and forth between the two programs and the CHP fee is not charged a second time within the year to re-enroll.

What makes this program different from Medicaid? The obvious difference is that this program is financed 100 percent by Federal dollars, without requiring matching State funds. This removes any State disincentive to participate in the program. Admirable as our passage last year in Omnibus Budget Reconciliation Act of 1990 of the requirement that States gradually expand Medicaid coverage to children within this same group, States still must cover their costs. More significant, however, is the fact that families pay to participate in this program, just as they buy into other insurance programs. This is a distinction with a difference. Program officials in the Minnesota program have consistently found that families prefer to buy this insurance rather than to take what they see as a government handout. It allows them to actually invest in their children's care and makes them active participants in seeing that necessary care is given. Further, the program is easily accessible through a simple, mail-in application form—about 4 pages long compared to the Medicaid application which runs to 37 pages. Families are not required to go to county welfare offices or other social services agencies to enroll which saves them time, trouble and, for many, embarrassment.

Additionally, States which already provide Medicaid benefits up to 185 percent of the poverty line will still receive a percentage of CHP Federal funding, which will be based on estimates of needy children within that State. That would allow States to serve other health care needs. For instance, a medical assistance office could allocate this money to a catastrophic fund for children needing such things as transplants, cancer treatments, and so forth. A child qualify for this fund based on a lack of insurance coverage, the severity of the illness, and the cost of treatment.

The initial cost of the CHP would be about $3 billion annually, which would be financed by removing the cap on the maximum amount of income subject to the Medicare hospital insurance payroll tax. This means applying the 1.45-percent payroll tax to incomes above $125,000.

This plan is workable and achievable. The costs are considerably less than most of the other health plans now being offered on Capitol Hill. If we cannot afford to provide this modest health plan for our children, we're kidding ourselves to think that we can find funding for a health plan for all Americans. By focusing on prevention, the children's health plan will allow us to take a giant stride toward the goal of keeping America's children healthy. I urge my colleagues to join me in cosponsoring this vital legislation.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Health Program Act of 1991".

SEC. 2. CHILD HEALTH PROGRAM.

(a) ELIGIBILITY.—Section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), as amended by section 4601(a)(1)(A) of the Omnibus Budget Reconciliation Act of 1990, is amended—

(1) by striking "or" at the end of subclause, (VI),

(2) by striking the semicolon at the end of subclause (VII) and inserting ", or", and

(3) by adding at the end the following new subclause:

"(VIII) who are under 19 years of age, whose family income (as determined under subsection (l)(3)(E)) does not exceed 185 percent of the income official poverty line (referred to in subsection (l)(2)(A)(i)) for a family of the size involved, and who are not otherwise eligible for medical assistance for the same amount, duration, and scope of services as individuals described in subclause (VI);".

(b) SCOPE OF BENEFITS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by sections 4402(d)(1) and 4713(a)(1)(D) of the Omnibus Budget Reconciliation Act of 1990, is amended, in the matter following subparagraph (f)—

(1) by striking "; and (XI)" and inserting ", (XI)",

(2) by striking ", and (XI)" and inserting ", (XII)", and

(3) by inserting before the semicolon at the end the following: ", and (XIII) the medical assistance made available to an individual described in subparagraph (A)(i)(VIII) shall not include medical assistance for items and services described in paragraphs (1), (8), (15), (16), (18), (19) and (24) of section 1905(a) or for orthodontics and shall be limited, in the case of mental health services (including diagnosis, assessment, and treatment), to payment of not more than $1,500 for any individual for any year".

(c) EXPANSION OF OUTREACH AND STATEWIDE ENROLLMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396(a)) is amended—

(1) by striking "and" at the end of paragraph (54);

(2) in the paragraph (55) inserted by section 4602(a)(3) of the Omnibus Budget Reconciliation Act of 1990—

(A) by inserting "(a)(10)(A)(i)(VIII)," after "(a)(10)(A)(i)(VII),", and

(B) by striking the period at the end and inserting a semicolon;

(3) by redesignating the paragraph (55) inserted by section 4604(b)(3) of the Omnibus Budget Reconciliation Act of 1990 as paragraph (56), by transferring and inserting it after the paragraph (55) inserted by section 4602(a)(3) of such Act, and by striking the period at the end and inserting a semicolon;

(4) by placing paragraphs (57) and (58), inserted by section 4751(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, immediately after paragraph (56), as redesignated by paragraph (3);

(5) in the paragraph (58) inserted by section 4751(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, by striking the period at the end and inserting a semicolon;

(6) by redesignating the paragraph (58) inserted by section 4752(c)(1)(C) of the Omnibus Budget Reconciliation Act of 1990 as paragraph (59), by transferring and inserting it after the paragraph (58) inserted by section 4751(a)(1)(C) of such Act, and by striking the period at the end and inserting "; and"; and

(7) by inserting after paragraph (59), as so redesignated, the following new paragraph:

"(60) provide for a simple, uniform, statewide mail application process for individuals seeking entitlement to medical assistance under paragraph (10)(A)(i)(VIII).".

(d) ANNUAL ENROLLMENT FEE.—Section 1916(c) of such Act (42 U.S.C. 1396o(c)) is amended by adding at the end the following new paragraph:

"(5) The State plan shall provide for an annual enrollment fee of $40 for each child seeking medical assistance pursuant to section 1902(a)(10)(A)(i)(VIII), except that, in the case of children in a family, the annual enrollment fee shall not exceed $200 for the enrollment of all the eligible children in the same family.".

(e) 100 PERCENT FEDERAL FINANCIAL PARTICIPATION.—

(1) MEDICAL ASSISTANCE.—The last sentence of section 1905(b) of such Act (42 U.S.C. 1396d(b)) is amended by inserting before the period at the end the following: "or expended as medical assistance for individuals entitled to medical assistance under section 1902(a)(10)(A)(i)(VIII)".

(2) ADMINISTRATIVE EXPENSES.—Section 1903(a) of such Act (42 U.S.C. 1396b(a)) is amended—

(A) by striking "plus" at the end of paragraph (6),

(B) by redesignating paragraph (7) as paragraph (8), and

(C) by inserting after paragraph (6) the following new paragraph:

"(7) an amount equal to 100 percent of the amounts expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan with respect to individuals entitled to medical assistance under section 1902(a)(10)(A)(i)(VIII); plus".

(f) FINANCING THROUGH PAYROLL TAX.—

(1) ELIMINATION OF CAP ON WAGES SUBJECT TO HOSPITAL INSURANCE TAX.—Subparagraph (B) of section 3121(x)(2) of the Internal Revenue Code of 1986 (relating to applicable contribution base) is amended to read as follows:

"(B) for any calendar year after 1991, an unlimited amount."

(2) ADDITIONAL REVENUES NOT DEPOSITED IN FEDERAL HOSPITAL INSURANCE TRUST FUND.—Section 1817(a) of the Social Security Act (42 U.S.C. 1395i(a)) is amended by adding at the end the following new sentence: "Notwithstanding the previous provisions of this subsection, whenever in this subsection a reference is made to the taxes imposed by section 3101(b), 3111(b), or 1401(b) of the Internal Revenue Code of 1986 with respect to wages or self-employment income, the reference shall not include taxes imposed as a result of the amendments made by section 2(e) of the Child Health Program Act of 1991."

(3) CONFORMING AMENDMENT.—Subclause (II) of section 3231(e)(2)(B)(i) of the Internal Revenue Code of 1986 (defining applicable base for purposes of railroad retirement tax) is amended by striking "for any calendar year the applicable contribution base determined under section 3121(x)(2) for such calendar year" and inserting the following: "$125,000 for calendar year 1991, and for any calendar year after 1991 the applicable base for the preceding year adjusted in the same manner as is used in adjusting the contribution and benefit base under section 230(b) of the Social Security Act".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to renumeration paid after December 31, 1991, and with respect to earnings from self-employment attributable to taxable years beginning after such date.

(g) MAINTENANCE OF EFFORT FOR INFANTS.—Section 1902(1)(2)(A) of the Social Security Act is amended—

"(1) in clause (ii)(II), by inserting "or clause (v)" after "clause (iv)", and

"(2) by adding at the end the following new clause:

"(v) In the case of a State which, as of the date of the enactment of this clause, has established under clause (i), or has enacted legislation authorizing, or appropriating fund, to provide for, a percentage (of the income

official poverty line) that is greater than 133 percent, the percentage provided under clause (ii) for medical assistance on or after October 1, 1992, shall not be less than—

"(I) the percentage specified by the State in an amendment to its State plan (whether approved or not) as of the date of the enactment of this clause, or

"(II) if no such percentage is specified as of the date of the enactment of this clause, the percentage established under the State's authorizing legislation or provided for under the State's appropriations.".

(h) TREATMENT OF CERTAIN STATES AND TERRITORIES.—Section 1902(1)(4) of such Act (42 U.S.C. 1396a(1)(4)), as amended by section 4601(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, is amended—

(1) in subparagraph (A), by inserting "or subsection (a)(10)(A)(i)(VIII)" after "(a)(10)(A)(i)(VII)",

(2) in subparagraph (B), by striking "or (a)(10)(A)(i)(VII)" and inserting "(a)(10)(A)(i)(VII), or (a)(10)(A)(i)(VIII)", and

(3) by adding at the end the following new subparagraph:

"(C) In the case of a State which is not one of the 50 States or the District of Columbia, instead of '185 percent' specified in subsection (a)(10(A)(i)(VIII), the State (if under subparagraph (B) it elects such provision to apply) shall substitute a percent which does not exceed 100 percent.".

(i) EFFECTIVE DATE.—The amendments made by this section apply (except as provided in subsection (f)(4)) to payments under title XIX of the Social Security Act for calendar quarters beginning on or after October 1, 1992, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

TRIBUTE TO G. FRANCIS BRENNAN

HON. GARY A. FRANKS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FRANKS of Connecticut. Mr. Speaker, on behalf of myself, Congresswoman NANCY JOHNSON, and Congressman CHRISTOPHER SHAYS of Connecticut, we wish to acknowledge the contribution of G. Francis Brennan of Waterbury, CT.

On April 20, members of the Connecticut Republican Party honored Mr. Brennan, a man with a long record of accomplishment in civic and political life.

At the annual Prescott Bush dinner, Mr. Brennan was presented with the Pat Futner Award—given to a member of the Connecticut Republican Party who has worked long and hard for the political process.

Mr. Brennan is what public service and good politics is all about, regardless of political party.

True to form, Mr. Brennan gave an eloquent acceptance speech, which we believe, touches on what makes our political process special.

Enclosed are his remarks to his fellow Republicans.

REMARKS BY G. FRANCIS BRENNAN

The people of politics: honorable and uncommon. As the calendar moves, they work the time of seasons: Caucus, convention, primary, election—victory or defeat—the next day, another year. The people of politics—unglamorous, untitled, unpaid—walk the nation's ways as a movable feast—never tasting the cake of despair from MacArthur's Park. They know no fatigue, only the toil of doing a great giving thing: they refresh our national spirit with the gift of loyalty. Life and Liberty are dormant birthrights until mingled with loyalty. Then the three become an American Trinity: a spirit of one and democracy flourishes.

The people of politics work the work of many. The work is much—and the workers few. For so many, politics has not been tried and found wanting; politics has been found too hard and left untried. But the people of politics and their work never stop.

The best measurement of loyalties harvest and the quality of its yield are by the chronicles of times past. In the "old country" of our memories, a General returned from Normandy with a promise of peace and prosperity. His victory was great. Loyalty was easy. But soon, harder times, and a voice from the right and the frontier spoke his heart. He spoke the truth. Some had forgotten. He reminded us. "The defense of Liberty is no vice." His defeat was hard. But the people of politics and their loyalty were harder still. Then victory again—precious victory—with expectations that went beyond horizons—and his fall so sudden, swift—so steep. And the people of politics endured ridicule from without and heart pain from within. It was a silent hurt that could only be shared by the people of politics. Then quickly the new man, so brief, so much a common man and loyalty sustained. The constitution worked.

A decade ago the first distant calls of our next century, turned two men toward a national vision of new order. And great world walls began to fall at democracy's feet. The New Country begins. We were proud again! The work of loyalty continues uninterrupted; and the quality of the yield is good.

So for the people of politics, their fidelities and their labors we search for a proper Song of Praise. And only the word/mix reserved for poets of heroes and romances will satisfy. Then their anthem will be fulfilled.

And the words will speak;
Once more, into the breach,
Once more, for the country they go.
They are the few,
They are the gallant few,
They are a giving and courageous few;
They are a loyal and happy few.
From where do we get such,
These, our band of brothers.
From democracy's country they come.

GREATER SUPPORT FOR OUR NATION'S CULTURAL AGENCIES

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. WEISS. Mr. Speaker, today I had the honor of testifying before the Interior Appropriations Subcommittee on the fiscal year 1992 budgets of the Federal arts agencies—the first time doing so as chairman of the Congressional Arts Caucus.

The agencies—the National Endowments for the Arts and Humanities and the Institute of Museum Services—have supported the best of American artistic activities and, in doing so, have utterly changed our Nation's cultural landscape. Certainly, they are deserving of our continued and increased support.

I insert the statement I made before the subcommittee printed in the RECORD:

REMARKS OF HON. TED WEISS

Mr. Chairman and members of the subcommittee, I am grateful for this opportunity to testify on the fiscal year 1992 budgets of our Nation's Federal arts agencies and their continued viability. I must begin by expressing my great admiration and respect for the commitment which the chairman and subcommittee have shown in protecting and promoting the arts in our Nation for nearly two decades. It is in no small measure due to your sensitivity and wisdom that the arts have been able to flourish throughout the country during this time and that the agencies have been able to fundamentally change the country's cultural landscape.

Mr. Chairman, today the Nation's cultural community is at risk of losing theatres, dance companies, opera companies, and a multitude of arts organizations. Economic downturn and the assault on the arts which took place last year have already begun to take their toll. Certainly, the administration's proposed freeze in the budget of the NEA at $174 million only exacerbates the situation.

With the aid of the NEA, NEH and IMS, arts groups have proliferated, bringing with their artistic excellence a great diversity of programming and outreach activities which have educated and motivated our children, touched our adults and have had a significant effect on the lives of our citizens.

We are all aware of the realities of a downturn in the economy. But what we must be aware of is the devastating effect which a tightening of resources, pullback of contributions and shrinking Federal percentage has had on the artistic community: 42 percent of nonprofit theatres ended their seasons with operating deficits, while seven theatres—ceased operations in 1990 due to financial adversity; 24 of 50 dance companies surveyed by Dance/USA posted deficits while six of the Nation's finest companies came dangerously close to the brink of financial disaster this year; 47 percent of recently surveyed opera companies surveyed had losses; and, of the 40 largest orchestras in the U.S., 27 posted operating deficits at the close of the 1989-90 season.

Meanwhile, as a result of last year's reauthorization legislation, five NEA program categories have been eliminated and $12 million shifted form the program discipline grants—moneys already spread extremely thin—to the States. The NEA had already been struggling to fulfill its mandate of increasing access to the arts and awarding organizations and individuals of outstanding merit; now it is asked to do so with even less program money.

Last year's attacks on the NEA and on the very essence of artistic creativity had an especially damaging effect. The Federal Government is now viewed by many as considering the arts as trivial, as perhaps too controversial and as something less than a priority. As the new chairman of the Congressional Arts Caucus, I shudder to think that the Congress could be viewed as abandoning a commitment to that which is so intrinsic to our national identity. A tragedy in itself, this perception, combined with the realities of economic conditions, has had severe repercussions at State and local levels and in the philanthropic world.

For the first time in thirteen years, State arts appropriations and State per capita spending on the arts have decreased. Due to fiscal woes, State governments are slashing budgets. While arts groups realize that these

are difficult times and are willing to carry their load, they have been targeted for disproportionate cuts, not only in New York, but also in Virginia, Missouri, Michigan and other States.

Those who oppose Government funding of the arts by alleging that the private sector and private contributions will absorb any pullback or dissolution of Federal and other government funding are simply not in touch with reality. Their argument could not be further from the truth. One corporate representative of the philanthropic community made the point very succinctly: "If the Government feels that the arts are an important priority, we're going to follow suit. If it cuts back, we're also going to think twice." Simply put, where the Federal Government leads, State local governments and other sectors of the country follow.

While the Federal attitude towards arts funding affects the amount of funding which other sectors of society are willing to give, it also sets the tone for the type of funding. Last year's misinformation campaign caused other damage, that of potentially choosing projects to fund that are "safe," noncontroversial or simply more traditional. This is a subject which this subcommittee and this Congress must weigh as well, for it goes to the very heart of what constitutes a free society and what role a National Endowment for the Arts should have in a society that is multi-faceted, multi-racial, and completely diverse. I might add that Congress has seen the result of cases which have been brought against the NEA regarding limitations on the content of grants. It is somewhat easy for this Congress to simply add language to a bill in an attempt to avoid that which some, perhaps even many, would find disturbing. It is much more difficult to do this and still maintain the principles of the Constitution.

I ask the subcommittee to seriously weigh what is gained by freezing the funding of the Federal arts agencies or pulling money away from the program disciplines against what is gained by these catalytic and effective funds. For FY '91, NEA program grants totaling approximately $122.4 million generated $1.47 billion in non-federal funds. That is a greater than 10:1 impact and a wallop of an effect.

To bring the NEA's discipline programs up to levels comparable to FY 1981—the last time there was significant increase in the NEA's budget—while taking into account inflation and the funding of the initiatives mandated in last year's reauthorization legislation, would require $255 million. I believe that that is a fair amount to ask for the NEA and would mark a real commitment to preserving and developing our national culture.

Mr. Chairman, I would also like to praise the many and fine activities of the NEH and IMS, which, through aid to museums and other humanities organizations, help educate and engage our citizens.

SO CALL IT A VICTORY DIVIDEND

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BEILENSON. Mr. Speaker, the New York Times yesterday published an article by our colleague from Massachusetts, Mr. FRANK, that deserves wide circulation. Titled "So Call It a 'Victory Dividend,'" he argues that we can indeed reduce our military spending by a greater amount than agreed to in last year's budget summit, and use the dividend to reduce the deficit and to fund social needs here at home.

Mr. FRANK's article is beautifully written and well worth reading.

[From the New York Times, May 1, 1991]

SO CALL IT A "VICTORY DIVIDEND"

(By Barney Frank)

WASHINGTON.—What's in a name? Sometimes, hundreds of billions of dollars.

In 1989, with the Russian empire crumbling, some of us in Washington argued that the time had come to begin a shift of America's resources from the worldwide military competition, which we are winning decisively, to the global civilian area where we are lagging. It makes no sense, we said, to spend two to six times as much of our gross national product on the military as do our wealthy allies while they outsell America. It is poor policy, we argued, to spend more than $100 billion a year defending Western Europe from the defunct Warsaw Pact while our deficit expands and our infrastructure decays.

Our mistake was calling this a "peace dividend." The phrase suggested that its advocates were naive about the world, apologetic about America's role in it, or both.

Consequently, when repression persisted in Russia, and America went to war in the gulf, the peace dividend was pronounced dead. Had the case for it depended on Mikhail Gorbachev becoming head of Amnesty International and Saddam Hussein being as reasonable as the Bush Administration thought he was before Aug. 2, it would deserve its demise.

But it didn't. And doesn't. Given the drastic weakening of the Communist military the great increase in industrial strength of our allies and America's proven military superiority over any likely adversary, a military budget that is less than two-thirds of our current expenditure would more than suffice to keep us the strongest power in the world.

What taxpayers are entitled to after 45 years of carrying a grossly disproportionate share of the non-Communist world's military burden is a "victory dividend." It is a dividend, because it is more than $100 billion a year that we can use for health care, deficit reduction, education or any other purpose. It is a victory dividend because it has been made possible by our success in the cold war and the increased self-defense capability of our allies.

It is not a call to disarm. We should retain the ability to deter nuclear war, to deploy air, sea and land power rapidly around the globe when our vital interests are at stake, and to reassure weak nations threatened by belligerent neighbors. The consensus to keep such a force is overwhelming in Congress and the country.

In fact, the weapons used by the U.S. in the gulf were not the controversial ones of the 80's. The MX and Midgetman missiles, the B-1 and B-2 bombers, anti-satellite weapons, and Strategic Defense Initiative were irrelevant to victory in Iraq and will be to future conflicts of this sort. (The effort to claim the Patriot for the S.D.I. program is one of the great acts of intellectual piracy of our time.)

We demonstrably do not need a huge land force in Europe and a $5 billion a year subsidy for Japan in the form of American forces stationed there. Nor do we need to add tens of billions of dollars to a nuclear deterrent already more than sufficient to its task.

The victory dividend can also be used for foreign policy objectives not achievable through military strength. If we took a small part of the money we spend on NATO and applied it to debt reduction in Latin America, we would be better off morally and from the standpoint of national security.

There will be debate over how much of our victory dividend should be used to reduce the deficit, how much should go to meet social needs, and how much should be spent to avoid war. But properly understood—as a recognition of West's great success, rather than as a declaration that the world is now safe for pacifism—the case for a phased-in reduction of military spending should not be controversial.

In fact, the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus sending large sums to subsidize Japan and Europe should be an easy one.

FINANCIAL STATEMENT OF F. JAMES SENSENBRENNER, JR.

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 1991, a matter of public record. I have filed similar statements for each of the 12 preceding years I have served in the Congress.

ASSETS

Real property	Value
Single family residence at 609 Fort Williams Parkway, city of Alexandria, VA, at assessed valuation. (Assessed at $651,800.00 Ratio of assessed to market value: 100 percent.) (Encumbered)	$651,800.00
Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, WI, at assessor's estimated market value. (Unencumbered)	73,400.00
Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, WI, at 25/44ths of assessor's estimated market value of $274,400.00. (Unencumbered)	155,909.09
Total real property	881,109.09

PERSONAL PROPERTY

No. of shares	Common and preferred stocks	Value
338	Firstar Corp. at $31.375	$10,604.75
467,216	American Telephone & Telegraph at $34.25	16,002.15
558	Idaho Power Corp. at $26.625	14,856.75
22	Ogden Projects Corp. at $20.50	451.00
450	First Interstate Bancorp. at $33.375	15,018.75
146,877	American Information Technologies at $67.00	9,840.76
193,145	Bell Atlantic Corp. at $51.375	9,922.82
218,786	Bell South Corp. at $53.25	11,650.35
100,337	NYNEX, Inc. at $72.50	7,274.43
148	Pacific Telesis, Inc. at $43.00	6,364.00
151,279	Southwest Bell, Inc. at $56.125	8,490.54
199,542	US West, Inc. at $39.125	7,807.08
649,438	Tenneco Corp. at $42.375	27,519.94
580	Nevada Power Co. at $21.50	12,470.00
838	Newell Corp. at $32.00	26,816.00
1,440	General Mills, Inc. at $57.00	82,080.00
800	Kellogg Corp. at $93.375	74,700.00
2,000	Dunn & Bradstreet, Inc. at $47.00	94,000.00
1,000	Halliburton Co. at $46.25	46,250.00
18,176	Kimberly-Clark Corp. at $87.75	1,594,944.00
500	Minnesota Mining & Manufacturing at $88.50	44,250.00
100	Rank Organization ADR at $12.625	1,262.50
2,132	Exxon Corp. at $58.50	124,722.00
1,162	Amoco Corp. at $52.50	61,005.00
1,080	Eastman Kodak Co. at $43.625	47,115.00
1,075	General Electric Co. at $69.625	74,846.88
408	General Motors Corp. at $37.75	15,402.00
20	General Motors Corp., series H at $19.25	385.00
5,213	Merck & Co., Inc. at $105.50	549,971.50
952	Warner Lambert Co. at $74.50	70,924.00
700	Continental Corp. at $29.25	20,475.00
200	Sears Roebuck & Co. at $35.00	7,000.00
910	Ogden Corp. at $20.00	18,200.00
455	OMI Corp. at $6.75	3,071.25
418	International Business Machines, Inc. at $113.875.	44,599.75

PERSONAL PROPERTY—Continued

No. of shares	Common and preferred stocks	Value
26	Sandusky Voting Trust at $123.00	3,198.00
1,422	Monsanto Corp. at $58.00	82,476.00
450	E.I. Du Pont de Nemours Corp. at $37.125	16,706.25
450	Houston Industries, Inc. at $36.125	16,256.25
525	Pacific Gas & Electric, Inc. at $26.125	13,715.63
512	Wisconsin Energy Corp. at $34.25	17,536.00
1,800	Abbot Laboratories, Inc. at $48.00	86,400.00
1,410	Banc One Corp. at $35.75	50,407.50
127	Premark International, Inc. at $21.75	2,762.25
100	Unisys, Inc., preferred at $10.00	1,000.00
33	Benton County Mining Co. at no value	Nil
	Total common and preferred stocks	$3,450,751.08

LIFE INSURANCE POLICIES

Face amount		Cash surrender value
$12,000	Northwestern Mutual—No. 4378000	$20,378.83
30,000	Northwestern Mutual—No. 4574061	48,597.81
10,000	Massachusetts Mutual—No. 416575	4,423.84
100,000	Massachusetts Mutual—No. 4228344	85,460.47
175,000	Old Line Life Insurance Co.	16,275.74
	Total life insurance policies	170,136.69

BANK & SAVINGS & LOAN ACCOUNTS

	Amount
Bank One, Milwaukee, N.A.: Checking account No. 0046-2366	$7,886.02
Bank One, Milwaukee, N.A.: Preferred savings account No. 4158-8070	18,954.54
Bank One, Milwaukee, N.A.: Regular savings account No. 497-525	641.40
Sergeant at Arms, U.S. House of Representatives: Checking account No. 7484	245.44
Valley Bank, N.A. of Hartland, WI: Checking account No. 03056664-06	121.28
Valley Bank of Hartland, WI: Savings account No. 03056544-11	539.92
Burke & Herbert Bank of Alexandria, VA: Checking account No. 601-301-5	577.37
Federated Bank, FSB of Butler, WI: Individual retirement accounts	32,710.03
Total bank and savings and loan accounts	61,676.00

MISCELLANEOUS

	Amount
1985 Pontiac 6000 automobile (at Blue Book retail value)	$3,025.00
Office furniture and equipment (estimated)	1,000.00
Furniture, clothing and personal property (estimated)	125,000.00
Stamp collection (estimated)	28,000.00
Interest in Wisconsin Retirement Fund	34,036.24
Deposits in Congressional Retirement Fund	62,877.93
Value of deposits in Federal Thrift Savings Plan	22,939.47
Traveller's checks	6,650.00
20 foot Manitou pontoon boat and 35 HP Force Outboard motor (estimated)	5,500.00
Total miscellaneous	289,028.64
Total assets	4,852,701.50

LIABILITIES

	Amount
Sovran Mortgage Co. of Richmond, VA (amount due on mortgage on Alexandria, VA, residence) Loan No. 564377	$175,062.81
Miscellaneous charge accounts (estimated)	2,000.00
Total liabilities	177,062.81
Net worth	4,675,638.69

STATEMENT OF 1990 TAXES PAID

	Amount
Federal income tax	$47,441.00
Wisconsin income tax	14,663.00
Menomonee Falls, WI, property tax	2,142.00
Chenequa, WI, property tax	7,537.00
Alexandria, VA, property tax	6,762.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner III and Robert Alan Sensenbrenner. I am further the direct beneficiary of two trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of our sons and also are custodians of accounts established for the benefit of each son under the Uniform Gifts to Minors Act.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other State or foreign country.

COLOMBIA LOSES ANOTHER LEADER IN THE WAR ON DRUGS

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RAMSTAD. Mr. Speaker, on Tuesday, former Colombian Minister of Justice, Enrique Low Murta, was assassinated by two unidentified men. Low's assassination occurred on the day the Colombians were remembering the assassination of another Colombian Minister of Justice, Rodrigo Lara Bonilla, who was killed 7 years ago.

From 1987 to 1989, Minister Low championed for the extradition of drug traffickers to the United States and helped coordinate Colombia's successful antidrug crackdown initiated by President Barco. While serving in the Barco administration, Minister Low publicly called for the arrest of Pablo Escobar, Jose Gonzalo Rodriguez Gacha, and Jorge Luis Ochoa even though it meant putting his life in danger. Minister Low was not afraid to take the lead in ending the drug cartels' reign in Colombia. We in Congress must also continue to work to end the reign of drug dealers and drug traffickers here in the United States.

Currently, the Colombian assembly is rewriting Colombia's Constitution. I hope the Colombian assembly is not intimidated by what appears to be the drug traffickers' latest show of violence in the Government of Colombia. Colombia must continue to strengthen their justice institutions so crimes like the assassination of Minister Low do not go unpunished. Here in the United States and Colombia, the message to drug traffickers must remain clear—you will pay for your crimes.

TRIBUTE TO ARDY SHAW

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CUNNINGHAM. Mr. Speaker, I rise today to pay tribute to one of San Diego's foremost community leaders, Ardy Shaw. Ardy is going to be honored on Friday, May 10, at a gala dinner to benefit YMCA services. It is fitting that Ardy Shaw is the focus of this event, as she has long taken a leading role in programs to benefit the children of San Diego.

Ardy Shaw is something of a rarity, in that she is a native San Diegan. But equally rare is her commitment to giving something back to her community. She is an inspiration to those whose lives she touches, and I am proud to call her a friend.

Ardy chose journalism as a career. For 13 years, she has worked for the San Diego Union, in a variety of roles, but always in positions with great contact with the community. Beginning in 1978, when she joined the newspaper, she has been tapped as a sort of ambassador at large for the Union. Since 1985, Ardy Shaw has served as executive assistant to the editor, with special responsibilities for community relations. Among other projects, Ardy has been active in working in our public schools, and community organizations such as the responsible hospitality committee, the Literacy Council, and the United Way.

She is also well known in the San Diego area for her 10 years as producer and host of talk radio programs on KSDO–AM and KPBS–FM. Later, she served as a commentator for KSDO radio, as well. Here again, Ardy provided a vital link for the San Diego area, illuminating problems and helping to find solutions.

Ardy has chosen to make a difference in the quality of life in San Diego, most especially through her involvement with the YMCA. As vice chair for the board of management of YMCA's human development services, Ardy Shaw has helped an organization that touches the lives of thousands of San Diegans each year. YMCA's human development services provides shelter and counseling for abused children, troubled families, and teenagers in crisis. Their leadership in the prevention and treatment of child abuse, alcohol and drug abuse has quite literally saved lives.

The YMCA human development services benefit honoring Ardy Shaw will raise funds needed to support 7 YMCA services. I salute them for their efforts in the San Diego community and I also salute my friend, Ardy Shaw. Mr. Speaker, I know my colleagues join me in recognizing Ardy Shaw, one of the true heroes of San Diego.

FEDERAL FACILITIES COMPLIANCE ACT OF 1991

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEPHARDT. Mr. Speaker, I am proud to join with the gentleman from Ohio [Mr. ECKART] as an original cosponsor of the Federal Facilities Compliance Act of 1991. This legislation, twice approved overwhelmingly in the last Congress, deserves enactment without delay.

Some of our Nation's worst polluters are not fly-by-night companies, but Federal agencies. The Departments of Energy and Defense together generate over 20 million tons of hazardous and radioactive wastes per year. For years, these and other agencies have mismanaged their handling of these hazardous, radioactive, and mixed wastes, badly contaminating the air, soils, and waters of many communities.

Places like Rocky Flats, Hanford, Fernald, and Savannah River have garnered most of the attention—but the fact is that agency pollu-

tion has endangered human health and the environment across the country.

The Congress passed the Resource Conservation and Recovery Act precisely to require the proper handling and disposal of solid and hazardous wastes. The RCRA law gave the Environmental Protection Agency and the States the leading role in cleaning up hazardous waste sites. Unfortuntely, several of our Federal agencies have resisted EPA and State cleanup efforts, contending that they cannot be compelled to take action, even if they previously might have agreed to do so.

This legislation has one simple goal: To require that these Federal Agencies abide by our environmental laws. There should be no double standards. Local and State governments and private companies must abide by these laws; certainly the Federal Government must do the same.

The EPA and the States, if they are to be given the responsibility for environmental protection, must have the authority to enforce the law. In spite of extremely tight overall budget constraints, the Congress has consistently provided more funds for the defense facility cleanups than the amounts requested by the administration. The administration needs to demonstrate its seriousness and address this issue.

The Federal Facilities Compliance Act means a lot to the citizens of St. Louis. The St. Louis Airport storage site, used to dump radioactive wastes dating back to the Manhattan project, has contaminated some areas with significant amounts of radioactive materials. The Department of Energy must be required to abide by the law and the obligations it has to our community. This legislation can help ensure this.

The good intentions of Federal agencies must be backed up by meaningful action and enforceable agreements. I urge my colleagues to join me in insisting that the Federal Government meet its responsibility to be a good steward of our environment, and a guardian of the public health.

DESTINATION: PEORIA

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MICHEL. Mr. Speaker, it has been widely reported that Americans today, unlike those of a few decades ago, are now leaving the metropolis in search of smaller cities. Reasons for this exodus include the desire to live in a community where there are fewer traffic hassles, less crime, and an overall improvement in the quality of life, while at the same time offering all the benefits of a large infrastructure. Peoria, IL, is such a city.

Peoria offers diversity—in businesses and in technology. Peoria can boast—along with being the three-time recipient of the All-America City Award—of its Northern Regional Research Center, the second largest laboratory of the U.S. Department of Agriculture, and businesses such as Caterpillar, Inc., Keystone Steel & Wire, Centel, and Archer-Daniel Midland—just to name a few.

"Will it play in Peoria?" isn't just a phase anymore. It has become the standard that other cities will strive to live up to.

At this point in the RECORD, I would like to insert four articles which appeared recently in the United Express Airlines magazine. Destinations: "Peoria Ascendant," "Profiling Peoria Business," At the Frontiers of Biotechnology," and Pursuing the Muse in Peoria."

PEORIA ASCENDANT

Since the turn of the century when more than half of America's people lived on farms and small towns, there has been a steady migration of population to major cities to the point that more than 85 percent of all Americans live in cities of 1 million or more and fewer than 3 percent live on working farms and ranches. Now this trend is ending.

There are any number of dissertations on the reasons for the general exodus of industry and people from the big cities.

Largely, it is because these cities have outgrown their charters and now spill across city, county, and even state boundaries, into such a welter overlapping and redundant jurisdictions that they are ungovernable. And because they cannot be governed, traffic cannot be managed, crime cannot be controlled, the environment cannot be protected, their infrastructures are crumbling beyond repair, and excellence in anything is seldom attained in spite of exorbitant taxes.

Those leaving Megalopolis and Gotham are not going back to put up hay on Grampa's farm or to cut stovepipe in Dad's Own Hardware Store in Boonieville. They're citified, they like the best the city has to offer, and they are finding it in what demographers and sociologists call "the second-tier" cities, that range from as small as 75,000 to upwards of 1 million population.

These are the places that are governable, and where those doing the governing are visible and thus accountable to those being governed.

The second-tier cities are the new boomtowns of America. They have all of the metropolitan assets, but little crime, no traffic gridlocks, good schools solid infrastucture, and affordable housing. In short, they're better placed to live—as an individual or as a corporation.

Over the past several years, Peoria at 350,000 population has become an exemplar of the best of the second-tier cities, and this message has been played to world through international news services through international news services like Reuters, through international business magazines like The Economist, through national newsweeklies and network television, and—perhaps most importantly—through the word-of-mouth of executives of Peoria-based corporations that do business around the globe.

Peoria is indeed "playing to the world." Don't, however, make the mistake of thinking that Peoria is typical. It ain't.

Situated midway between Chicago and St. Louis, Peoria was once sort of a vest pocket version of each: maker of beer and whiskey, of steel and heavy machinery; a Corn Belt river port where bargemen and railroaders loaded out coal and ore and loaded in the cases and kegs and big yellow tractors and the corn and hogs and cattle from rich farms surrounding Peoria and from its sprawling stockyards. "Blue collar" summed it up precisely and Peoria was proud of it. "Yes, but will it play in Peoria?" was never a pejorative as it was a kind of litmus test of the core value of an idea.

Emerson's essay on "the uses of adversity" has its case in point in Peoria.

Martin Mini, executive director of the highly-professional Peoria Economic Development Council, says that up until 1980 three out of four area jobs were blue collar. "Now it's one out of two," he observes, adding that, "it was the heavy decline in blue collar employment that led us to diversity."

Telecommunications, insurance, direct marketing, aerospace, automotive aftermarket, electronics, medical specialties, bio-technology, graphic arts, publishing, warehousing and distribution, regional and national headquarters, government, conventions and tourism, education, government . . . Peoria has diversified with might and main.

While the brewery and distillery that closed down during the decline are likely gone forever, Caterpillar and Keystone Steel have stanched their wounds and are now growing vigorously again, competitive in global markets because of stream-lined organization and the latest in production equipment and facilities.

Mini is highly optimistic that more companies will find Peoria as a place to do business and that those already established there will prosper.

"Peoria and the other second-tier cities have all been doing well in the face of a recession," he states. "We are not to go overboard on growth just for its own sake, but believe all parts of the equation are there for us to make solid progress to the turn of the century and beyond."

He is particularly sanguine about trade agreements that will begin to manifest their benefits in the coming decade.

Since 1970, the volume of world trade has increased by some 240 percent, and trade between the U.S. and Asia now exceeds that between the U.S. and Europe. Over the past 15 years, the U.S. has gone from being the world's largest creditor nation to world's largest debtor nation, and balance-of-trade deficits still plague the U.S.

In 1987, an agreement was signed between the U.S. and Canada that will eliminate all tariffs and trade barriers between the two nations. One phase of tariff reductions has been made; another reduction will take place in 1992, and the final reduction is to take place in the year 2000. Canada is the largest trading partner of the U.S., at approximately $70 billion a year.

A similar agreement between Mexico and the U.S. is just in the beginning discussion stages.

In 1992, the European Economic Community will come into being, and it will eliminate trade barriers among 12—and possibly more—European nations. The EEC will become an enormous market—324 million people and an aggregate "GNP" of $4.7 trillion (vs. 249 million people an a GNP of $3.8 trillion for the U.S.).

The disintegration of the Eastern Bloc, and the shift of the Communist countries from planned to market economies may also create vast trade opportunities in Eastern Europe and the Soviet Union.

What makes Mini so optimistic that Peoria will play a significant role in global trade are a number of factors, key among them that many Peoria-based companies are strong exporters with long experience of doing business overseas as part of their corporate cultures.

"Global communications is one factor. So is air service that makes it possible to connect through Chicago or St. Louis within an hour, and from them to go nonstop to prin-

cipal markets of Canada, Mexico, Europe, South America, the Pacific Rim, and Asia within the same day. So is low-cost water transportation, and a number of other things," he states. "But almost none of the other second-tier cities are headquarters to companies like Caterpillar, that does 60 percent of its total sales as export."

There's no intention of ignoring possibilities closer to home. "One of the appeals for U.S. companies that Peoria has the most affordable housing in America," Mini notes. "Also, we have a very strong story to tell about productivity."

Plentiful clean water, reasonable utility rates, competitive construction cost, clean and efficient government with a high return of services per tax dollar, are other inducements.

The Peoria EDC has the area's attributes catalogued in complete and current detail.

"Because we had our slump just at the beginning of the 1980s when other more-diversified places were going strong, Peoria didn't get overextended in offices or apartments or homes," Mini says.

"That was sort of luck in a way, but now we're solid in every way and we intend to stay that way."

"Does it play in Peoria?" The real question is for an expansion-minded company to decide whether it's good enough to play in Peoria.

PROFILING PEORIA BUSINESS

Historians correctly observe that Peoria was a melting pot of cultures and races long before the idea occurred to other parts of America. The same amalgam of corporate cultures, management techniques, and new technologies has been taking place in Peoria for nearly a decade, and the result is that almost everyone is thriving in the face of a national recession and in spite of aggressive foreign competition . . . and newcomers big and small have been coming to Peoria in increasing numbers.

As a consequence, the patten of business in Peoria is so diversified that there is almost no pattern whatever except for that of success.

Caterpillar came to Peoria in 1925, and its big yellow tractors, bulldozers, scrapers, and graders revolutionized earth-moving. If Ford put America on wheels, it was Cat that made the highways for the wheels to run on, and made possible the construction of the airports and the huge dams built in America during the decades of the 1930s through the 1960s.

Its domestic market softened by major completion of the Interstate Highway System, Caterpillar was also pounded hard by exports to the extent it sustained a billion-dollar loss and had to cut its work force by more than half in the early 1980s. Cat dug in, modernized, and fought back so successfully that its payroll is growing again and that now approximately 60% of its total sales are from exports. With some 21,000 employees in its Peoria-area facilities, Cat is by far Peoria's largest employer.

Ironically, the Japanese heavy-equipment company of Komatsu which marched away with so many of Cat's customers during the late 1950s and early 1980s, also discovered Peoria, and in a joint venture with Dresser, formed the Komatus-Dresser Company Haulpak Division. Haulpaks are the gigantic 100-yard capacity dump trucks used in continuous strip-mining and other operations where high-speed, high-volume hauling of overburden, coal, or ores is essential. K-DC has about 900 employees in Peoria.

Keystone Steel & Wire, which suffered simultaneously with Cat from many of the same problems, also emerged very successfully from its trial and is the second largest manufacturing employer in Peoria, with a workforce of over 1,500.

In the non-manufacturing sector, medicine and education are the largest employers. St. Francis Medical Center has 3,300 employees, Methodist Medical Center has 2,500, Peoria School District has some 2,100, Bradley University has 1,200, Illinois Central College has 1,100, and Proctor Community Hospital has about 1,000.

Centel is a strong voice within the Greater Peoria area—literally.

The telecommunications leader provides regular phone service in Pekin and through Centel Cellular—phone service for the entire Greater Peoria area. At Chicago's O'Hare International, Centel has a unique equipment system for United Airlines' reservations, providing all-digital and fiber optic redundant systems which are virtually foolproof. Centel is similarly a positive force in other communities within its nine-state service area.

Fleming-Potter Company, Inc., not exactly a household word even in Peoria, is nonetheless a manufacturer whose products are frequently on everyone's lips. The company makes perforations and printing and manufactures seals—by the hundreds of millions. You and I encounter F-PC products when we affix a stamp to subscribe to a magazine and thereby try for a sweepstakes prize, open a carton or bottle of a fresh fruit juice or ponder the label of a bottle of wine, or remove the seal from any of the hundreds of products we encounter daily. Fleming-Potter, the name that's just on the tip of your tongue, employs about 550 people.

Two other Peoria companies, largely unknown except in the world of advertising, are Multi-Aid Services, Inc. (312 employees) and Dynamic Graphics, Inc. (150 employees), whose products are likely before your eyes many times a day. They design advertising and ad components such as illustrations, cartoons, and borders which they supply to ad agencies, newspapers, book publishers, and printers. Books of "slicks" or "clip art" and their monthly supplements are still a substantial part of the business, but increasingly the images are transmitted computer-to-computer via modem or compact discs.

Peoria has a substantial and growing community of direct marketing companies: Foster & Gallagher with 900 employees, Ruppman Marketing Services with over 400, and Customer Development Company with 380. The newest addition is a new direct mail center for Mail Tech Enterprises, Inc. with a 72,000-square foot facility from which it operates as a direct mail distributor, service such clients as Publishers Clearing House, the American Lung Association, and a number of Fortune 500 corporations.

Financial institutions are also important factors in the economic life of the Peoria area. Pekin Insurance with 600 employees, First of America Bank Illinois NA with over 425, RLI Corporation (specialty insurance) with about 350, Construction Equipment Federal Credit Union with 300, and Illinois Mutual Life & Casualty Company with 200 are major players in this arena.

In addition to what's already mentioned, here's some more of the diversity of companies operating in the Peoria area:

Morton Buildings, steel and wood buildings for commercial, industrial, and agricultural purposes. UNR-Rohn, Inc., microwave towers. Sherex Chemicals, industrial chemicals. International Paper, paper products. B.F. Goodrich, vinyl, other plastics, and rubber. DMI, Inc., farm equipment. L.R. Nelson, lawn irrigation equipment. Pekin Energy, fuel-grade ethanol. Archer-Daniel Midland, grain processing. Libby (Carnation), pumpkin processing.

Other recent newcomers to the area accentuate the breadth of the spectrum of companies that have determined Peoria is the best place for them.

TransTechnology Electronics, Inc. has consolidated its $200 million-dollar-a-year high-tech engineering and manufacturing operations for aerospace, defense, and industrial products in Peoria.

Union Sangyo America, Inc., a Japanese-Korean-American enterprise, manufactures over 24 million automotive filters a year in its new $20 million plant in Peoria County.

Preco, Inc. has completed a 10,000-square foot building in Peoria to manufacture electronic backup alarms used on fork lifts and other industrial and construction equipment.

Brown Moulding Company, Inc. recently opened a national distribution center in Peoria. The company is the nation's largest supplier of unfinished wood millwork, serving major do-it-yourself building centers and wholesale builder supplies for contractors.

Each new ingredient in the melting pot is adding to the zest of prosperity.

AT THE FRONTIERS OF BIOTECHNOLOGY

The Northern Regional Research Center at Peoria is the second largest laboratory of the U.S. Department of Agriculture, and most communities in possession of a facility like that would happily bask in the reflected glory of the pioneering work accomplished at that lab.

Peoria, though, believes not only in gilding the lily, but in making ten lilies grow where only one grew before, in adapting it to equatorial and polar climates, in learning how to process it for industrial solvents and fuel, make it cure a wide spectrum of diseases, and in providing a basis for exports that will overcome the troublesome balance-of-trade deficits and bring roses to the cheeks of all those ashy pale Federal Reserve Board governors.

Well, we do exaggerate. But only a little.

As prestigious as the USDA Center is, the relatively-new Biotechnology Research & Development Center (BRDC) housed there has wide-ranging goals that—if successful—will multiply the efficiency of American agriculture many times over, make existing businesses grow, and create entire new industries.

BRDC is a unique hybrid, focusing research efforts in bio-technology and genetic engineering by federal and state government agencies, private industry, and academia.

Its matter-of-fact approach to tomorrow is one that virtually insures steady progress and may well yield major scientific breakthroughs.

Most remarkably, BRDC is no superbureaucracy, but has a total staff of what Executive Director Grant Brewen describes as "three and a half people."

The body may be small, but it has muslces all over it. BRDC's seven shareholders include Amoco Technology, American Cyanamid, Dow Chemical, Hewlitt-Packard, ECOGEN, Inc., INCERA Group Inc., and the Peoria Economic Development Council and CILCORP as a joint venture.

The annual $4 million budget currently includes 55 research contracts with 11 universities and five agricultural research organizations. More contracts with additional uni-

versities are contemplated for the near future.

Six principal areas of research are now under investigation:

Plant and molecular biology.

Bio-catalysis to identify micro-organisms that perform uniform chemical conversions vital to metabolic pathways.

Natural products that include a variety of natural pesticides, fungicides, herbicides, and mildewicides; and delivery technologies for crop protection and animal care.

Animal health care.

Fermentation processes to control systems and to develop and monitor batch processes, oxygen tensions, and other factors that affect high-value pharmaceuticals, such as insulin and ethanol production dependent on yeasts and other fermentation agents.

Basic molecular biology and genetic engineering.

Some of the research is being conducted by the University of Illinois at Urbana, the National Center for Crop Utilization Research at Peoria, Northern Illinois University at Dekalb, Northwestern University at Evanston, Iowa State at Ames, Johns-Hopkins University at Baltimore, the University of Iowa at Mason City, New York University at Sunnybrook, and . . . well, you get the idea . . . the powers who know how to make things grow and how to make things out of the things that grow.

The thing to keep in mind is that many of the things that will keep you feeling better, looking better, more comfortable, living longer, having more conveniences, and enjoying a good job are first going to play in Peoria.

PURSUING THE MUSE IN PEORIA

Somewhere it sticks in your mind that Fibber McGee and Molly of the crashing closet who played a gentle spoof of domesticity on Tuesday night radio during the 1940s were from Peoria even though they said it was Wistful Vista.

That leaves you grandly unprepared for what you actually find.

Begin with the gleaming $64 million Civic Center on a manicured 20-acre site. This convention and entertainment complex has an 12,000-seat arena and a 2,200-seat theater, and is home to some of the finest cultural aggregations ever to rosin a bow or step into a tutu.

The Peoria Symphony Orchestra, one of 10 oldest in the United States, has played at the prestigious Bodensee Festival in Germany, and the Peoria Ballet has performed at the equally prestigious Edinburgh Festival in Scotland. The Peoria Players Theater is the fourth oldest in the U.S. There are also the highly-regarded Peoria Civic Opera, the Peoria Area Civic Chorale, the Broadway Theater Series, the Children's Theater, the Lakeview Museum of the Arts/Sciences, and numerous other university-affiliated and community theatrical and musical groups.

If something a bit more on the casual order is your preference, there's the Peoria Municipal Band, and there's spontaneous jazz at the Fulton Plaza downtown, where—if music is not enough to satisfy the inner person—there are hot dogs, sausages, grilled pork chops, and Chinese, Lebanese, and Italian offerings from the colorful pushcarts that cater to music lovers, office workers, shoppers, strollers, and visitors.

Bill and Carol DeBoard, emigres from the corporate life, launched Peoria's first pushcart in 1980, and since, pushcart vending has become something of a local industry, albeit more charmingly picturesque than most enterprises.

Paddle-driven steamboats once played an important part of Peoria's economic life, and you can catch an authentic glimpse of those days at Jumer's Boatworks, where there is The Belle Reynolds, a floating maritime museum built inside a operable 170-feet tugboat, and The Katie Hooper, a floating restaurant and lounge, and where—if you feel inclined to go cruisin' down the river on a Sunday afternoon—you can board The Spirit of Peoria, a 125-foot excursion paddlewheeler, and do just that.

Should paddlewheelers stimulate you to play the riverboat gambler as did the darkly-handsome Howard Keel so memorably in the movie, you can do that, too, come April, when riverboat casino gambling comes to Peoria and East Peoria in the form of a new three-deck vessel that can carry 1,200 passengers.

The Illinois Gaming Board has authorized only five such licenses for floating casinos on the Illinois River from Chicago down to East St. Louis where the Illinois flows into the Mississippi.

You can hold your ace-queen full-house close to your embroidered vest or bet red or black or shoot craps in luxuriant ease, because the boat will have a staff of 800 for three-shift-a-day operation.

Over 50 hours a week of live thoroughbred and harness racing is shown via 175 television monitors at an off-track betting facility named Arlington-in-Peoria.

Team sports are popular, and both the Braves, Bradley University's perennial powerhouse basketball team, and the Rivermen, a farm team of the St. Louis Blues professional hockey team, play at Carver Arena in the Peoria Civic Center. The Peoria Chiefs are the Class A farm team of the Chicago Cubs, and play their 70-game home schedule at Meinen Field. The Peoria Polo Club also provides thundering action each Saturday during its July-September schedule.

There are nearly a dozen public golf courses in the Peoria area, and most of the area country clubs offer reciprocal playing rights to members of clubs elsewhere. Organized leagues for rugby, soccer, volleyball, lacrosse, swimming, tennis, softball, archery, karate, and golf flourish in Peoria.

Not including the privately-owned 1,850-acre Wildlife Prairie Park, there are more than 12,000 acres of public parks and recreation areas in the area.

Peoria's 1991-92 Tricentennial observances will crowd an already full calendar of events. One of the centerpieces is Steamboat Days, which will observe its 20th anniversary in 1991 and expected to attract far beyond the 100,000 people it normally draws. The Steamboat Days Classic Foot Race, a 15K ranked as one of the top races in the United States, the Steamboat Classic NRRA Road Race, and steamboat races begin the summer season; the Taste of Peoria and the "Rib Bib Cook-off" bring throngs in August; and the spectacular pre-Christmas "Parade of Lights" in East Peoria caps the year.

What's your pleasure? Peoria has it.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SAWYER. Mr. Speaker, today I am pleased to introduce legislation, along with 24 of my colleagues, to amend the Martin Luther King, Jr. Federal Holiday Commission Extension Act.

The Commission was established in 1984 to encourage appropriate ceremonies and activities relating to the observance of the Federal legal holiday in honor of Dr. King. When the Commission first began its work, only 17 States observed the holiday. Today, all but 2 States have made Dr. King's birthday a paid holiday, and over 100 foreign countries celebrate the occasion, as well.

Because the Commission received no Federal funding prior to 1990, and has had difficulty developing a successful fundraising program, it is apparent that its annual appropriation of $300,000 is not sufficient to retain qualified staff and carry out the wide range of activities that the Commission has planned. A key factor relating to the Commission's inability to raise enough funds from outside sources is that it competes for private donations with the Martin Luther King, Jr. Center for Nonviolent Social Change.

I want to point out that the missions of the Commission and the King Center greatly differ in scope and in kind. The Commission provides guidance to State and local holiday commissions, responds to thousands of inquiries, and distributes educational materials in conjunction with the celebration of the King holiday. The King Center, a memorial to Dr. King, promotes Dr. King's philosophy and strategy of nonviolence through seminars, workshops, and training programs for youths, teachers, community leaders, administrators, and others. The Commission's authorizing legislation expressly prohibits the Commission from expending any funds for the purpose of organizing campaigns to protest social conditions or promote civil disobedience.

The legislation that I am introducing today would do the following: First, increase the Commission's annual appropriations to $500,000 in fiscal year 1992, and $700,000 in fiscal year 1993; second, increase the staffing positions from five to eight; third, increase the at-large membership from 23 to 30; and fourth, increase the rate of maximum pay for Commission staff from GS-13 to GS-15.

Aside from increasing the Commission's annual appropriation, the amendments would result in no additional costs. Actually, amendments No. 2 and No. 3 could not be carried out without increasing the Commission's annual appropriation. There is no cost associated with amendment No. 4.

During his lifetime, Martin Luther King, Jr., represented hope to millions of Americans. Today, with the critical problem of drug abuse, and high dropout and unemployment rates among minority youth, I believe that these amendments will assist the Martin Luther King, Jr. Federal Holiday Commission as it continues Dr. King's legacy of bringing hope to

many young people who have lost sight of the dream.

HOSPICE CARE PROGRAM FOR VETERANS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, today I am introducing legislation with my colleagues Mr. BILIRAKIS, Mr. PENNY, Mr. PAXON, Mr. PANETTA, and Mr. LEHMAN of Florida that would establish a hospice care pilot program for terminally ill veterans. Under this legislation, the Veterans Administration would establish at least 30 pilot hospice care programs in VA facilities throughout the country for the purpose of providing hospice care. This legislation authorizes VA facilities to contract with hospice programs that are currently certified with the Medicare Program to provide home-based hospice care for terminally ill patients who would rather be cared for at home in their final days as an alternative to institutionalized care.

Hospice care is an alternative way of caring for those who are terminally ill. In the unfortunate situation when a veteran is disagnosed with terminal illness, it is more unfortunate when he or she has no option to receive care in the comfortable, familiar setting of their home. Hospice is a home-based form of care that nurses not only the physical pain of terminal illness but the emotional, psychological, and spiritual challenges of dying. Many individuals would rather stay at home in a setting they are more comfortable with than spend their final days in an institution.

For several years, the Medicare Program has recognized the importance of hospice care. Not only does hospice provide patients with a quality alternative to institutionalized care in a terminal situation but hospice does so in a cost-effective fashion. Institutionalized care is expensive, whether it is in a private sector hospital or in a veterans' facility. Hospice provides an alternative way to care for the terminally ill at home with lower cost and quality care. The Medicare Program has covered hospice services for the terminally ill for several years now and I strongly believe that this is one of Medicare's biggest success stories. I believe that veterans and the VA health care system would equally benefit if hospice care was utilized to a greater extent than it is currently.

It is my understanding that currently, the VA has some hospice programs in VA facilities. I think that this is wonderful but it seems to me that the VA ought to provide more opportunities for terminally ill veterans to receive hospice care. For some VA facilities, establishing their own hospice care program is not feasible. A shortage of resources—both financial and professional—prohibit the VA from offering hospice care to terminally ill veterans. It seems to me that the VA could contract for hospice services and offer hospice care as an option with hospice providers that the Federal Government has already certified and is currently using to treat patients covered in Federal programs like Medicare and Medicaid. Veterans organizations such as the American Veterans of World War II, Korea and Vietnam [AMVETS], the Disabled American Veterans [DAV], the Paralyzed Veterans of America [PAV], and the Veterans of Foreign Wars [VFW] recognize the importance of hospice care and have recommended that hospice programs be established in every VA medical center in the country.

That is why I have proposed this legislation. This bill would authorize the VA to establish a pilot program with Medicare certified hospice programs which would care for veterans who are receiving care in a VA facility and are diagnosed as terminal, that is, they have been given less than 6 months to live. The services covered under this program as well as the per diem rate paid to the hospice program for providing services would be the same as provided under the Medicare Program. In short, the VA would use the Medicare Hospice Program as a model to provide hospice care to more veterans.

Similar to the provisions under the Medicare Program, the pilot program suggested in this legislation would allow terminally ill veterans to elect hospice care as an alternative to receiving care in the institution. Upon election of the hospice benefit, the veteran would waive his or her coverage in a VA facility for services related to their terminal illness—thereby substituting home care for institutional care. The home care services would include physician services, nursing care, physical, occupational, or speech therapy, social services, homemaker services, medical supplies, counseling, and short-term inpatient care if needed.

I firmly believe that this pilot program will not only enhance the lives of terminally ill veterans but it would also benefit the VA health care system. This legislation requires the VA to conduct a study of this pilot program and to report to Congress on the quality of care provided and the feasibility and cost-effectiveness of the hospice care pilot project. I am confident that the results of this study will reveal that providing the option for hospice care to veterans is positive for patients in VA facilities and the system as a whole.

It is my understanding that Senator JOHN MCCAIN intends to introduce this bill in the U.S. Senate in the near future.

I urge my colleagues to support this legislation.

VIOLATION OF HUMAN RIGHTS

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MOORHEAD. Mr. Speaker, less than 2 weeks ago, many of my colleagues and I spoke from this same podium to remember the Armenian genocide of 1915 to 1923. We hope in remembering, that such atrocities will never happen again. But history has been a cruel teacher, showing us that gross inhumanity has not perished from this Earth.

Today, I rise not to speak of genocide, but of naked violence being perpetrated against the Armenian people in the villages of Getashen and Martunashen, two Armenian subdistricts in Soviet Armenia's neighboring republic of Azerbaijan.

According to eyewitness accounts, I am saddened to report that not only Azerbaijani forces, but Soviet forces as well moved into these villages on April 30, killing at least 35 Armenians, injuring countless others, and taking 75 people hostage.

This invasion magnifies even further the disintegation of President Gorbachev's democratic reforms and the desperate economic situation that has led him to capitulate to the military hardliners in his country.

While I was dismayed to hear that so many Armenians, including women and children, had been killed, I cannot say I was surprised. Over the past 3 years, the world has witnessed Azerbaijan steadily increase its pattern of massacre and deportation against the Armenians in and around Karabagh, an overwhelmingly Armenian enclave inside Azerbaijan.

The incidents in Getashen and Martunashen are simply the latest expression of Azerbaijan's desire to rid the entire region of Armenians.

Through its complicity in this invasion, the Soviet Central Government sanctions the racist schemes of the Azerbaijani Government. Those Soviet officials who gave the orders for the invasion, has effectively become partners in this brutal and unconscionable action.

The Soviet Government should immediately give the order to reverse the offensive nature of its forces and have them assume their proper function in protecting the region's residents from Azerbaijani aggression.

I urge my collegues to join me in speaking out on this violation of human rights.

POLISH CONSTITUTION DAY

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. ATKINS. Mr. Speaker, I rise today to commemorate the 200th anniversary of the first democratic Polish Constitution, which was adopted only a few years after our own Constitution on May 3, 1791. Mr. Speaker, the adoption of the Polish Constitution was a truly significant achievement which allowed for a peaceful transformation from a repressive autocratic government into a representative government of all the people. The extraordinary Polish Constitution reflected many of our own country's values, such as majority rule, elections by secret ballot, religious tolerance, and equal justice under the law. The Polish Constitution marked the beginning of democracy in Eastern and Central Europe.

Tragically, before the Poles had the opportunity to fully enjoy the benefits of their new remarkable Constitution, their homeland was divided among the autocrats of Austria, Prussia, and Russia. And, with the exception of a brief period after World War I, the Polish people continued to live under repressive regimes until the recent extraordinary blossoming of freedom there.

In recognizing today the anniversary of the Polish Constitution, one not only recognizes

those who created it, but also those who have devoted their lives to the principles expressed by the Constitution. These people include individuals such as Thaddeus Kosciuszko and Lech Walesa, and the 10,000 Polish officers and intellectuals who were massacred in the forests of Katyn. In addition, we pay tribute to hard working Polish-Americans here in the United States who have never given up the cause of freedom in their native land.

ANTI-CROATIAN TERRORIST ACTIVITIES

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KOLTER. Mr. Speaker, just today I have received distressing news of army-backed terrorist anti-Croatian actions escalating in Croatia. Just today two policemen were murdered by these roving bands of terrorists in Bibinje, a Croatian town outside of Zadar, and a town near Vokovar, which is quite a distance away from the first town.

These insidious and systematic unprovoked attacks by the terrorists are all the more alarming because of the news that the army, rather than playing a peacekeeping and moderating role, has reportedly armed the terrorists in an effort to incite a Croatian response and thereby offer the army an alibi to install martial law.

The increased level of terrorist and army activity since January 24 and 25 have, according to Croatian governmental sources, increased both terrorist and army activities as the May 15, 1991, date approaches. May 15 is the date when the Communist President of Yugoslavia, Mr. Jovic, will be replaced by the democrat from Croatia, Mr. Stipe Mesic.

Mr. Speaker, the United States must at the very least come out against these terrorist activities and state that we support a dialog and not violence.

I fear that unless the United States immediately comes out with such a stand that we may unwittingly promote a civil war.

CALUMET REGION MONTESSORI SCHOOL CELEBRATES 25TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. VISCLOSKY. Mr. Speaker, It is my pleasure to pay tribute to the Calumet Region Montessori School of Hobart, IN on the occasion of its 25th anniversary.

The Calumet Region Montessori School, CRMS, was founded in 1966 with a belief and a dream. The belief was in the philosophy of Dr. Maria Montessori and the dream was to establish a Montessori school in northwest Indiana. In September 1966, two preschool classes began in the Glen Park section of Gary. Various subsequent locations housed classes until 1968 when land was purchased in Hobart. The school, at 2109 East 57th Avenue, was designed from the ground up as a Montessori school. Classes started in March 1969. In time, an elementary program, parent-toddler classes and new wings were added. Today, children from 18 months to 12 years of age attend the school.

As CRMS begins its second 25 years, we all owe a debt of gratitude to the many parents, staff, and friends who have kept the dream alive.

Special recognition goes to the following people who gave freely of their time, talents and money in the early years. Arthur and Anne Collins, two of the original four founders of CRMS. Arthur was also an incorporator and the first president of the board; Richard Meyer, board president and parents group president; Pay Meyer, board member and administrator; Eugene Haller, board president and member; Rev. John P. Jackson, first headmaster and director; Judy Jackson, school secretary and parents group president; Marvin Syren, first parents group president; Karen Syren, school secretary; Lewis Ciminillo, president of the board; Maxine Ciminillo; Rosie Gulassa-LePell, first directress, head directress and administrator; David McAfee; Nancy McAfee, president of the board and accountant; James Newman; Mary Alice Newman, board member and founder of the school site; Peter Wilke; Martha Wilke, board member; Richard E. Kirscher, board member; Dorothy Kirscher; Dr. George and Helen Volan; William Conjelko, board member; Charlotte Conjelko, business administrator and parents group president.

Later, many dedicated themselves to enhancing CRMS. They include: Bruce Haller, board president; Bettie Haller; Oyidal Isakson, bookkeeper 1977–89; Stanley Christianson, board member; Elin Christianson; Lee Strawhun, board president; Velma Strawhun; Dr. Koppolu and Shakuntala Sarma; Violet Potts, staff; Dr. Vidyadhar and Suhasini Gandra; Sandi Zeigler, directress; Dr. Derek Dawson; Jacqueline Dawson, parents group president; Dr. and Mrs. P.R. Unni; Dr. K.V. Pillay, Girija Pillay, board member; Dena Yuriga, parents group officer, Dr. David and Claire-Lynn Chube, Dr. David and Ruth Ross, Rudy Schneider, Renate Schneider, board president; Bob Smith; Rita Smith, board member; Mamom Powers; Cynthia Powers, board president; Karen Rake, board member; Jane Barnes, staff; Jo Ann Wozniak, board president, parents group president, acting head administrator; Daniel Wozniak; Dick Rossi, Dr. Veera and Sharon Porapaiboon; John Siroky, board member; Michelle Siroky, parents group president; Dr. Sunchai and Sayumporn Senasu.

CRMS exists as a center for learning and caring. Special tribute must be paid to the current staff. Sue Rossi, administrator; Carol Sistanich, secretary; Iris Fogarassy; directress; Marianne Lind, head teacher; Lyn Ochs-Manchak; Jean O'Neill; Mary Ann Pimental; Carole Rowe. Paraprofessionals include: Ruby Barnes; Claudia Graham; DeLoise Johnson; Patricia Mikaitis; Joyce Miracle; Lorraine Pimentel; Sandra Will, and Brenda Jones. Margaret Medina; Molly Miller-Bartrom. Carolyn Dalrymple and Joy Staff comprise the support staff.

Marianne Lind, toddler directress, celebrates her 24th year at CRMS. Marianne's loving and caring has instilled a love of learning in countless children.

The persons currently setting policy for CRMS as members of the board of directors are: Judy Haller, president; Frank Lazzaro, vice president; Bobbie Cobbs, secretary; Steve Bolanowski, treasurer; Susan Cohen, Jane Ellis, Debra Fleeger, Johnny'e Ford; Glenn Gintert; Paul Kern; Bert Owens; Madhukar Ranade.

Parents who are active at the school include: Phyllis Allen; Lynn Bolanowski; Shirley Brigewater; Linda Chary; Debra Cheema; Greg Engelien; Peggy Gatlin; Robin Gintert; Colleen Greichunos; Dolly Harris; Julie Hudson; Paula Johnston; Cheryl Keller; Laura Hannon; Pattie Maggie; Rick and Teresa Markle; Marielle Martin; Mary Ann McNiece; Bernadette Monda; Georgiann Pangere; Karen Ranade; Kamini Sawlani; Randy and Pamela Strapon; Dennis and Cynthia Svilar; Susan Wright.

I have utmost respect for each and every one of these individuals who has given of himself or herself for the cause of education and the advancement of our children. To recognize Calumet Region Montessori School of Hobart during this critical period for education in our country is indeed an honor.

PARTNERSHIPS FOR THE ENVIRONMENT

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SAXTON. Mr. Speaker, over the past 2 years, I have been involved with an important effort to reevaluate the way Government organizes, prioritizes, and manages environmental research and development. Last year, many of you joined me in this effort by supporting a study to be conducted by the National Academy of Sciences to investigate the concept of establishing a National Institutes for the Environment—the NIE—patterned after the National Institutes of Health. That study is about to commence and will gather together scientists from across the board to objectively investigate the multifaceted issues surrounding the environment and the need for competitive and aggressive research and development into the solutions we so desperately need.

In many of my discussions with scientists around the Nation and neighboring countries, the problem of adequately funding competitive research has been an issue of serious concern. The need to encourage more support and involvement from the private sector in these matters is essential if our country is going to continue taking the lead on matters of environmental stewardship and technological innovations for solutions to the many aspects of pollution, contamination and resource recovery.

I am pleased to bring to the attention of the House a program, financed by a company in the private sector, that will help educate the environmental leaders of tomorrow and pro-

vide resources vital to the support of environmental science.

Called the Partnership for Environmental Education, it is being undertaken by Times Mirror Magazines and was unveiled on May 1, 1991, with the support of Administrator William Reilly, head of the Environmental Protection Agency, and Frank Bracken, Deputy Secretary of the Interior.

Times Mirror Magazines is a media company with 10 national magazines with more than 30 million readers. Publications include Field & Stream, Outdoor Life, and Popular Science. Currently, Times Mirror Magazines carries a quarterly editorial on key conservation issues in all 10 magazines simultaneously, something I understand to be unique in the magazine industry.

In addition, the company started the Times Mirror Magazine Conservation Council to use their communicative strengths to address conservation issues.

To encourage its advertisers to also try and increase public awareness of environmental problems and their solutions, Times Mirror Magazines decided to initiate the Partnership for Environmental Education. This program takes 2.5 percent of the revenues from advertisements containing messages about environmental problems and solutions and invests those funds in environmental education and science programs.

Besides helping to educate the environmental managers and scientists of tomorrow, the program also is a dramatic shift from the traditional method of supporting environmental research through public mechanisms only. The use of public/private initiatives to support competitive research and development is vital for meeting the challenges of environmental restoration, conservation, and stewardship. I hope this is the beginning of what will emerge as an expanding trend.

At the May 1 launch, an initial $10,000 donation was made to the National Environmental Education and Training Foundation. We created this Foundation last Congress to use public and private dollars to improve environmental education. Times Mirror Magazines was the first company in the private sector to make a donation. However, the partnership is expected to raise hundreds of thousands of dollars for environmental science and education into perpetuity, some of which will be donated to the National Foundation, and some which will be invested in other worthwhile projects.

I believe we all recognize that the solutions to environmental problems, and the successful integration of economic growth with environmental protection, is dependent on public-private partnerships. Only through the efforts of the private sector can comprehensive public education be successful in changing the many behaviors which have harmed our environment and natural resources. And only through the involvement and support of the private sector can we stimulate the competitive entrepreneurism necessary for developing future solutions to our inherited problems from the past.

Historically, support for the environmental sciences has been dependent on political mood-swing—at the mercy of whatever new winds may blow over Capitol Hill. It is high time the environment be given an equal footing in the economic agenda of this country. Creative, non-traditional initiatives such as this must be encouraged, particularly at a time when budget constraints often allow only the more "sexy" environmental topics to compete for scarce funding.

I applaud Times Mirror Magazines and hope this is just the beginning of an emerging trend toward public/private partnerships in environmental education, research, and development.

UNITED STATES INTENDS TO TAKE WAR ON DRUGS SERIOUSLY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. ORTIZ. Mr. Speaker, I rise today to bring attention to the horrible travesty that occurred Tuesday in Bogota, Colombia. On Tuesday Enrique Low Mitura, a former Colombian Minister of Justice was assassinated by two unidentified gunmen. Mitura was a strong supporter of extraditing drug criminals to the United States. This assassination took place on the seventh anniversary of the murder of Colombia's Minister of Justice, Rodrigo Lara Bonilla. This unfortunate incident clearly demonstrates what dangers statesmen in the Andean countries face by standing up against drug traffickers. This incident sends a strong message to the leaders of our country that we must continue to support efforts to combat drug traffickers in Colombia and other Andean countries. We must continue to demonstrate that the United States intends to take its war on drugs seriously. I urge my colleagues to join me in supporting the valid efforts of men such as Enrique Low Mitura.

SOVIET INVASION OF ARMENIAN VILLAGES

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. LEHMAN of California. Mr. Speaker, I rise today to speak of the troubling situation in the Soviet Republic of Azerbaijan. A week ago, Soviet internal ministry troops, joined by Azerbaijani forces, surrounded and bombarded the Armenian villages of Getashen and Martunashen, located to the north of Karabagh. Two days ago, they broke through the resistance offered by the villagers and swept into the towns, killing more than 22 Armenians, leaving scores wounded, and taking 75 hostages.

The leadership of the Azerbaijani Republic's government has for the last 3 years, pursued a brutal policy of harassment, intimidation, and terror intended to drive out the Armenian residents of Karabagh and Azerbaijan.

Sadly, the Azerbaijani government has been largely successful in their efforts. Since 1988, massacres and local deportations in Sumgait, Girovabad, Baku, Azat, Kamo, and throughout Azerbaijan have taken hundreds of lives and made refugees of hundreds of thousands of Armenians.

While it is too early to determine exactly who is responsible for this massacre, it is clear that the Soviet forces should not be involved in the invasion of Armenian villages and the killing of civilians, including many women and children.

Mr. Speaker, the Soviet forces should withdraw at once. If Moscow seeks a role in the region, it should be as a peacemaker, not as a tool of the Azerbaijani government.

H.R. 1

HON. FRED GRANDY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GRANDY. Mr. Speaker, today I rise to shed light on one facet of H.R. 1, the Civil Rights Act of 1991. H.R. 1 provides for unlimited money damage awards to be levied by juries. The bill specifically authorizes juries to award both punitive and compensatory damages, for example tort-like pain and suffering damages, without placing any limitations on the size of these awards. This brings to the forefront a major question—whose interests are ultimately being served by this legislation. Testimony on this is extensive and succinct—lawyers.

This is not some prediction conveniently manufactured by opponents of this legislation. This fact has been repeatedly echoed in court decisions discussing the impact of punitive and compensatory damages.

Currently, employment law remedies include backpay, reinstatement, injunctive relief, and attorneys fees, remedies known as make whole relief. Also, trials take place before a judge, not a jury. H.R. 1 would completely revise the nature of title VII.

I believe the awarding of punitive and compensatory damages in section VII and section VIII cases would encourage litigants to bypass the EEOC settlement process and go directly to Federal court. This approach would encourage confrontation and litigation, as well as lengthy judicial proceedings. Our present system demonstrates that such incentives create new jobs for lawyers but not increased civil rights for Americans. I encourage Members to oppose this change in our current law.

SENSELESS MURDER OF ARMENIANS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. PALLONE. Mr. Speaker, I rise today to express my outrage over the senseless murder of Armenians in Getashen and Martunashen. Just this Tuesday, Armenian residents of these villages in Azerbaijan were overrun by Soviet and Azerbaijani forces. More than 60 men, women, and children in these villages were murdered for no other reason than the desire of the Azerbaijani Govern-

ment to eliminate the Armenian minority within its borders.

Late last week, Soviet troops, assisted by Azerbaijani forces, surrounded, blockaded, and then bombarded the Armenian populated villages of the Getashen and Martunashen subdistricts of Azerbaijan, located just to the north of Nagorno-Karabagh. Tuesday morning, acting on orders from Soviet Interior Minister Pugo and Internal Security Forces Commander Shatalin, these combined forces overran the Armenian villages defending Getashen and, armed with tanks, armored vehicles, and artillery, forced their way into the villages. The Armenian population, left defenseless against violent searches, beatings, and indiscriminate killings, suffered more than 60 deaths, scores of injuries and 75 hostages, according to Armenian National Committee of America sources and CNN reports. Like so many instances of this brutality, many of the victims of this assault were children.

For more than 3 years, since February 1988, Armenians living in Nagorno-Karabagh and Azerbaijan have been the target of an unrelenting campaign of violence and intimidation, aimed at driving them from their homes. The history of these past 3 years in the Caucasus has been one atrocity after another.

In February 1988, Armenians were massacred and eventually forced from the city of Sumgait; again in September of that same year we witnessed the same pattern of violence in Girovabad. In January of last year, the world protested the outbreak of anti-Armenian violence in Baku, which left more than 70 dead, and led to the exodus of hundreds of thousands of Armenian refugees, most of whom, to this day, are without homes and jobs. Late last year the Armenian towns of Azat and Gamo, having been issued an ultimatum by the Azerbaijani leadership demanding that they leave, were forcibly emptied by Azerbaijani forces.

This most recent outbreak of anti-Armenian violence ought to be condemned. The Soviet Central Government, if it is to have any claim of governance, must at the very least protect the lives and rights of its citizens. The continued use of force, the continued massacre of innocent people, the continued brutality in its relations with the Republics will lead only to Moscow's isolation from the Republics and from the rest of the world.

HONORING DR. JOHN D. RANDALL, MOUNT SAN ANTONIO COMMUNITY COLLEGE DISTRICT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. TORRES. Mr. Speaker, I rise today to recognize a special individual, Dr. John D. Randall, superintendent/president of Mount San Antonio Community College, CA. Dr. Randall is retiring as president of the college and will be honored at a retirement celebration on Saturday, August 24, 1991.

Dr. Randall served as superintendent/president of the Mount San Antonio Community College for 14 years and 32 years in the community college system.

Dr. Randall was born on April 11, 1931, in Denver, CO, and his family moved to California when he was 9-months old. In 1958, he graduated from the University of California, Los Angeles with a bachelor of arts degree, and the following year he obtained his master of arts from California State University at Long Beach. He later received his doctorate's degree from the University of Southern California.

He met and married the former Barbara French and together they have two children, Linda Mitchell and Mark Randall. Additionally, they have two step-grandchildren.

Dr. Randall has dedicated his career to the field of education. After serving over an 18-year period as a mathematics instructor, division chairman, dean, and vice president of instruction at Cerritos College, Dr. Randall moved to Mount San Antonio College as its superintendent/president. President Randall earned a local reputation as a strong leader in the wake of proposition 13 and budgetary cuts in the late 1970's and early 1980's. He later earned statewide recognition, serving as president of the Chief Executive Officers of the California Community Colleges and as interim chancellor of the 107-community college system.

Dr. Randall and his wife are former residents of West Covina and currently reside in San Dimas, CA. Randall states, "I'd like to think I'm a good communicator. Being honest, straightforward, and telling things as they are help in the communication process and enhance credibility."

Mr. Speaker, the board of trustees and the community will host a brilliant gala on Saturday, August 24, 1991, at the Biltmore Hotel in Los Angeles to honor Dr. John D. Randall for his tremendous contributions in the field of education. I ask my colleagues to join me in saluting Dr. Randall for his outstanding record of educational service to the California Community College System.

IN RECOGNITION OF THE ACCOMPLISHMENTS OF ROYAL FURGESON, JR.

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. COLEMAN of Texas. Mr. Speaker, I rise today to honor an outstanding citizen of El Paso and Texas, a great American, Mr. Royal Furgeson, Jr., on his being named recipient of the University of Texas School of Law 1991 Alumni Award for Distinguished Service.

Mr. Furgeson has been an important asset to the El Paso legal community since moving to west Texas in 1970. Mr. Furgeson received his doctor of jurisprudence from the University of Texas School of Law in 1967, after which he served in Vietnam in the United States Army. He has also been active in many civic endeavors throughout the community. He has served as president of the El Paso Bar Association in 1983 and president of the west Texas chapter of the Federal Bar Association 4 years later. He has been active in Keep El Paso Beautiful, Leadership El Paso, and the Cathedral High School Parent-Teacher Association, just to name a few of his volunteer commitments.

Because of his work, Mr. Furgeson has received various State and local awards which illustrate the community's appreciation for his concern and commitment.

Royal has been a legal colleague and a supporter, but more importantly, a friend to whom I know I can call on for wisdom and guidance.

Mr. Speaker, I laud Royal Furgeson's commitment and service to El Paso, and congratulate him on receiving this honor from the University of Texas. I ask my colleagues to join me in wishing him well in all his endeavors.

THE LONG ISLAND CENTER FOR BUSINESS AND PROFESSIONAL WOMEN

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SCHEUER. Mr. Speaker, there is an organization in my district of Nassau County, NY, which is opening doors for women in the business world. The Long Island Center for Business and Professional Women provides a much needed resource for these aspiring entrepreneurs. On May 9, this group is holding its 12th Annual Achievers' Awards dinner honoring seven outstanding citizens from Long Island. I would like to pay tribute to these women, and to the center itself.

The 1991 honorees have displayed distinction in a variety of fields. The award for excellence in business goes to Susan L. Farrell, the territorial sales manager for Allstate Insurance. In education, Virginia Dunlap Ettrick is honored for her work at Edmund W. Miles Junior High School in Amityville, NY. Jane S. Gitlin, the publisher of The Women's Record, is cited as entrepreneur of the year. In health care, the honoree is Dr. Virginia F. Sendor, M.S., the founder and executive director of Long Island Foundation for Hospice Care & Research, Inc. In law, Helen Carroll Schofield, Esq., is cited for her work as the legal counsel to the Nassau County Coalition Against Domestic Violence. The award for excellence in medicine goes to Dr. Karen M. Kostroff, M.D., a breast surgeon at the Long Island Jewish Medical Center and North Shore University Hospital. Last, the center is honoring Winifred S. Freund with a special award for her work as a consultant for Corporate Child Care.

These honorees reflect the increasing numbers of women who have earned distinction in the professional world. Unfortunately, women still encounter obstacles which can hinder their professional development, particularly to the management level. The Long Island Center for Business and Professional Women is important because it helps women break through these barriers. We should congratulate the center, and these distinguished women, for a job well done.

TRIBUTE TO THE NEW YORK SOCIETY FOR THE DEAF

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GREEN of New York. Mr. Speaker, I rise today to recognize the New York Society for the Deaf [NYSD] which will celebrate its 80th anniversary with a reception in New York City on May 9, 1991.

All proceeds from the NYSD's anniversary reception will fund a renovation of the special facilities in the Tanya Towers Apartment Complex located in my congressional district. The Tanya Towers Apartments provide affordable independent apartment living for older deaf and deaf-blind people as well as other disabled individuals.

I especially should like to commend Mr. Joseph G. Blum, who will be honored by the NYSD at the reception, for his commitment to the plight of severely disabled individuals. Mr. Blum has demonstrated his dedication by working with the New York Society for the Deaf for the past 60 years as an active member, counsel, president, and now as chairman of the board.

I join my colleagues in extending thanks and congratulations to the New York Society for the Deaf upon its landmark anniversary. It is my hope that the NYSD continues its efforts to reach out to disabled individuals in need.

THE 200TH ANNIVERSARY OF THE POLISH CONSTITUTION

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BONIOR. Mr. Speaker, Friday, May 3, 1991, marks the 200th anniversary of the Polish Constitution of 1791. On that day, the first constitution in Europe was approved by the Polish Diet. This landmark document embodied the dedication of the Polish people to the principles of freedom, justice, and individual liberty.

One of our Founding Fathers, George Washington, wrote, "Poland, by the public papers appears to have made large and unexpected strides toward liberty, which, if true reflects great honor on the present King, who seems to have been the principle promoter of the business." The public papers were true. In fact, the Polish Constitution expressed the philosophy of our own Constitution and Declaration of Independence.

Unfortunately, neighboring Russia did not like the strides being taken in Poland. Within a year, Russian troops invaded, and Poland was subjected to further partition among its hostile neighbors. For the better part of two centuries, the Polish people suffered repression from one source or another. Throughout this extremely difficult time, the Polish people retained an unswerving dedication to freedom and democracy.

It is no accident that the tide of freedom sweeping across Eastern Europe began in Poland. The Polish people approved the first European constitution in 1791, and they were the first to throw down the shackles of communism in 1989. Thanks to the courage of the Polish people, Eastern Europe has entered a new era of freedom and hope. It is fitting that last year May 3 was reinstated as a national holiday in Poland after being abolished by the Communist government in 1945.

In America, Polish-Americans have made tremendous contributions to this country. Michigan is blessed with a large and very active Polish community. Polish-American arts and veterans groups are sponsoring a number of events to celebrate this important historical event.

Mr. Speaker, in conclusion, I'd like to join the Polish-American Congress, Michigan Division, The American Polish Cultural Center, and people across this Nation and around the world in celebrating the 200th anniversary of the Polish Constitution.

USTA SUPPORTS H.R. 1527

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. TAUZIN. Mr. Speaker, I want to publicly recognize the strong support of the United States Telephone Association [USTA] for H.R. 1527, the Telecommunications Equipment Research and Manufacturing Competition Act of 1991. This legislation, introduced by my colleague from Kansas, Mr. SLATTERY, and me in March, would permit the regional Bell operating companies [RBOC] to manufacture telecommunications equipment in the United States subject to specific regulatory safeguards. H.R. 1527 is virtually identical to S.173, the RBOC manufacturing relief bill introduced by my good friend from South Carolina, Senator FRITZ HOLLINGS. This bill is pending full Senate approval after being reported out of the Senate Commerce Committee by a vote of 18 to 1.

The support of the USTA for both bills is especially significant because it reflects a consensus view of the Nation's local exchange carrier industry as a whole. USTA represents over 1,100 local exchange carriers, ranging from the very largest to the very smallest, which provide local telephone service to virtually the entire U.S. population. Consequently, USTA support for removal of the manufacturing restriction on the RBOC's is affirmation that the proposed legislation, H.R. 1527, is good public policy.

As drawn from the USTA position statement, RBOC entry into manufacturing will give advantages to other local exchange carriers because of their shared interests in the development of advanced local network equipment and the maintenance of a seamless nationwide network. The USTA position statement also alludes to the potential contribution of RBOC manufacturing to building the Nation's telecommunications infrastructure and extending that infrastructure to encompass the Nation's rural areas.

Mr. Speaker, H.R. 1527 now has the endorsement of the local exchange carrier industry as represented by USTA and the industry's major union as represented by the Communications Workers of America, among numerous other public interest groups. The recent addition of the USTA, however, adds momentum to the support effort and increases the possibility that a RBOC manufacturing relief bill will pass in the 102d Congress.

UPON THE RETIREMENT OF CAROL W. GUTHRIE

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. THOMAS of California. Mr. Speaker, I want to recognize Ms. Carol W. Guthrie on her retirement from Federal service after a 37-year career in financial management with the Department of Defense. For the past 14 years, Ms. Guthrie has served as deputy comptroller and senior financial manager of the Air Force Flight Test Center at Edwards Air Force Base in California, and has distinguished herself during that period as an astute manager of resources. She is respected throughout the Department of Defense for her creative thinking, strategic vision, and effective leadership.

Ms. Guthrie has distinguished herself as a pioneer in the field of resource management during her service as deputy comptroller and senior financial manager for the Air Force Flight Test Center. Through her advanced planning and forecasting and ability to apply advanced technical concepts and management techniques, she has placed the Air Force Flight Test Center in a position to meet the challenges of the future. Ms. Guthrie has played a major role in the planning, provisioning, and testing of many Air Force programs, including the F–15, Advanced Tactical Fighter, and the B–2. She has provided the commander, his staff, and the test program managers timely and accurate information, insight, and recommendations on how to best meet mission objectives by maximizing their financial resources in a limited and declining funding environment.

Mr. Speaker, I thank my colleagues for allowing me this opportunity to honor Carol W. Guthrie on her retirement. She has been a great friend to the Air Force Flight Test Center.

THE FEDERAL FACILITIES COMPLIANCE ACT OF 1991

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BLILEY. Mr. Speaker, I rise in strong support of the Federal Facilities Compliance Act of 1991. Each year, Federal facilities generate millions of tons of hazardous waste. I find it unconscionable that some of the most horrifying stories of noncompliance with our hazardous waste laws deal with Federal facilities. This legislation correctly recognizes the fact that this Nation's ground water cannot tell

the difference between Federal pollution and the rest of the country's pollution.

This amendment clarifies the existing waiver of sovereign immunity in section 6001 of the Resource Conservation and Recovery Act [RCRA] to provide that Federal facilities are subject to the same enforcement sanctions, including civil penalties, that apply to State and local governments and private companies. It also restores the Environmental Protection Agency's ability to use administrative orders to resolve regulatory violations at Federal facilities. For too long, Federal facilities have been like the coach's son—not forced to do the drills like the rest of the team. Well, this bill puts an end to favoritism. It tells the Federal facilities: Practice what you preach.

This is not a radical concept. Congress has clearly waived sovereign immunity under the Clean Air Act, the Safe Drinking Water Act, and the Medical Waste Tracking Act. Under these laws States have shown reasonable, responsible behavior. I expect no different under this legislation. Of course, the best way of preventing any problems would be for the Federal facilities to be in compliance with the laws from the start.

Last Congress, the House passed similar language on two separate occasions. Unfortunately, the August body across the Capitol, the U.S. Senate does not feel that this is a priority. They have chosen to ignore this environmental double standard. So today we start anew in the 102d Congress, hoping the House will show its earlier wisdom by quickly acting on this bill.

This bill is a much needed tool to work for enforcement of our hazardous waste laws. I urge my colleagues to vote for fair play and a healthy environment. I urge their support of the Federal Facilities Compliance Act of 1991.

CENTENNIAL OF THE MACDUFFIE SCHOOL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. NEAL of Massachusetts. Mr. Speaker, today I am honored to pay tribute to the 100th anniversary of the MacDuffie School for Girls in Springfield, MA, a school I am proud to represent in my congressional district.

The MacDuffie School was founded in 1890 by Harvard alumnus John MacDuffie and his wife, Abby Parsons MacDuffie, a member of the first class to graduate from Radcliffe College. The MacDuffies were committed to furthering academic reform in the education of women and established their school as a model for other schools to follow. By the early part of this century, the MacDuffie School's commitment to education had earned it a strong reputation in the Springfield area.

The MacDuffie family served as heads of the school until 1941 when Ralph D. Rutenber and Cleminette Downing Rutenber began their 30-year tenure. During the Rutenber years, the MacDuffie School's reputation was solidified locally and extended across the Nation as well as abroad. Founded in the historic Bowles House, which was the former home of Springfield Republican newspaper owner Samuel Bowles, MacDuffie moved across Maple Street and acquired most of its current property between 1956 and 1968. The school also purchased and was given several beautiful old estates.

Today, MacDuffie's academically rigorous courses emphasize intellectual growth as well as character growth. The MacDuffie School is committed to creating a well-rounded young woman who has the confidence to excel in all of her endeavors. The school offers advanced placement courses, independent study courses, and the opportunity to engage in almost 30 afterschool activities. The current headmaster, Michael L. Cornog, has 20 years experience in leading independent schools in New England. MacDuffie has 140 students, 60 boarding and 80 day, in grades 6–12, who are taught in small classes by about 20 faculty members. The student body is diversified, representing 13 countries from throughout the world. Starting in the fall of 1991, the school will admit boys as day students for the first time.

Over the course of the past 100 years, MacDuffie has edcuated more than 2,000 young women. When asked about their memories of MacDuffie, alumnae recall such time-honored traditions as mountain day, international dinners and diversity day, the candlelight ceremony, and morning assembles. For the past century, the role of women in our society has changed significantly. However, MacDuffie has always been and continues to be a small, supportive, academically sound school, which focuses on the growth of the entire student, where developing one's intellect and character are one in the same.

HAZARDOUS WASTE DISPOSAL

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SPRATT. Mr. Speaker, I am introducing a bill today which attempts to restore some fairness to existing Federal laws governing interstate hazardous waste disposal.

Current Federal laws are hard on States like South Carolina which have disposal facilities and lax on States like North Carolina which have none and refuse to permit any. South Carolina is forced to be the burial ground for States which flout RCRA, by refusing to permit waste disposal within their own borders, while dumping it on our doorsteps and protesting any countermeasures we propose.

Last year, South Carolina took in thousands of tons of hazardous waste which we did not generate, we do not want, and from which we derive no benefit. This waste, much of which remains toxic for centuries, is a dangerous legacy for generations to come. While we take in this waste, several waste exporting States, including North Carolina, refuse to permit even one commercial landfill or incinerator to open within their borders.

A few statistics show the magnitude of the problem. Between 1985 and 1989, South Carolina accepted 627,000 more tons of hazardous waste than we exported. In 1989 alone, South Carolina accepted for treatment, storage, or disposal a net total of 148,000 tons of out of State; almost one-fourth of that came from North Carolina alone. South Carolina has one hazardous waste landfill and three commercial incinerators, one of which burns medical waste. My district hosts both an incinerator owned by ThermalKem in York County and a landfill owned by GSX in Sumter County, which is the second largest hazardous waste landfill in the Southeast. The owners of these facilities tout their operations as state of the art. But as members of this committee know, the art is in a very basic State. The ThermalKem facility has experienced three explosions in 4 years, including one last month, while the GSX landfill has suffered a series of tears in its liner. In 1988, over 90 percent of the waste burned by ThermalKem and 65 percent of the waste dumped in the landfill came from outside South Carolina. Seventeen percent of all the waste disposed of under the Superfund Program between 1984 and 1989 was sent to the GSX landfill in my district. Some of these sites were in our State; I have four NPL sites in my district, one of which is a wasteland of paint residues from the North Carolina furniture industry.

While South Carolina takes waste from 40 States, our largest single source is North Carolina. Between 1985–89, South Carolina accepted a total of 257,000 tons of hazardous waste from North Carolina. In 1987, the last year data is available, 65 percent of the total waste exported by North Carolina came to South Carolina.

Each time South Carolina tries to slow down the volume of imported waste, the Federal courts and EPA stop us. They tell us that we are violating the Constitution's commerce clause which treats the shipment of garbage and waste as interstate commerce under New Jersey versus Philadelphia. In 1989, for example, our State legislature approved a rule banning waste from any State which would not accept our waste—a simple rule of equity. A Federal judge overturned it as unconstitutional. The State has also tried to prevent existing facilities from expanding, since the lion's share of their waste comes from out of State, and we have more than enough capacity to serve South Carolina. This sort of limit would not discriminate against out-of-State waste, but even it has been blocked. On the other hand, when the North Carolina Legislature passed a law effectively preventing any commercial waste facility from opening, the Federal Government sat on its hands. Clearly, EPA and the Federal courts have been tougher on waste-importing States with existing facilities than on those States which have no disposal facilities, and are content to go on exporting their waste with a beggar-my-neighbor attitude.

In 1986, Congress began to recognize the need for fairness in interstate waste disposal by adding the requirement of capacity assurance plans [CAP's] to CERCLA. This requires every State to develop a 20-year plan assuring adequate capacity to manage the hazardous waste it generates. Those States which don't develop a plan, or which violate the plan they develop, lose their Superfund cleanup funds. This law should have led more States to develop the capacity to dispose of their own

waste, but so far it has not been very effective. What is lacking? We need effective sanctions and an EPA willing to enforce them.

Every State met the deadline for submitting a CAP, but three States, including North Carolina, have already failed to keep pledges made in their CAP's. North Carolina, for example, promised to select a site for a hazardous waste facility by December 31, 1990. But we are now 4 months past the deadline, and North Carolina still has not chosen a site and every effort Governor Martin has made to site a facility has been blocked. Yet EPA has failed to act. I would like to offer for the record a letter to Administrator Reilly signed by the South Carolina delegation calling on EPA to enforce the CAP requirement by suspending North Carolina's Superfund money. I would also like to offer the letter written by Administrator Reilly to Governor Martin, with some stiff warnings; but those threats have yet to be acted upon.

Since the existing laws have not worked, Congress needs to adopt stronger laws. Today, I am introducing a bill that I think will contribute to the solution. My bill gives EPA tougher sanctions to enforce the CAP requirement. It also gives States which are complying with the CAP requirement more control over waste entering their borders.

My bill has three parts. The first part provides broader sanctions against States violating the CAP requirement. The measure would require EPA to withdraw RCRA and HSWA delegated authority to any State not complying with the CAP requirement. States would not want to lose this authority, especially because withdrawal would mean the loss of Federal funds the States receive to enforce RCRA. In addition, the bill would allow EPA to suspend Superfund money gradually over a 1-year period rather than requiring an immediate cutoff. EPA has been unwilling to impose an immediate funding cutoff, and my hope is that this flexibility will increase the chances of EPA's taking at least some action against recalcitrant States.

The second part of my bill would allow those States with approved CAP's to reject permits for new or expanded waste facilities if the States do not need the additional capacity. At present, States like South Carolina can't reject permit applications for expanded facilities even if in-State disposal capacity far exceeds in-State generation. It is not fair for EPA to force States that are complying with the law and have permitted facilities in the past to accept larger and larger waste disposal facilities when many States have no facilities at all.

Third, the bill would allow a State complying with the CAP requirement to restrict imported waste so long as the restriction does not violate the State's CAP. One of the major weaknesses of the existing law is that states must "assure" a 20-year capacity even though they do not have the authority to control waste imports. As a result, they cannot be certain that the capacity they anticipate will not be consumed by other states' wastes. When Congress adopted the Low-Level Nuclear Waste Act, we gave States the authority to exclude waste from States outside their compact. It is only fair to allow a similar provision for hazardous waste.

I am not asking Congress to allow States to build walls around their borders to exclude waste imports. Obviously, States need—and should be encouraged—to cooperate in disposing of waste. And that is exactly what the CAP requirement contemplates by allowing interstate agreements.

In the long run, CAPs are only a partial solution to hazardous waste. We need incentives to minimize and recycle waste. And we need to continue rigorous regulation. I tell my constituents who live near hazardous waste facilities that they cannot expect these facilities to be closed down overnight; but they have every right to expect that the government which permitted these facilities is watching over them with a wary eye. In addition to the bill I am filing this week, I will be introducing separate legislation shortly which will impose tougher rules on waste facilities and thereby provide better protection to the public.

I have dwelt on the problem of interstate hazardous waste, but interstate solid waste is also a serious problem which calls for congressional attention. In my district, a Florida-based company is now trying to build what some believe may be the largest incinerator in the world. It would burn 8.24 million tons of municipal waste per year, the overwhelming majority of which would come from out of South Carolina. I think you would share my concern if such a facility were underway in your district; South Carolina should be able to say whether such a facility will be located within its borders.

To respond to the problem of solid waste, I am a cosponsor of H.R. 724, introduced by our colleague, Congressman BEN ERDREICH. This bill would require States to develop 20-year solid waste CAPs similar to the CAP's already required for hazardous waste. H.R. 724 would also authorize those States with approved CAP's to prohibit out-of-State waste if the State's CAP justify the limitation because of inadequate capacity. In this regard, H.R. 724 tracks similar provisions included in Congressman LUKEN's bill for reauthorizing RCRA, which he filed in the last Congress.

I urge the House Energy and Commerce Committee and the full House to consider the Erdreich bill and my bill and the burden borne by States like South Carolina and Alabama that have complied with RCRA. I believe our bills will restore some equity to interstate waste disposal, and I hope it will be included in the new RCRA.

SUPPORT SECRETARY KEMP'S AFFORDABLE HOUSING INITIATIVES

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DREIER of California. Mr. Speaker, on April 9, the Los Angeles Times published an article from the Rev. Jesse Jackson that is unjustifiably critical of Secretary Kemp's efforts to provide homeownership opportunities for low-income families. I would like to submit to the RECORD Rev. Jackson's article, along with Secretary Kemp's "Letter to the Editor," which highlights a number of the inaccurate statements made by Rev. Jackson.

In addition to Secretary Kemp's response, I would like to draw attention to Rev. Jackson's statement that, after the Republicans gutted the housing budget, they "had a feeding frenzy on what little was left."

These accusations are ironic in light of public information about how one of Rev. Jackson's top fundraisers, A. Bruce Rozet, used his influence to earn for himself, his close associates and wealthy investors, millions of dollars from tax breaks and Federal housing subsidies at the expense of poor families and the taxpayers. As noted in the Washington Post article submitted below, Rev. Jackson benefitted handsomely as well.

[From the Los Angeles Times, Apr. 9, 1991]

LOVELY WORDS FROM KEMP—HOUSE NO ONE

(By Jesse Jackson)

You tell a tree, the Scripture instructs, not by the bark it wears but by the fruit it bears. A fig tree may look good, but if it bears no fruit at blossoming time, all you are left with is a fig leaf. Remember this wise lesson when you think about the right to affordable housing in this country.

Housing and Urban Development Secretary Jack Kemp, who speaks about the urban crisis with more passion than most Democrats, argues forcefully about the benefits of home ownership for poor people. Home ownership, he says, will provide a sense of accomplishment, of pride, a taste of the American dream. It is a lovely speech, but it bears no fruit.

Every month, Kemp's department forecloses on more than 7,000 homes, taking them from families who have fallen behind on their mortgages. In the current recession, many working people are losing their jobs through no fault of their own. But strict HUD regulations keep most of them ineligible for the forbearance that the law provides to prevent foreclosures among those suffering from hard times.

As a result, HUD owns about 50,000 single-family homes nationwide. What it does with those homes is shameful. According to the research of Assn. of Community Organizations for Reform Now, a nationwide group of low-income people, HUD's houses often remain vacant for three years or more. This costs taxpayers an estimated $8,000 per house per year, but costs the neighborhoods even more. Boarded-up homes become dens for drug dealers, safe houses for criminals, havens for runaways. They breed the crime and blight that drag the neighborhood down.

It doesn't get better when HUD unloads its properties. Does it set aside housing for the homeless? No. Less than 1% of the properties go to programs designed to house homeless families.

Does it help low-income working people gain home onwership, through a rent-to-buy program or with discount prices or mortgages that make the housing affordable? No. More than 50% of HUD's homes are sold to private speculators; in the District of Columbia, speculators buy 70% of the properties.

Speculators with cash in a recession can turn a fast buck, while families working to make ends meet can't find the financing they need. Now that speculators have sacked the savings and loans that were set up to provide mortgages for working people, the problem is worse than ever.

Kemp's housing program bears so little fruit in part because its roots have been so damaged. Remember the history of HUD over

the past decade of conservative rule. Ronald Reagan came in and gutted the housing budget, cutting it from $30 billion in 1979 to $7 billion in 1988. Then, the political piranhas of the Republican Party—consultants, donors—had a feeding frenzy on what little was left.

Former Interior Secretary James Watt got $300,000 for making a phone call, what Washington lobbyists considers heavy lifting. Paul Manafort, partner to the President's campaign manager, collected $326,000 for selling a useless New Jersey project. Sen. Alfonse D'Amato of New York even copped a swimming pool for his neighbors. In the end, an estimated $3 billion was squandered.

When Jack Kemp and the kinder and gentler crowd came in, they began to clean up the mess—by calling a halt to the programs. Kemp cut off three programs completely. He lobbied against the National Affordable Housing Act. And he has not gotten around to changing programs that just don't make sense.

The law says that every American has the right to a decent and affordable home. We devote significant federal resources to housing—but little of it goes to the working poor. Four times as much tax money—in the form of homeowner deductions—goes to subsidize middle- and upper-income American homeowners than to low-income or poor working people seeking the same dream. Then HUD gives speculators the inside track on the few units that could be purchased by low-income people.

The Administration has no plan for adequate housing, offers not even the promise of a plan to rebuild the cities. Last week I walked through Philadelphia where whole blocks are lined with boarded-up and burned-out houses, pockmarked with vacant lots of rubble and garbage. Today, parts of Kuwait city look worse than those neighborhoods. But two years from now, Kuwait city will blossom and bear fruit. Philadelphia will remain barren. There is a plan to rebuild Kuwait city, but no plan to rebuild our cities or revive our rural towns. Isn't that a crisis worthy of presidential attention?

[From the Los Angeles Times, Apr. 26, 1991]

AFFORDABLE HOUSING

(By Jack Kemp)

Jesse Jackson's column (April 9) is so absurd that I have to believe he neither wrote the article himself nor saw it before it was published.

Jackson claims that "HUD's houses often remain vacant for three years or more" and that "less than 1%" are used to help the homeless. The facts are a little different: the average HUD home stays vacant for only six months, and up to 10% are used to help homeless Americans. The majority of houses must be resold to maintain the financial health of the Federal Housing Administration (FHA) fund, which provides housing opportunities for millions of low- and moderate-income families.

To suggest that the Bush Administration "has no plan for adequate housing" and that I "lobbied against the National Affordable Housing Act" is extremely irresponsible for a shadow senator in Congress. As Jackson must know, the Administration's hope and home initiatives form the cornerstone of the National Affordable Housing Act. Far from lobbying against it, President Bush and I urged the Democrats in Congress to fund the program this year, instead of waiting until 1992.

Unfortunately, the Democrats denied our request, opting instead to continue the failed programs of the past.

Perhaps if Jackson put as much effort into persuading his Democratic colleagues to fund President Bush's housing initiatives as he does waging *ad hominem* attacks on me, we might make some real progress in helping low-income families have access to decent, safe, affordable housing.

[From the Washington Post]

L.A. HOTEL WROTE OFF JACKSON CAMPAIGN DEBT

(By Susan Schmidt)

Jesse L. Jackson's 1988 presidential campaign was released from a $30,000 debt by a Los Angeles hotel party owned by a major Jackson political supporter, housing project owner A. Bruce Rozet, according to former hotel employees. The debt was not reported to the Federal Election Commission as required under the election laws.

Former hotel employees said that the Hollywood Roosevelt Hotel also sent an undetermined amount of additional bills incurred by the Jackson campaign to a housing company owned by Rozet, who specializes in government-subsidized housing for low-income tenants.

Federal election laws require public disclosure of any contributions, whether in the form of cash or goods and services, and of all debts and debt settlements. No disclosure was made in Federal Election Commission reports. In addition, the law bars corporations from making contributions and limits the amount any individual may contribute to $1,000 per election.

Rozet, whose relationship with Jackson was forged in the 1970s through their mutual interest in low-cost housing, has been a major fund-raiser for Jackson's presidential campaigns. His housing firm, the giant Los Angeles-based Associated Financial Corp., controls 45,000 government-subsidized housing units, many of which have been in severe disrepair, including the much publicized Tyler House in the District and Glenarden apartments in Prince George's County. Since the campaign, Jackson considering a run for mayor of the District, has tried to help Rozet settle a dispute with a highly critical Department of Housing and Urban Development.

Last spring, Jackson brought Rozet along when he made a courtesy call on newly installed HUD Secretary Jack Kemp, appeared at a Rozet-sponsored rally at Glenarden and wrote twice to Kemp seeking a meeting between top HUD officials and Rozet representatives. Associated Financial Corp. and Rozet have since been termed "slumlords" by HUD Undersecretary Alfred DelliBovi. Yesterday, HUD temporarily barred AFC and its affiliates from receiving further federal contracts while the department investigates the firms' activities.

A hotel employee sent to Jackson headquarters in Chicago in late 1988 to try to collect the $75,000 in outstanding campaign bills reported in a memo to his superiors that the director of the campaign's finance committee balked at paying, asserting that the expenses were "a gift" from Rozet, according to two former employees who knew the contents of the memo. The Jackson aide, Cirilo McSween, said he could not recall making such a comment.

The former hotel employee, financial consultant Vincent Moteleone, confirmed that he personally drafted a letter from the hotel in late 1988 freeing the Jackson campaign of responsibility for $30,000 in outstanding bills.

Five other ex-employees of the hotel, including the former controller and the former assistant general manager, recounted how some campaign expenses were billed to Associated Financial or written off as bad debts.

"I know a lot of it was billed to Associated or to [Rozet] personally," said Jane Pulsinelli, who was controller of the Hollywood Roosevelt in early 1988. "In the springtime, when Jackson was campaigning . . . bills were sent to AFC. . . . It was Rozet's personal thing—he's the one who was supporting Jackson."

Rozet, half-owner of Wilshire Investments Corp., operating general partner of the Hollywood Roosevelt, denied that AFC was billed directly for Jackson campaign expenses incurred there. He said he instructed his hotel manager to settle accounts with the campaign when a dispute arose over the bill, but he has said he was not a party to those negotiations and knows nothing about debts being written off. The hotel manager also denied that Jackson bills were sent to Associated Financial, and when asked whether debts were written off, declined to discuss the campaign's expenses.

Jackson said he was not informed about matters pertaining to hotel bills and was unaware of Rozet helping out with any hotel expenses. "Absolutely not" he said. "First off, we didn't need that kind of favor, and second, it would have been illegal. That was never discussed and it was not required." He referred inquiries about the bills to campaign officials.

National campaign treasurer Howard Renzi denied that Rozet took care of bills at the hotel. He said the campaign had refused to pay some bills—contending they were not authorized by the campaign—and had not reported any debt because for a time it was uncertain there actually was one.

James Hewitt, a lawyer for the Jackson campaign, acknowledged that the campaign violated federal election regulations by failing to report that it was running up debts at the hotel. "It should have been listed as a debt," he said declining to answer further questions.

The hotel was used frequently by the Jackson campaign in the months leading up to the June 1988 California primary. Some aides stayed there for weeks at a time, and it was the setting for a number of Jackson campaign events.

Associated Financial Corp. was billed for some of those costs, principally catering charges, according to former hotel employees. The $30,000 written off as bad debt was part of $75,000 in charges billed to the campaign, ex-employees said.

The Jackson campaign reported only the expenditure of $45,500 at the Roosevelt. Campaign reports to the Federal Election Commission did not list any debt to the hotel throughout the campaign, as required by law. Nor is there a record of the campaign reporting that the bill was in dispute or that it was settled for less than its full amount, also required under election law.

Presidential campaigns often have chronic cash-flow problems and are frequently tardy in paying bills. The Jackson campaign was particularly disorganized.

Former employees said a dispute arose over the Jackson bills between Rozet and some of the hotel's other owners and managers, who wanted to collect.

As the campaign ran up bills, its failure to pay became a bitter joke among employees, some of whose paychecks were bouncing because of cash-flow problems, according to Pulsinelli. At one point, someone in the ho-

tel's accounting office posted a photograph of Jackson and drew in a cartoon-style bubble with the words "I'll never pay" coming from Jackson's lips.

Despite repeated efforts on the part of the hotel to collect on the mounting bills, the campaign made only one $500 payment during the primary campaign, according to two former hotel employees. That payment, made by the California Jackson committee on May 20, 1988, came in only after a hotel official called Chris Hammond, manager of Jackson's California campaign, and threatened to lock one of Jackson's sons out of his room at the hotel. Hammond declined to be interviewed.

One former hotel employee who said he tried to get the bills paid said, "Quite often, when I would make a call, they [Jackson campaign aides] would say, 'Have you talked to Mr. Rozet about this?' "One Jackson aide, he said, "looked at me and said, 'Didn't Mr. Rozet talk to you? It's all been taken care of.' "

Sources said Monteleone, in his memo in the fall of 1988, reported telling McSween, the Jackson aide, that non-payment would violate campaign laws, and that he would contact the FEC if the bill was not paid. Within days, sources said, the hotel received a $25,000 payment from the campaign. Later—after Monteleone threatened to go public with the problem—an additional $20,000 arrived, in exchange for an agreement signed by general manager Bruno Fava forgiving the campaign for the remaining debt—$30,000. Questioned about the memo, Monteleone said, "Yes, there was a memo."

McSween, who is currently handling the campaign's responses to an ongoing FEC audit, said in an interview that there was never a dispute about the hotel bill. Asked if he had claimed Rozet would pick up the expenses as a "gift," he said, "I cannot seem to recollect that."

Under federal law, a debt settlement—anything less than a full dollar for dollar payment of bills—must be formally approved by the FEC. The regulation is designed to prevent back-door contributions by corporations or individuals. FEC records reflect no request for approval of any debt settlement by the Jackson campaign. The campaign has until the end of the audit period to ask for permission to settle, but it must record any bills in dispute or settlements that have been made on reports filed regularly with the FEC. The campaign has not done that.

According to former hotel employees, certain other bills were sent directly to Associated Financial. Glen Crowell, controller and assistant general manager of the hotel until late 1987, said a secretary at AFC sometimes made Jackson's reservations at the hotel and that on those occasions, the corporation arranged to be billed for the expenses.

If Jackson's arrival "was impromptu, he would pay," Cromwell said. "If AFC made the arrangements, AFC would pay."

The campaign also put on a number of events at the hotel, including two fund-raisers: a cocktail party for several hundred and a dinner for about 100. Those bills were sent to Associated Financial, according to the former sales and catering employee who helped put them on.

Asked whether Rozet or AFC picked up some of the expenses billed to the campaign, Vivian Dixon, an accountant who handled the payments to the Roosevelt and is now controller of Jackson's national Rainbow Coalition, said, "That might be. I don't know whether they gave us rooms gratis or whatever the case might be. That would be the only thing they gave."

It was not possible to obtain a reliable figure from the campaign on what it spent at the hotel. Dixon said the national campaign had paid $70,000 to $80,000. "That's how much the bill was," she said.

She could not explain why records filed by the campaign with the Federal Election Commission show total payments to the hotel of $45,500.

Asked if Rozet or Associated Financial picked up Jackson's campaign expenses, Fava, the hotel's general manager, said, "That's not true." He declined to discuss the matter further.

Rozet said he knew little about the campaign bills. Hotel managers "called me and said we have an outstanding bill and who do we deal with. I think that was at the tail end or right after the campaign was over. I said 'Deal with whoever you dealt with during the campaign.' "

Rozet said he picked up the tab for Jackson at some events at the hotel unrelated to the campaign. He threw a birthday party there for Jackson in October 1987, he said, and paid Jackson's room charges when he attended a few unspecified charity events at the hotel.

He said, however, that he had not promised the Jackson campaign free use of the hotel.

Rozet got to know Jackson about 12 years ago when Rozet began acquiring troubled housing projects from inner-city churches and turning them into government-subsidized tax shelters for investors. Jackson was then deeply involved in public housing issues. By Rozet's account, he has raised hundreds of thousands of dollars for Jackson's efforts to win the presidency. He was a Jackson delegate at the Democratic National Convention and is on the board of the National Rainbow Coalition.

In May 1989, the Roosevelt sought reorganization under Chapter 11 of the federal Bankruptcy Code. The hotel, which has undergone $50 million in renovations in recent years, remains open and continues to be operated by Rozet's Wilshire Investments Corp.

AFC, Rozet's housing firm, has been controversial in the Washington area because of poor conditions in the past at several of its local projects, including Glenarden, Tyler House and Sursum Corda apartments. HUD officials have contended that Rozet and his partners have not put enough money into those and other projects.

Jackson confirmed that he contacted HUD on Rozet's behalf last spring, but said he was unaware at the time that the agency took such a dim view of Rozet's company.

HUD was threatening to deny Associated Financial future contracts to operate subsidized housing in Oklahoma. Jackson's efforts did not change HUD's position on Associated Financial; in fact, Kemp has publicly criticized Rozet and the corporation, saying they profited from national housing programs at the expense of the poor.

Rozet said he knew nothing about Jackson writing to Kemp about the Oklahoma projects. "We never requested Jesse to do anything for us in housing," said Rozet. "Jackson has never intervened at HUD for me."

In an interview, Jackson said he was asked by Rozet and by tenants in Tulsa to talk to Kemp about the projects there. "The people in Oklahoma were asking us to help them and Bruce was part of that. They made the appeal to me and Bruce made the appeal to me," he said.

Jackson said he did not know details about the rehabilitation funds Rozet and the tenants were asking HUD to provide.

The first letter to Kemp, dated March 27, 1989, and obtained under the Freedom of Information Act, reads in part, "Dear Jack: I think we have an opportunity to turn a problem housing situation into a positive model for your housing philosophy . . . . The owners . . . deserve an opportunity to be heard. Could we arrange a meeting between you and/or your staff, the owners, and representatives of the tenants to discuss their plan."

In a follow-up letter dated May 16, Jackson again sought a meeting between Rozet company representatives and Kemp's staff. "Could that meeting be scheduled? I believe their plan represents the best in public-private tenant participation."